

Application For Administrative Deviation

Planning and Development Department Info

Application # AD-23-50 **Staff Sign-Off/Date** KPC / 06/30/2023

Filing Date N/A **Number of Signs to Post** 3

Current Land Use Category CGC

Deviation Sought INCREASE THE MAXIMUM NUMBER OF OFF-STREET PARKING SPACES FROM 40 TO 74; DECREASE MINIMUM NUMBER OF LOADING SPACES FROM 1 REQUIRED TO ZERO LOADING SPACES; INCREASE MAXIMUM WIDTH OF THE DRIVEWAY ACCESS FROM CHAFFEE ROAD SOUTH FROM 36 FEET REQUIRED TO 45 FEET; REDUCE YARDS WHERE PROPERTY IS ADJACENT TO A RESIDENTIAL DISTRICT TO 10 FEET; AND REDUCE UNCOMPLIMENTARY LAND USE BUFFER TO ZERO FEET.

Applicable Section of Ordinance Code N/A

Notice of Violation(s) N/A

Hearing Date N/A

Neighborhood Association N/A

Overlay N/A

Application Info

Tracking # 4948 **Application Status** SUFFICIENT
Date Started 04/28/2023 **Date Submitted** 05/05/2023

General Information On Applicant

Last Name	First Name	Middle Name
DIEBENOW	STEVE	
Company Name		
DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC		
Mailing Address		
ONE INDEPENDENT DRIVE, STE. 1200		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email
9043011269	9043011279	SDIEBENOW@DRIVERMCAFEE.COM

General Information On Owner(s)

Last Name	First Name	Middle Name
N/A	N/A	
Company/Trust Name		
FIRST COAST ENERGY, L.L.P.		
Mailing Address		
7014 A.C. SKINNER PARKWAY, SUITE 290		
City	State	Zip Code
JACKSONVILLE	FL	32256
Phone	Fax	Email

Property Information

Previous Zoning Application Filed?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	Current Zoning District(s)

Map	001848 0000	12	5	CCG-1,RMD-MH
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Ensure that RE# is a 10 digit number with a space (##### #)

Total Land Area (Nearest 1/100th of an Acre) 3.32

In Whose Name Will The Deviation Be Granted

FIRST COAST ENERGY, L.L.P.

Is transferability requested? Yes No

If approved, the administrative deviation is transferred with the property.

Location Of Property

General Location

INTERSECTION OF CHAFFEE ROAD SOUTH AND CRYSTAL SPRINGS ROAD

House #	Street Name, Type and Direction	Zip Code
620	CHAFFEE RD S	32221

Between Streets

FOXWOOD DRIVE and CRYSTAL SPRINGS ROAD

Utility Services Provider

City Water/City Sewer Well/Septic City Water/Septic City Sewer/Well

Deviation sought

Click on a check box to provide details pertaining to the deviation sought.

- Reduce required minimum lot area from _____ to _____ square feet.
 - Increase maximum lot coverage from _____ % to _____ %.
 - Increase maximum height of structure from _____ to _____ feet.
 - Reduce required yard(s)

 - Reduce minimum number of off-street parking spaces from _____ to _____.
 - Increase the maximum number of off-street parking spaces from 40 to 74.
 - Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-1 zoning district from a residential zoning district from a minimum of **15** feet to 10 feet.
 - Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-2 zoning district from a residential zoning district from a minimum of **25** feet to _____ feet.
 - Decrease minimum number of loading spaces from 1 required to 0 loading spaces.
- Reduce the dumpster setback from the required **5** feet along:
- North to _____ feet;
 - East to _____ feet;
 - South to _____ feet;
 - West to _____ feet.
- Decrease the minimum number of bicycle parking spaces from _____ required to _____ spaces.
 - Reduce the minimum width of drive from _____ feet required to _____ feet.
 - Reduce vehicle use area interior landscape from _____ square feet to _____ square feet.
 - Increase the distance from the vehicle use area to the nearest tree from **55** feet maximum to _____ feet.

- Reduce the number of terminal island trees from [] terminal islands required to [] terminal islands.
- Reduce the landscape buffer between vehicle use area along [] Enter Street Name from **10** feet per linear feet of frontage and **5** feet minimum width required to [] feet per linear feet of frontage and [] feet minimum width.
- Reduce the number of shrubs along [] Enter Street Name from [] required to [] shrubs.
- Reduce the number of trees along [] Enter Street Name from [] required to [] trees.

Reduce the perimeter landscape buffer area between vehicle use area and abutting property from **5** feet minimum width required along:

- North boundary to [] feet;
- East boundary to [] feet;
- South boundary to [] feet;
- West boundary to [] feet.

Reduce the number of trees along:

- North property boundary from [] required to [] trees;
- East property boundary from [] required to [] trees;
- South property boundary from [] required to [] trees;
- West property boundary from [] required to [] trees.

- Increase the maximum width of the driveway access from CHAFFEE ROAD SOUTH from 24 36 48 feet required to 45 [] feet.
- Decrease the minimum width of the driveway access from [] Enter Street Name from 24 36 48 feet required to [] feet.

Increase the maximum width of the driveway access to adjoining property from **24** feet required along:

- North to [] feet;
- East to [] feet;
- South to [] feet;
- West to [] feet.

Decrease the minimum width of the driveway access to adjoining property from **24** feet required along:

- North to [] feet;
- East to [] feet;
- South to [] feet;
- West to [] feet.

Reduce the uncomplimentary land use buffer width from **10** feet wide required along:

- North property boundary to [] feet wide;
- East property boundary to [] feet wide;
- South property boundary to [] feet wide;
- West property boundary to 0 [] feet wide.

Reduce the uncomplimentary land use buffer trees along:

- North property boundary from [] required to [] trees;
- East property boundary from [] required to [] trees;

- South property boundary from _____ required to _____ trees;
- West property boundary from _____ required to _____ trees.

Reduce the uncomplimentary land use buffer visual screen from **6** feet tall and **85** % opaque required along:

- North property boundary to _____ feet tall and _____ %;
- East property boundary to _____ feet tall and _____ %;
- South property boundary to _____ feet tall and _____ %;
- West property boundary to _____ feet tall and _____ %.

Required Attachments

The following items must be attached to the application.

- Survey
- Site Plan
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description - may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof Of Property Ownership - may be print-out of property appraiser record card if individual owner, <https://paopropertysearch.coj.net/Basic/Search.aspx>, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <https://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

Supplemental Information

- Letter From DCFS, Department of Children and Family Services - day care uses only
- Letter from the applicable Home Owner's Association, stating that the request meets their architectural and aesthetic requirements; or letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association - residential only
- Elevations, must be drawn to scale - height increase requests only

Criteria

Section 656.101(a), Ordinance Code, defines an administrative deviation as "a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in Section 656.109(e) through (j)."

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.

THE PROPOSED DEVIATION ARISES OUT OF THE PHYSICAL SURROUNDINGS, SHAPE, OR CONDITIONS LIMITED TO THE SUBJECT PROPERTY ALONE, HEREIN DEFINED. APPLICANT PROPOSES TO REARRANGE THE EXISTING GAS STATION AND PROVIDE A PATIO (THE "PROJECT") FOR THE PROPERTY LOCATED AT 620 CHAFFEE ROAD SOUTH, RE# 001848 0000 (THE "PROPERTY"). THE SPECIFIC AREA SUBJECT TO THIS APPLICATION IS MORE PARTICULARLY DESCRIBED AND DEPICTED ON THE ATTACHED LEGAL DESCRIPTION AND SITE PLAN. THE PROPERTY IS LOCATED WITHIN THE CGC AND MDR LAND USE CATEGORIES, THE SUBURBAN DEVELOPMENT AREA, AND IS ZONED CCG-1 AND RMD-MH. THIS ADMINISTRATIVE DEVIATION IS A COMPANION APPLICATION TO LAND USE AMENDMENT AND REZONING APPLICATIONS REQUESTING CGC AND CCG-1 ON PORTIONS OF THE PROPERTY DESIGNATED MDR/RMD-MH. THERE IS ALSO A COMPANION EXCEPTION

APPLICATION TO PERMIT PERMANENT OUTSIDE SERVICE. THE SURROUNDING LAND USE AND ZONING DISTRICTS ARE CGC AND CCG-1 TO THE NORTH, EAST, AND SOUTH, AND MDR/RMD-MH TO THE WEST. NOTABLY, SHOULD THE LAND USE AMENDMENT AND REZONING APPLICATIONS BE APPROVED, THERE WILL STILL BE REMAINING MDR/RMD-MH DESIGNED LAND ON THE PROPERTY ACTING AS A BUFFER TO THE PARCEL TO THE WEST. THE PROJECT INVOLVES MOVING THE EXISTING DAILY'S STORE, GAS FILLING STATIONS, AND CAR WASH SOUTH AND PROVIDING A PATIO CONNECTED TO THE RETAIL STORE. THE PROJECT CONTEMPLATES MAINTAINING THE EXISTING DRIVEWAYS THAT ARE 36.26 FEET, 41.95 FEET, AND 44.21 FEET RESPECTIVELY. ACCORDING TO PART 6, THE MAXIMUM AMOUNT OF PARKING SPACES THAT CAN BE PROVIDED IS FORTY (40) SPACES [6 SPACES PER 1,000 SF]. HOWEVER, DUE TO THE HIGHER-THAN-AVERAGE PARKING NEEDS OF THE PROPOSED USE, SEVENTY-FOUR (74) PARKING SPACES ARE NEEDED AND ZERO (0) LOADING SPACES ARE PROVIDED IN ORDER TO BETTER MEET THE PARKING DEMANDS OF THE PROPOSED USE. FURTHER, THE EXISTING DRIVEWAYS EXCEED THIRTY-SIX (36) FEET WITHOUT A MEDIAN, AND AS A RESULT, REQUIRE THIS ADMINISTRATIVE DEVIATION TO PERMIT A MAXIMUM WIDTH OF FORTY-FIVE (45) FEET.

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

THERE ARE PRACTICAL DIFFICULTIES WITH THE STRICT LETTER OF THE ZONING CODE AS APPLIED TO THIS PROJECT. THE PROPERTY IS ALREADY DEVELOPED AS A GAS FILLING STATION WITH A CONVENIENCE STORE. THE PROPOSED REDEVELOPMENT IS TO FACILITATE IMPROVED FUNCTIONALITY OF THE SITE. INTEGRAL TO THE IMPROVEMENTS IS THE PROVISION OF ADDITIONAL PARKING SPACES. PART 6 PARKING REQUIREMENTS FOR STANDARD RETAIL ESTABLISHMENTS DO NOT TAKE INTO ACCOUNT THE HIGH AUTOMOBILE DEMANDS OF GAS FILLINGS STATIONS AND CONVENIENCE STORES ON THE SAME PARCEL. IN LIEU OF PROVIDING ONE (1) LOADING SPACE, ADDITIONAL PARKING SPACES ARE PROVIDED. THE GAS LOADING TANKS ARE LOCATED AWAY FROM THE STORE AND FUELING ISLANDS TO FACILITATE EASIER UNLOADING OF FUEL. THE PROPERTY WAS BUILT OUT IN 1999 WITH THE EXISTING DRIVEWAYS. APPLICANT INTENDS TO MAINTAIN THESE DRIVEWAYS THROUGH THE PROJECT, WHICH WILL IMPROVE THE FUNCTIONALITY OF THE PROPERTY.

2. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.

CORRECT. THE GRANT OF ADMINISTRATIVE DEVIATIONS WILL NOT REDUCE THE COST OF DEVELOPING THE SITE. RATHER, THIS REQUEST IS BASED UPON THE APPLICANT'S EXTENSIVE EXPERIENCE IN DEVELOPING GAS FILLING STATIONS AND THE PARKING DEMANDS ASSOCIATED WITH THE USE. PROVIDING ADDITIONAL PARKING SPACES INCREASES THE COSTS OF CONSTRUCTION. MAINTAINING THE EXISTING DRIVEWAYS WILL ENSURE SAFE AND EFFICIENT VEHICLE AND TRUCK CIRCULATION FROM CHAFFEE ROAD SOUTH.

3. The proposed deviation will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation;

CORRECT. THE PROPOSED DEVIATION WILL NOT DIMINISH PROPERTY VALUES, NOR WILL IT ALTER THE ESSENTIAL CHARACTER OF THE SURROUNDING AREA AND WILL NOT SUBSTANTIALLY INTERFERE WITH OR INJURE THE RIGHTS OF OTHERS WHOSE PROPERTY WOULD BE AFFECTED BY THE DEVIATION. THE PROPOSED USE IS STAYING THE SAME WHILE IMPROVING SITE FUNCTIONALITY. THE GAS FILLING STATION WILL BE THE ONLY DEVELOPMENT ON THE PROPERTY, SUCH THAT THE ADDITIONAL PARKING SPACES AND ZERO (0) LOADING SPACES WILL NOT AFFECT OTHER USES OR PROPERTIES. CHAFFEE ROAD SOUTH IS A MINOR ARTERIAL AND THE PROPERTY IS ONE (1) OF THE FIRST PARCELS OFF THE I-10 EXIT. THE EAST SIDE OF CHAFFEE ROAD SOUTH IS ALSO DEVELOPED FOR RETAIL AND HOSPITALITY, INCLUDING WINN-DIXIE, MCDONALDS, WENDY'S, AND HOTELS. MAINTAINING THE DRIVEWAYS WILL CONTINUE THE EXISTING TRAFFIC PATTERN, AND AS A RESULT, WILL NOT INTERFERE WITH OR CHANGE THE CHARACTER OF THE AREA.

4. The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law;

THE PROPOSED USE WILL NOT AFFECT PUBLIC HEALTH, SAFETY OR WELFARE OR RESULT IN ADDITIONAL PUBLIC EXPENSE, CREATION OF NUISANCE OR CONFLICT ANY OTHER APPLICABLE LAW. THE USE AND DRIVEWAYS ARE ALREADY EXISTING, AND THIS ADMINISTRATIVE DEVIATION WILL IMPROVE TRAFFIC CIRCULATION AND SAFETY. THE REQUESTED DEVIATION FURTHERS THE FOLLOWING GOALS, OBJECTIVES, AND POLICIES OF THE FUTURE LAND USE ELEMENT (FLUE) OF THE 2045 COMPREHENSIVE PLAN INCLUDING GOAL 1, OBJECTIVE 1.1, POLICY 1.1.21, GOAL 3, OBJECTIVE 3.2, POLICY 3.2.2, OBJECTIVE 3.4, AND GOAL 4.

5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and

APPLICANT IS NOT REQUESTING RELIEF FROM MINIMUM REQUIRED LANDSCAPING.

6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning

Code.

YES. GAS FILLING STATIONS, RETAIL ESTABLISHMENTS, AND AUTOMATED CAR WASH FACILITIES ARE PERMITTED USES UNDER CCG-1, AND OUTSIDE SALE AND SERVICE IS PERMISSIBLE BY EXCEPTION. HOWEVER, THE CITY'S ZONING CODE DOES NOT CONTAIN SPECIFIC PARKING REGULATIONS FOR GAS FILLING STATIONS AND DOES NOT ACCOUNT FOR THE HIGH PARKING DEMANDS OF SUCH USE. THE ADDITIONAL PARKING SPACES WILL ENSURE AVAILABLE PARKING FOR PATRONS AND A FUNCTIONAL AND SAFE SITE. THE DRIVEWAYS HAVE EXISTED FOR OVER TWENTY (20) YEARS AND MAINTAINING THEIR LOCATIONS IS INTEGRAL TO THE PROJECT AND ENSURING SAFE TRAFFIC CIRCULATION CONSISTENT WITH THE INTENT OF THE ZONING CODE.

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

(i) Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code;

APPLICANT HAS NOT CREATED ANY VIOLATION WHICH MAY EXIST.

(ii) The length of time the violation has existed without receiving a citation; and

APPLICANT IS NOT AWARE OF ANY PRIOR CITATIONS FOR THE PROPERTY.

(iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

APPLICANT IS NOT AWARE OF ANY EXISTING VIOLATION.

Public Hearings

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

Application Certification

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Agreed to and submitted

Filing Fee Information

1) Non-residential District Base Fee \$952.00

2) Plus Notification Costs Per Addressee

Notifications @ \$7.00/each:

3) Total Application Cost:

*** Applications filed to correct existing zoning violations are subject to a double fee.**

**** The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.**

STANDARDS AND CRITERIA

ADMINISTRATIVE DEVIATION FOR DEVELOPMENT OF A FILLING STATION ON CHAFFEE ROAD SOUTH

Project Summary

This is an updated analysis regarding the administrative deviations needed to facilitate the Project at the Property as defined below. An updated site plan dated 7/18/23 is filed herewith to correct parking calculations. The following additional deviations are requested:

- Reduce yards adjacent to residential district to ten (10) feet.
- Reduce uncomplimentary land use buffer to zero (0) feet.

The requested parking deviation is changed to increase parking spaces from forty (40) to seventy-four (74) spaces. The application as originally filed requested an increase to seventy-five (75) spaces.

Accordingly, the administrative deviations requested are:

- Increase off-street parking spaces from forty (40) to seventy-four (74).
- Decrease loading spaces from one (1) to zero (0).
- Increase maximum width of driveway along Chaffee Road South to forty-five (45) feet.
- Reduce yards where the Property is adjacent to a residential district to ten (10) feet.
- Reduce uncomplimentary land use buffer to zero (0) feet.

I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.

Yes. The proposed deviation arises out of the physical surroundings, shape, or conditions limited to the subject property alone, herein defined. Applicant proposes to rearrange the existing gas station and provide a patio (the “Project”) for the Property located at 620 Chaffee Road South, RE# 001848 0000 (the “Property”). The specific area subject to this application is more particularly described and depicted on the attached Legal Description and Site Plan.

The Property is located within the CGC and MDR land use categories, the Suburban Development Area, and is zoned CCG-1 and RMD-MH. This administrative deviation is a companion application to land use amendment and rezoning applications requesting CGC and CCG-1 on portions of the Property designated MDR/RMD-MH. There is also a companion exception application to permit permanent outside service. The surrounding land use and zoning districts are CGC and CCG-1 to the north, east, and south, and MDR/RMD-MH to the west. Notably, should the land use amendment and rezoning applications be approved, there will still

be remaining MDR/RMD-MH designated land on the Property acting as a buffer to the parcel to the west.

The Project involves moving the existing Daily's store, gas filling stations, and car wash south and providing a patio connected to the retail store. The Project contemplates maintaining the existing driveways that are 36.26 feet, 41.95 feet, and 44.21 feet respectively.

According to Part 6, the maximum amount of parking spaces that can be provided is forty (40) spaces [6 spaces per 1,000 sf]. However, due to the higher-than-average parking needs of the proposed use, seventy-four (74) parking spaces are needed and zero (0) loading spaces are provided in order to better meet the parking demands of the proposed use. Further, the existing driveways exceed thirty-six (36) feet without a median, and as a result, require this administrative deviation to permit a maximum width of forty-five (45) feet.

Due to the Property's shape and the parking needs of the Project, yards adjacent to residential districts are requested to be decreased to ten (10) feet. Similarly, uncomplimentary buffers are requested to be decreased to zero (0) feet. The Property is "L" shaped, and the retail store is located within the western portion of the L. The width of the Property at that location needs to accommodate parking, drive aisles, as well as the store itself. There is not sufficient space to provide a fifteen (15) foot setback or uncomplimentary buffer, while also providing all of the other code required parking stall depths and drive aisles. Further, the abutting residential property has located the retention pond next to the Property with substantial natural tree buffering. Thus, there are no nearby residential properties to where the proposed uses will be located.

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

Yes. There are practical difficulties with the strict letter of the Zoning Code as applied to this Project. The Property is already developed as a gas filling station with a convenience store. The proposed redevelopment is to facilitate improved functionality of the site. Integral to the improvements is the provision of additional parking spaces. Part 6 parking requirements for standard retail establishments do not take into account the high automobile demands of gas fillings stations and convenience stores on the same parcel. In lieu of providing one (1) loading space, additional parking spaces are provided. The gas loading tanks are located away from the store and fueling islands to facilitate easier unloading of fuel.

The Property was built out in 1999 with the existing driveways. Applicant intends to maintain these driveways through the Project, which will improve the functionality of the Property.

The requests for reduction in setbacks and uncomplimentary buffer are based on the shape of the Property, the parking needs of the proposed use, and the substantial buffer provided on the adjacent property. The L shape does not provide enough width to provide code compliant parking stalls, drive aisles, and required setbacks while also providing sufficient area for the retail store.

- 2. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.***

Yes. The grant of administrative deviations will not reduce the cost of developing the site. Rather, this request is based upon the Applicant's extensive experience in developing gas filling stations and the parking demands associated with the use. Providing additional parking spaces increases the costs of construction. Maintaining the existing driveways will ensure safe and efficient vehicle and truck circulation from Chaffee Road South. The setbacks and uncomplimentary buffers are based on the shape of the Property, the needs of the proposed use, and the surrounding buffering.

- 3. The proposed deviation will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation;***

Yes. The proposed deviation will not diminish property values, nor will it alter the essential character of the surrounding area and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation. The proposed use is staying the same while improving site functionality. The gas filling station will be the only development on the Property, such that the additional parking spaces and zero (0) loading spaces will not affect other uses or properties. Chaffee Road South is a minor arterial and the Property is one (1) of the first parcels off the I-10 exit. The east side of Chaffee Road South is also developed for retail and hospitality, including Winn-Dixie, McDonalds, Wendy's, and hotels. Maintaining the driveways will continue the existing traffic pattern, and as a result, will not interfere with or change the character of the area. The reduction in setbacks and buffering will not reduce surrounding property values. The adjacent parcel has located its retention pond and substantial mature trees between the pond and the Property. The adjacent parcel is fully built out and was originally developed in 1975. The requested reductions will not affect the residences on the adjacent parcel.

- 4. The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law;***

Yes. The proposed use will not affect public health, safety or welfare or result in additional public expense, creation of nuisance or conflict any other applicable law. The use and driveways are already existing, and this administrative deviation will improve traffic circulation and safety. The reduction in setbacks and uncomplimentary buffers will ensure adequate drive aisles in the vehicle use area near the convenience store and will not substantially affect the adjacent parcel. The requested deviation furthers the following goals, objectives, and policies of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan including Goal 1, Objective 1.1, Policy 1.1.21, Goal 3, Objective 3.2, Policy 3.2.2, Objective 3.4, and Goal 4.

- 5. If the proposed deviation relates to minimum required landscaping, please submit the comments or opinions of the City's Landscape Architect.***

Applicant will confer with the Landscape Architect as needed.

6. *The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.*

Yes. Gas filling stations, retail establishments, and automated car wash facilities are permitted uses under CCG-1, and outside sale and service is permissible by exception. However, the City's Zoning Code does not contain specific parking regulations for gas filling stations and does not account for the high parking demands of such use. The additional parking spaces will ensure available parking for patrons and a functional and safe site. The driveways have existed for over twenty (20) years and maintaining their locations is integral to the Project and ensuring safe traffic circulation. The reductions in setbacks and uncomplimentary buffers ensures adequate and safe vehicle use areas near the convenience store, which is consistent with and furthers the intent of the Zoning Code.

II. *Would the proposed deviation be in harmony with the spirit and intent of the Zoning Code, considering the following as applicable:*

1. *Did the applicant create the violation with intent to violate the provisions of the Zoning Code?*

Applicant has not created any violation which may exist.

2. *Has the violation existed for a considerable length of time without receiving a citation?*

Applicant is not aware of any prior citations for the Property.

3. *Is the violation that exists a result of construction, which occurred prior to the applicants acquiring the property?*

Applicant is not aware of any existing violation.

EXHIBIT B
Agent Authorization

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, Florida 32202

**Re: Agent Authorization for 620 Chaffee Road South, Jacksonville, FL 32221
(RE# 001848 0000)**

Ladies and Gentlemen:

Manager
Petro Distributing Partners of Florida, LLC

You are hereby advised that Aubrey L Edge, ~~its~~ Partner of First Coast Energy, L.L.P., a Colorado limited liability partnership, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file application(s) for land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

FIRST COAST ENERGY, L.L.P., a
Colorado limited liability partnership

A L Edge
Signed

Aubrey L Edge
Printed

Manager
Petro Distributing Partners of Florida, LLC
~~its Partner~~

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3~~rd~~ day of March, 2023 by, Aubrey L Edge as ~~its Partner~~ **Manager** of ~~its Partner~~ **Petro Distributing Partners of Florida, LLC** of First Coast Energy, L.L.P., a Colorado limited liability partnership, on behalf of the partnership, who is personally known to me or has produced _____ as identification.

[Notary Seal]



DONNA A MILLER
Commission # GG 318151
Expires July 29, 2023
Bonded Thru Budget Notary Services

[Signature]
(Notary Signature)



[Previous o e is e](#) . [ex @ e is e](#) . [Re ur eo eis e](#) .

[Fili g His ory e](#) [o Au hori y l fo e](#) [Par ær l fo e](#) [o eame His ory e](#)

Partn rship NameS ærch e

Partnership Detail e

imi ed eiabili y Par ærship eame e

FIRST COAST ENERGY, L.L.P. e

Pri cipal Address e

6867 SOUTHPOINT DRIVE NORTH e
 JACKSONVILLE, FL 32216 e
Cha æe Da e: 03/21/2023 e

Fili g l forma io e

Docume e umber e	LLP980000064 e
FEI/EI e umber e	593417722 e
File Da e e	02/25/1998 e
S a e e	CO e
To al Pages e	82 e
Pages i Ørigi al Fili g e	18 e
Florida Par ærs e	2 e
To al Par ærs e	2 e
S a us e	ACTIVE e
Effec ive Da e e	NONE e
Expira io eDa e e	NONE e
ame His ory e	NONE e

Maili g Address e

FIRST COAST ENERGY, L.L.P. e
 6867 SOUTHPOINT DRIVE NORTH e
 JACKSONVILLE, FL 32216 e
Cha æe Da e: NONE e

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MILLER DONNA A e
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Foreign Limited Liability Company

PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C.

Filing Information

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FEI/EIN Number	59-3638306
Date Filed	08/09/2000
State	CO
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	10/16/2013
Event Effective Date	NONE

Principal Address

6867 SOUTHPOINT DRIVE NORTH
JACKSONVILLE, FL 32216

Changed: 02/28/2023

Mailing Address

6867 SOUTHPOINT DRIVE NORTH
JACKSONVILLE, FL 32216

Changed: 02/28/2023

Registered Agent Name & Address

MILLER, DONNA A
6867 SOUTHPOINT DRIVE NORTH
JACKSONVILLE, FL 32216

Name Changed: 04/13/2012

Address Changed: 02/28/2023

Authorized Person(s) Detail

Name & Address

Title MGR

EDGE, AUBREY L
6867 SOUTHPOINT DRIVE NORTH
JACKSONVILLE, FL 32216

Annual Reports

Report Year	Filed Date
2021	04/14/2021
2022	03/17/2022
2023	02/28/2023

Document Images

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04/23/2001 -- ANNUAL REPORT	View image in PDF format
08/09/2000 -- Foreign Limited	View image in PDF format

Prepared By and Return To:
Sharon R. Henderson, Esq.
McGuireWoods LLP
50 N. Laura St., Suite 3300
Jacksonville, Florida 32202

Property Appraiser's
Parcel Identification
Number: 001848-0000

CORRECTIVE DEED

THIS CORRECTIVE DEED is made as of the 11th day of June, 2009, between **PETRO DISTRIBUTING, INC.**, a Florida corporation, the address of which is 7014 A.C. Skinner Parkway, Suite 290, Jacksonville, Florida 32256, ("Grantor"), and **FIRST COAST ENERGY, L.L.P.**, a Colorado limited liability partnership, the address of which is 7014 A.C. Skinner Parkway, Suite 290, Jacksonville, Florida 32256 ("Grantee"). (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors or assigns.)

WITNESSETH, that Grantor in consideration of One Dollar and other valuable considerations paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release and quit-claim unto Grantee forever, all of the right, title, interest, claim, and demand which Grantor has in and to that certain property in Duval County, Florida, more particularly described as follows:

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee forever.

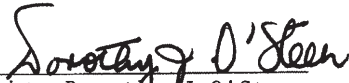
THIS IS A CORRECTIVE DEED given for the purpose of correcting a scrivener's error in the legal description of the property as set forth on Exhibit "K" of the Warranty Deed recorded in Official Records Book 8583, page 202, et seq. (Exhibit "K" is page 217 of Official Records Book 8583), of the public records of Duval County, Florida.

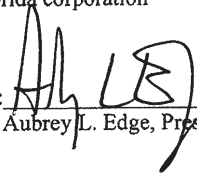
IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

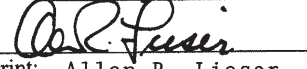
FCE # 1015

Signed, sealed and delivered
in the presence of:

PETRO DISTRIBUTING, INC., a
Florida corporation


Print: Dorothy J.O. Steen

By: 
Aubrey L. Edge, President

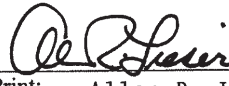

Print: Allen R. Lieser

[SEAL]

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 11th day of June, 2009, by Aubrey L. Edge, as President of Petro Distributing, Inc., a Florida corporation, on behalf of the corporation. He (X) is personally known to me or () has produced a valid Florida Driver's License as identification.




Print: Allen R. Lieser
Notary Public, State of Florida
Commission No. DD 513641
My commission expires: 3/12/2010

(Notarial Seal)

FCE # 1015

Title No.: 150901615

LEGAL DESCRIPTION

EXHIBIT "A"

Parcel "A"

Part of Section 24, Township 2 South, Range 24 East, Duval County, Florida, more particularly described as follows: Commence at the Southeast corner of said Section 24, thence North 00° 23' 39" East along the Easterly line of said Section 24, a distance of 334.57 feet to a point, thence South 88° 44' 00" West, a distance of 60.0 feet to an iron and the point of beginning, lying on the Westerly right of way line of Chaffee Road as now established; thence continue South 88° 44' 00" West, a distance of 150.0 feet to an iron; thence North 00° 23' 39" East a distance of 150.0 feet to an iron; thence North 88° 44' 00" East, a distance of 150.00 feet to an iron lying on the said Westerly right of way line of Chaffee Road; thence South 00° 23' 39" West, along said Westerly right of way line of Chaffee Road a distance of 150.0 feet to an iron and the point of beginning.

Parcel "B"

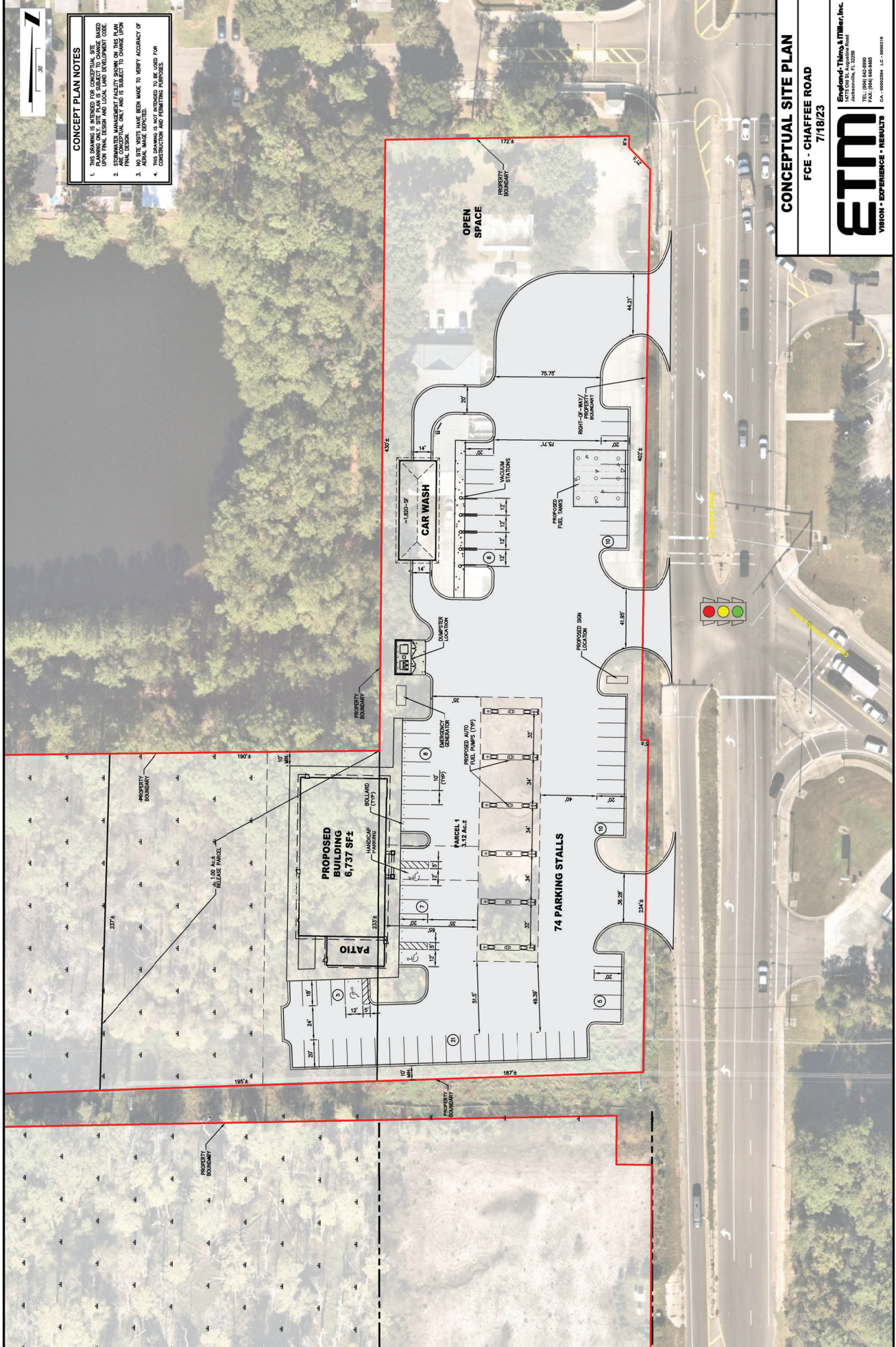
Part of the Southeast 1/4 of Section 24, Township 2 South, Range 24 East, Duval County, Florida, more particularly described as follows:

Begin at the intersection of the South line of said Section 24, with the West line of Chaffee Road, (a 120.0 foot right of way, at this point); thence South 88° 54' 01" West, 601.66 feet along the South line of said Section 24, to a 3/4 inch iron; thence North 00° 16' 57" East, 226.12 feet, to a 1/2 inch iron; thence North 88° 40' 31" East, 410.10 feet, to a 1/2 inch iron; thence North 00° 26' 31" East, 429.26 feet, to a 1/2 inch iron; thence North 88° 48' 39" East, 191.90 feet, to a 1/2 inch iron in the West line of said Chaffee Road; thence South 00° 23' 39" West 170.21 feet, along the West line of said Chaffee Road, to a 3/4 inch iron; thence North 88° 45' 41" West, 150.0 feet to a 3/4 inch iron; thence South 00° 23' 39" West, 150.0 feet to a 3/4 inch iron; thence South 88° 45' 41" East, 150.00 feet, to a 3/4 inch iron in the West line of said Chaffee Road; thence South 00° 23' 39" West, 337.08 feet, along the West line of said Chaffee Road, to the point of beginning.

Less and Except those lands in Parcels A and B above conveyed in Official Records Book 14537, Page 1279.

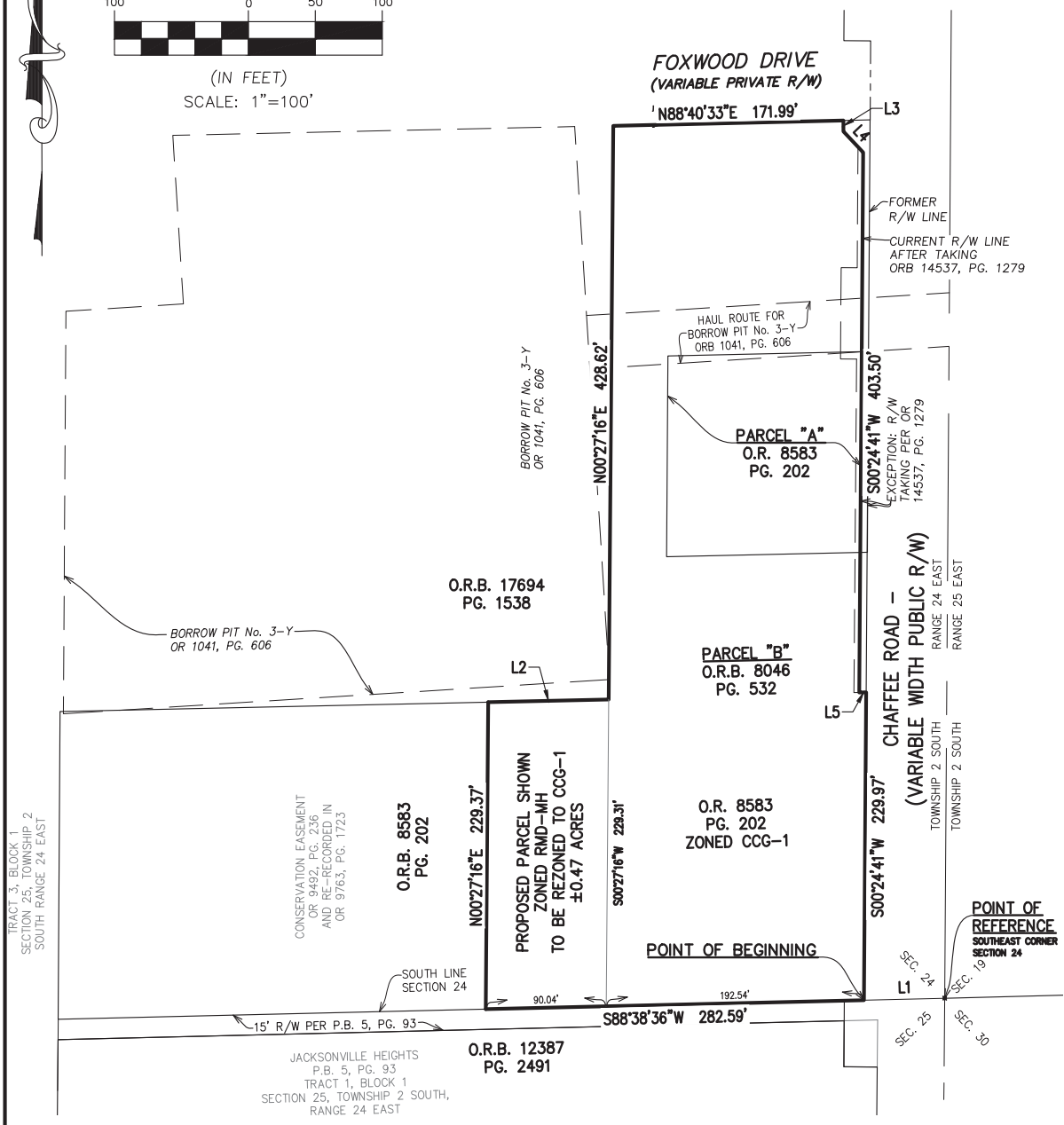
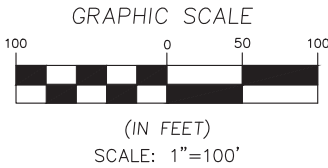
ALTA Commitment-1966
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FCE # 1015



SKETCH AND DESCRIPTION OF PROPOSED PARCEL REZONING

SHEET 1 OF 2 SEE SHEET 2 FOR DESCRIPTION
(NOT VALID WITHOUT ALL SHEETS)



NOTES:

1. NOT INTENDED OR REPRESENTED TO BE A SURVEY.
2. BEARINGS AND STATE PLANE COORDINATES SHOWN ARE BASED ON NORTH AMERICAN DATUM 1983/90, FLORIDA NORTH ZONE (0903).
3. THIS IS AN ABOVE SURFACE SURVEY ONLY. NO UNDERGROUND INFORMATION LOCATED OR SHOWN.
4. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER, THIS MAP AND OR REPORT IS NOT VALID AND IS FOR INFORMATIONAL PURPOSES ONLY.
5. ZONING DATA SCALED FROM DUVAL COUNTY, FLORIDA, GIS MAP.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHT-OF-WAYS, EASEMENTS OR OTHER INSTRUMENTS OF RECORD.
7. THE "LEGAL DESCRIPTION" HEREON IS IN ACCORDANCE WITH THE DESCRIPTION PROVIDED BY THE CLIENT.

LEGEND	
R/W	RIGHT-OF-WAY
O.R.B.	OFFICIAL RECORDS BOOK OR VOLUME
P.B.	PLAT BOOK
PG.	PAGE



Surveyed and Prepared By:
RICHARD P. CLARSON AND ASSOCIATES, INC.
Professional Surveyors and Mappers
1643 Naldo Avenue, Jacksonville, FL 32207
Phone: 904.396.2623 Website: clarsonfl.com

I hereby certify that this survey, performed under my responsible direction meets the standards of practice for Land Surveyors in accordance with Chapter 5J-17, Florida Administrative Code (Pursuant to Section 472.027, Florida Statutes), and further certify that there are no visible encroachments upon the subject property except as shown.
Date of Survey: APRIL 14, 2023 Drafted By: RLH
Survey Scale: 1"=100' Reviewed By: TWS
Field Bk/Pg: NA Project No. 22-082
Crew Chief: NA

Professional Surveyor and Mapper No. 6533, State of Florida
TIMOTHY W. SCHRAM, SR.
SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL

- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

SKETCH AND DESCRIPTION OF PROPOSED PARCEL REZONING

SHEET 2 OF 2 SEE SHEET 1 FOR SKETCH
(NOT VALID WITHOUT ALL SHEETS)

A PORTION OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE SOUTH 88° 38' 36" WEST ALONG THE SOUTH LINE OF SAID SECTION 24, A DISTANCE OF 60.37 FEET, TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 88° 38' 36" WEST ALONG SAID SOUTH LINE OF SECTION 24, A DISTANCE OF 282.59 FEET; THENCE NORTH 00° 27' 16" EAST DEPARTING SAID SOUTH LINE OF SECTION 24, A DISTANCE OF 229.37 FEET TO A POINT LYING ON THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 17694, PAGE 1538 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 88° 44' 31" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 90.04 FEET TO A POINT LYING ON THE EASTERLY BOUNDARY OF THE THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 17694, PAGE 1538; THENCE NORTH 00° 27' 16" EAST ALONG SAID EASTERLY LINE TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FOXWOOD DRIVE A VARIABLE WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED, A DISTANCE OF 428.62 FEET; THENCE NORTH 88° 40' 33" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 171.99 FEET; THENCE SOUTH 00° 22' 47" WEST, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 8.14 FEET; THENCE SOUTH 43° 16' 22" EAST, A DISTANCE OF 21.58 FEET TO A POINT LYING ON THE CURRENT WESTERLY RIGHT-OF WAY LINE OF CHAFFEE ROAD A VARIABLE WIDTH RIGHT--OF-WAY AS NOW ESTABLISHED; THENCE SOUTH 00° 24' 41" WEST ALONG SAID CURRENT WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 403.50 FEET; THENCE NORTH 89° 12' 36" EAST, A DISTANCE OF 5.14 FEET TO A POINT ON THE FORMER WESTERLY RIGHT-OF-WAY LINE OF CHAFFEE ROAD A VARIABLE WIDTH RIGHT-OF-WAY AS FORMERLY ESTABLISHED; THENCE SOUTH 00° 24' 41" WEST ALONG SAID FORMER WESTERLY LINE A DISTANCE OF 229.97 FEET TO THE POINT OF BEGINNING.

LLAND THUS DESCRIBED CONTAINS 3.32 ACRES MORE OR LESS.



Surveyed and Prepared By:
**RICHARD P.
CLARSON AND ASSOCIATES, INC.**

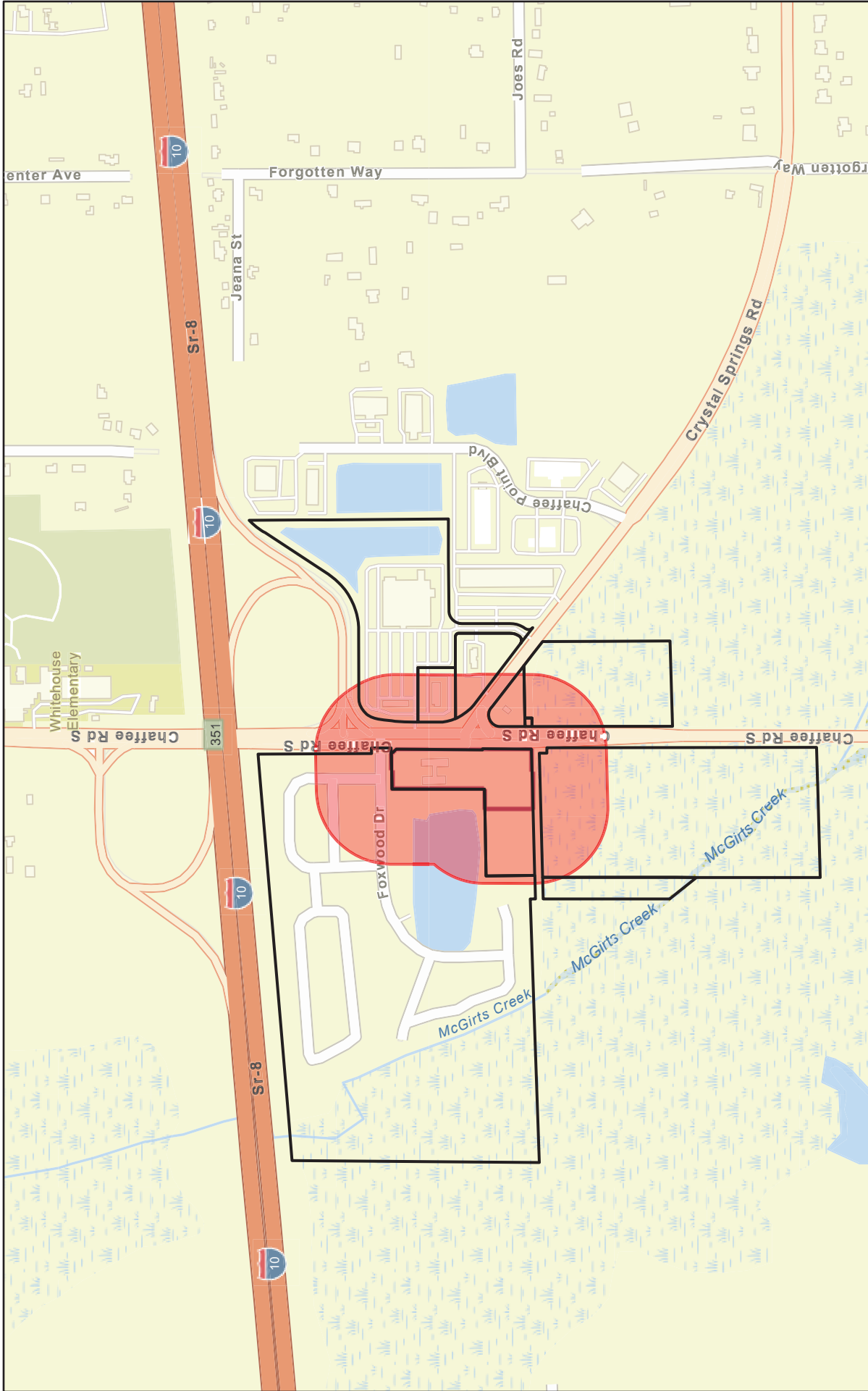
Professional Surveyors and Mappers
1643 Naldo Avenue, Jacksonville, FL 32207
Phone: 904.396.2623 Website: clarsonfl.com

- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	60.37'	S88°38'36"W
L2	90.04'	N88°44'31"E
L3	8.14'	S00°22'47"W
L4	21.58'	S43°16'22"E
L5	5.14'	N89°12'36"E

Revised On File

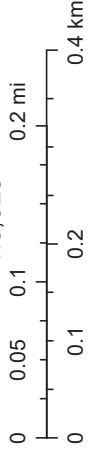
Land Development Review



June 30, 2023

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RE	LNAME	LNAMEZ	MAIL_ADDR1	MAIL_ADDR2	MAIL_CITY	MAIL_STATE	MAIL_ZIP
008941 0000	CHAFFEE ROAD VILLAGE COMMERCIAL VENTURE LLC		7795 MCLAURIN RD N		JACKSONVILLE FL	FL	32256
006763 1000	ESROG REALTY LLC		C/O DAVID GOLD	840 GRAND CONCOURSE SUITE 1B	BRONX NY	NY	10451
001848 0000	FIRST COAST ENERGY L L P		7014 A C SKINNER PKWY	SUITE 290	JACKSONVILLE FL	FL	32256-6940
006763 0200	HWANG JUH BIN & SHI SHIN Y TRUST		2516 DRIFTWOOD DR		LAS VEGAS NV	NV	89107-2321
006763 0400	MCDONALDS CORPORATION		JTS ENTERPRISES OF TAMPA LTD/BLAKE CASPER	4908 W NASSAU ST	TAMPA FL	FL	33607
	NORTHWEST		RHONDA BOYD		JACKSONVILLE FL	FL	32208
006763 0100	SHOPPING CENTER DEV OF FLA INC		1 SLEIMAN PKWY STE 270		JACKSONVILLE FL	FL	32216-8046
008941 0010	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		1109 S MARION AVE		LAKE CITY FL	FL	32025-5874
001859 0000	UNITED STATES OF AMERICA		NATIONAL PARK SERVICE	1849 C ST NW RM 2444 LAND RESOURCE DIV	WASHINGTON DC	DC	20240-0001
	WEST JAX CIVIC ASSOCIATION		PAUL CARNEAL		JACKSONVILLE FL	FL	32221
001845 0010	YES COMPANIES KEY LLC		5050 S SYRACUSE ST SUITE 1200		DENVER CO	CO	80237

Total: 9