# **Application For Administrative Deviation**

Planning and Development Department Info-

Application # N/A Staff Sign-Off/Date N/A / N/A

 $\begin{tabular}{ll} \textbf{Filing Date} & N/A \begin{tabular}{ll} N/A \begin{tabular}{ll} N/A \end{tabular} \b$ 

**Current Land Use Category N/A** 

**Deviation Sought N/A** 

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 #5399Application StatusFILED COMPLETEDate Started01/05/2024Date Submitted01/05/2024

**General Information On Applicant-First Name Middle Name Last Name STOECKEL** JOHN **Company Name** MJ STOKES CONSULTING LLC **Mailing Address** 9872 MONTAGUE ST City State Zip Code **TAMPA** FL 33626 Phone Fax **Email** 6077253269 JJS@MJSTOKESCONSULTING.COM

Last Name		First Name	Middle Name
TOME		VICENTE	
Company/T	rust Name		
BURGER KIN	NG COMPANY, LI	LC	
lailing Add	ress		
5707 BLUE I	_AGOON DRIVE		
City		State	Zip Code
MIAMI		FL	33126
Phone	Fax	Email	
8137244199	9	JJS@MJSTOKES	CONSULTING.COM

	Previous Zoning Application Filed?  If Yes, State Application No(s)				
Мар	RE#	Council District	Planning District	Current Zoning District(s)	
Мар	014518 0000	14	4	CCG-1	
	re that RE# is a 1	14 0 digit number with	a space (#####	####)	

In Whose Name Will The Deviation Be Granted BURGER KING COMPANY, LLC
Is transferability requested?    Yes    No If approved, the administrative deviation is transferred with the property.

eneral Lo	ation			
SOUTH SID	E OF 103RD STREET, APPROX	1,000	FT WEST OF I-295	
louse #	Street Name, Type and D	Directi	ion	Zip Code
7320	103RD ST 32210			
etween St	reets			
EDSTONE	DRIVE	and	FIRESTONE ROAD	
.::: C	ices Provider			

Reduce requ	ired minimum lot area from		to		square feet.
Increase ma	ximum lot coverage from	% to		%.	
Increase ma	ximum height of structure fro	m	to	feet.	
Reduce requ	ired yard(s)				
Reduce mini	num number of off-street par	king space	s from	to	
	maximum number of off-stre				to .
	ack for any improvements oth	, ,	•		
	zoning district from a resider				
	ack for any improvements oth				eening or retention
	•	ntial zoning	district fro	om a min	imum of <b>25</b> feet t
fee	t.	_			imum of <b>25</b> feet t
fee  Decrease mi	•	_		om a min quired to	imum of <b>25</b> feet t
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Decrease mi spaces. duce the dump	t.  nimum number of loading spanster setback from the require feet;	ces from	re		imum of <b>25</b> feet t
Decrease mi spaces. duce the dump North to East to	t.  nimum number of loading spanster setback from the require feet;  feet;	ces from	re		imum of <b>25</b> feet t
Decrease mi spaces. duce the dump North to East to South to West to	t.  nimum number of loading spanster setback from the require feet;  feet;  feet;	ces from	re		imum of <b>25</b> feet t
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Decrease mi spaces.  duce the dump North to East to South to West to Decrease the spaces. Reduce the r	t.  nimum number of loading spanster setback from the require feet;  feet;  feet;  feet.  e minimum number of bicycle	ces from  d <b>5</b> feet ale  parking sp	reong:	quired to	required to
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Reduce the land Enter Street No				from <b>10</b> feet per linear feet of
frontage and <b>5</b>	feet minimum	width requir	ed to	feet per linear feet of frontage and
feet m	ninimum width	۱.		
Reduce the nun	nber of shrubs	along Enter	Street Name	from
required to	shrub	5.		
Reduce the nun	nber of trees a	along Enter S	Street Name	from
required to	trees.			
educe the perimeto feet minimum wid			tween vehicle u	se area and abutting property from
North boundary	to f	eet;		
East boundary	to 0 fe	et;		
South boundary	y to	feet;		
West boundary	to	eet.		
educe the number	of trees along	):		
North property	_		required to	trees;
East property b	oundary from	re	equired to	trees;
South property	boundary from	n	required to	trees;
West property b	ooundary from	r	equired to	trees.
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required along:  North property boundary to	feet tall and	from <b>6</b> feet tall and <b>85</b> % opaque %;			
East property boundary to	feet tall and	%;			
South property boundary to	feet tall and	%;			
West property boundary to	feet tall and	%.			
Site Plan Property Ownership Affidavit (Exhibit A)					
The following items must be attached	ed to the application.				
(Exhibit B)	on is made by any pers	son other than the property owner			
Legal Description - may be writ  1)	ten as either lot and b	lock, or metes and bounds (Exhibit			
±)		operty appraiser record card if			

Supplemental Informa	ation
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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 PROJECT IS A BUILDING REMODEL WITH SITE IMPROVEMENTS ONLY BASED ON CITY AND/OR FDOT REQUIREMENTS. THE EXISTING EASTERN LOT LINE HAS ZERO VUA BUFFER AND THE DRIVE-THRU/BYPASS LANE IS PROPOSED TO REMAIN IN THE EXISTING CONDITION BASED ON THE BUILDING LOCATION AND NO CHANGE CREATING A HARDSHIP

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

REDEVELOPMENT ASSOCIATED TO A REMODEL CAUSES EXTRA CONSTRAINTS THAT MAY NOT OTHERWISE BE REALIZED AS IT INHERITS THE NON-COMPLIANCE. THE LOCATION OF THE BUILDING AND REQUIREMENT FOR BYPASS LANE TO THE DRIVE-THRU MAKE ITS INFEASIBLE TO MEET THE CODE REQUIREMENT FOR THE SITE.

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.

THE REQUEST IS NOT BASED ON A COST REDUCTION AND ONLY ON THE EXISTING BUILDING LOCATION, DRIVE-THRU AND BYPASS LANE CREATING AN EXISTING NON-COMPLIANCE.

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;

THE DEVIATION BEING REQUESTED WILL REMAIN IN THE EXISTING CONDITION BETWEEN TWO COMMERCIAL PROPERTIES. THE PROPERTY TO THE EAST HAS A LANDSCAPE BUFFER THAT WILL REMAIN PROVIDING A SMALL BREAK BETWEEN THE DEVELOPMENTS.

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 DEVIATION BEING REQUESTED IS BASED ON THE EXISTING CONDITION BETWEEN TWO COMMERCIAL PROPERTIES WITH ABUTTING VEHICLE USE AREAS THAT WILL REMAIN UNCHANGED.

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

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

THE ABUTTING PROPERTY HAS AN EXISTING LANDSCAPE BUFFER THAT WILL REMAIN AND AS SUCH BELIEVE THE INTENT IS BEING MET; THE NORTH, WEST, AND SOUTH VUA BUFFERS ARE ALL COMPLIANT.

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;

- (ii) The length of time the violation has existed without receiving a citation; and
- (iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

N/A

# **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 quarantee 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

15 Notifications @ \$7.00/each: \$105.00

3) Total Application Cost:

\$1,057.00

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

 $\ensuremath{^{**}}$  The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.

# **Property Ownership Affidavit – Limited Liability Company (LLC)**

Date:3/05/2024	
City of Jacksonville Planning and Development Department 214 North Hogan Street, Suite 300, Jacksonville, Florida 32202	
Re: Property Owner Affidavit for the fo Address: 7320 103rd Street, Jacksonville, I	llowing site location in Jacksonville, Florida: FL 32210 RE#(s): 014518-0000
To Whom it May Concern:	
IVicente Tome, as	Manager of Burger King Company, LLC
a Limited Liability Company organized u	nder the laws of the state of <u>Florida</u> , hereby certify
that said LLC is the Owner of the proper	ty described in Exhibit 1 in connection with filing application(s)
forAdministrative Deviation_subm	nitted to the Jacksonville Planning and Development
& Sign Waiver Department.  (signature)	
(print name) √i CCA+C 7	oml
shown through a printout from sunbiz.org	that signatory is an authorized representative of the LLC. This may be something that the person is either a "sole member" or a "managing d through a resolution, power of attorney, etc.
STATE OF FLORIDA COUNTY OF-DUVAL MIAMI-DAD	
by ger king compand known to me or who has produced.	acknowledged before me by means of [ physical this 1 day of 100 20 24], by, of, of, as corporation, who is personally as identification and who
took an oath.	Sharalea Gudrade
SHARALEA ANDRADE MY COMMISSION # GG 960779 EXPIRES: June 20, 2024 Bonded Thru Notary Public Underwriters	(Signature of NOTARY PUBLIC)  Sharalea Andrade
	(Printed name of NOTARY PUBLIC)
	State of Florida at Large.  My commission expires: 6/80/84

# Agent Authorization – Limited Liability Company (LLC)

Date:	3/05/2024								
Planni 214 N	f Jacksonville ing and Development E orth Hogan Street, Sult onville, Florida 32202	•							
	gent Authorization for 7320 103rd						014518-0000		
To Wł	nom It May Concern:								
You a	re hereby advised that		Vicente To	ome		_, as	Manag	ger	of
	Burger King Company	, LLC ,	hereby certi	ify that the _	Burger	King Con	npany, LLC	i	s the Owner
of 1	the property desc John J Stoeckel, PE (	(MJ Stokes C	onsulting, LI			as ager	authorizes nt to file		ation(s) for
	Administrative De	viation & Sig	n Waiver		for the ab	ove refere	nced propert	y and ir	1 connection
STAT	(signature)(print name)(	inte	S. K						
	NTY OF DUVAL MIP	AMI-DADE							
M	Sworn to and subscrization, this	_day of	UNCY) WKINJ uced Sha	pefore me by 20 <u>24</u> , by _ <i>(amfar</i> <u>nalea (</u> NOTARY PUE	Vicun Ma_, Lidne	HOVE		oration,	as who is
***	SHARALEA ANDR MY COMMISSION # GO EXPIRES: June 20, Bonded Thru Notary Public I	ADE G 960779 2024 Underwriters		_	3 100	<u>de</u> 24			

Doc # 2023000353, OR BK 20542 Page 774, Number Pages: 4, Recorded 01/03/2023 10:12 AM, JODY PHILLIPS CLERK CIRCUIT COURT DUVAL COUNTY RECORDING \$35.50 DEED DOC ST \$0.70

#### THIS INSTRUMENT PREPARED BY:

Heileen Bell, Esq. Burger King Corporation 5707 Blue Lagoon Drive Miami, Florida 33126

#### RETURN TO:

Sher Garner Cahill Richter Klein & Hilbert, L.L.C. Attn: Jonathan B. Cerise, Esq. 909 Poydras Street, Suite 2800 New Orleans, Louisiana 70112

Note to Recorder: This instrument is <u>exempt</u> from Florida documentary stamp taxes pursuant to F.S. Sections 201.02 and 201.0201 as a transfer from a parent corporation to its wholly owned subsidiary without any change in beneficial ownership.

#### WARRANTY DEED

This Warranty Deed made effective the 31<sup>ST</sup> day of August, 2022, by **BURGER KING CORPORATION**, a Florida corporation, hereinafter called the "Grantor," whose address is 5707 Blue Lagoon Drive, Miami, Florida 33126, to **BURGER KING COMPANY LLC**, a Florida limited liability company, hereinafter called the "Grantee," whose address is 5707 Blue Lagoon Drive, Miami, Florida 33126

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land situate in Duval County, Florida, viz:

#### SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER with all the tenements, hereditaments, rights, ways, easements and appurtenances thereto belonging or in anywise appertaining, including, without limitation, any and all buildings and other improvements thereon.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021, reservations, restrictions and easements of record, if any.

[signatures on following page(s)]

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:	BURGER KING CORPORATION, a Florida corporation
Catlenn Bucea Print Name: Cathorne Gara Witness	By:Michele Keusch, Assistant Secretary
Print Name: Mysial Ramivel Witness	
STATE OF FLORIDA ) ) SS. COUNTY OF MIAMI-DADE )	
Type of Identification Produced: N/A	
	Shavalea Andrade (Signature of Notary Public)  (Print, Type, or Stamp Commissioned Name of Notary Public)
	Public)

SHARALEA ANDRADE
MY COMMISSION # GG 960779
EXPIRES: June 20, 2024
Bonded Thru Notary Public Underwriters

My Commission expires:

[Deed Signature Page for BK # 03616 - JACKSONVILLE, FL]



Department of State / Division of Corporations / Search Records / Search by Entity Name /

# **Detail by Entity Name**

Florida Limited Liability Company BURGER KING COMPANY LLC

#### **Filing Information**

 Document Number
 L22000043924

 FEI/EIN Number
 59-0787929

 Date Filed
 02/04/2022

State FL

**Status** ACTIVE

Last Event CORPORATE MERGER

**Event Date Filed** 12/22/2022 **Event Effective Date** 12/23/2022

**Principal Address** 

5707 BLUE LAGOON DR

MIAMI, FL 33126

Mailing Address

5707 BLUE LAGOON DR

MIAMI, FL 33126

# Registered Agent Name & Address

C T CORPORATION SYSTEM 1200S PINE ISLAND RD PLANTATION, FL 33324

Authorized Person(s) Detail

Name & Address

Title MGR

CURTIS IV, THOMAS B 5707 BLUE LAGOON DR MIAMI, FL 33126

Title MGR

TOME, VICENTE 5707 BLUE LAGOON DR MIAMI, FL 33126

# Title MGR

KEUSCH, MICHELE 5707 BLUE LAGOON DR MIAMI, FL 33126

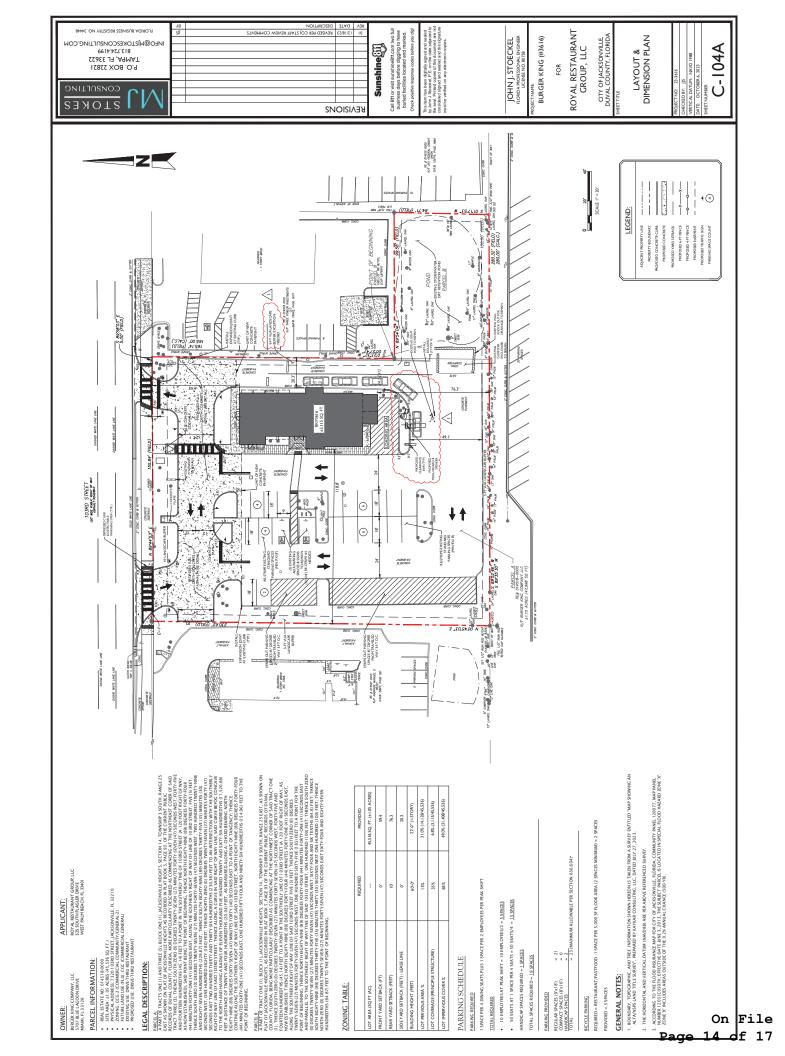
# **Annual Reports**

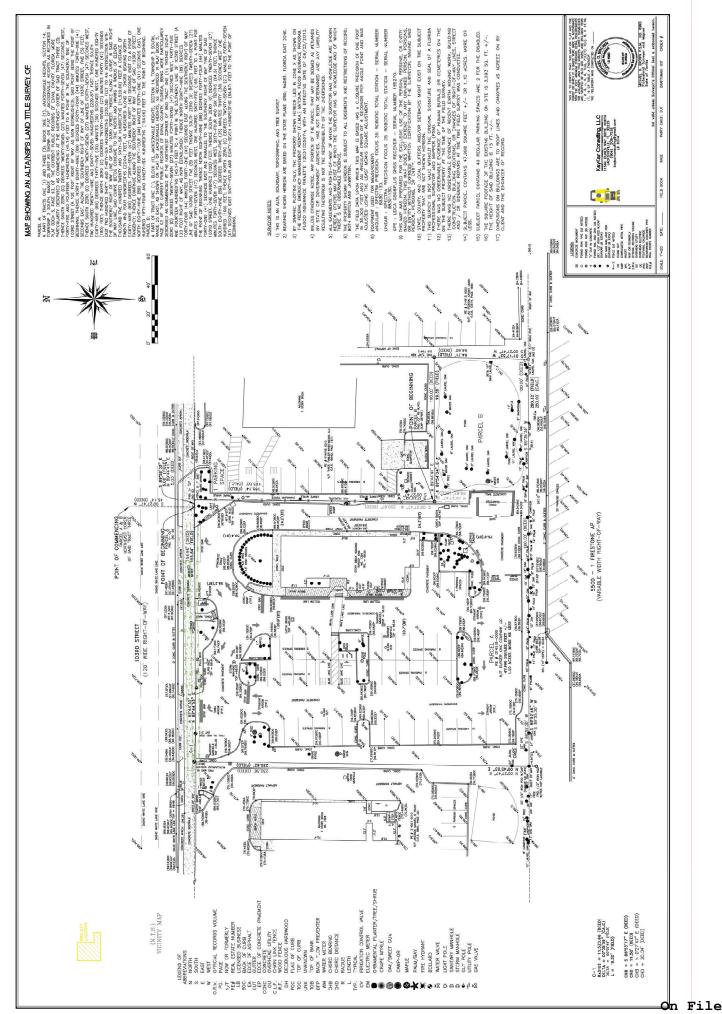
**Report Year** Filed Date 2023 03/20/2023

# **Document Images**

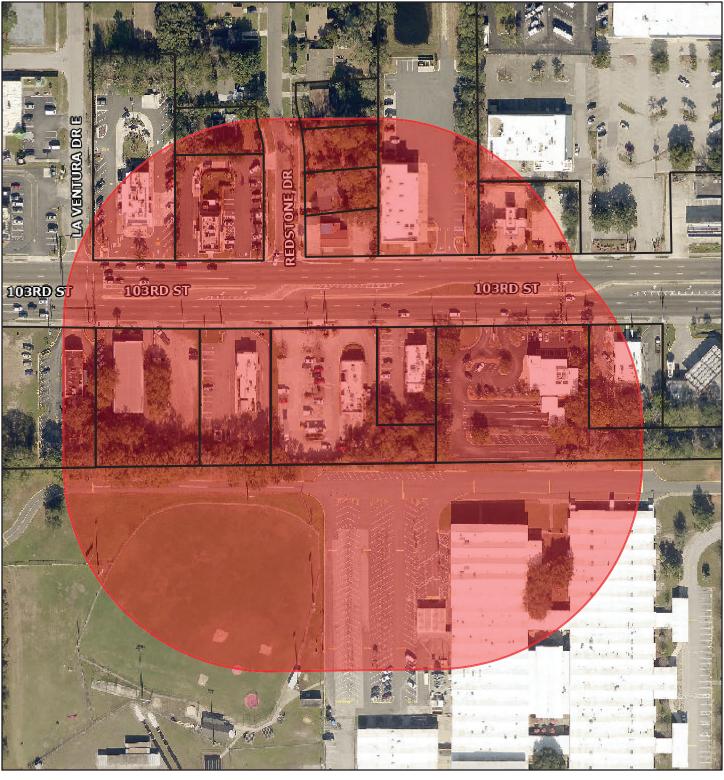
03/20/2023 ANNUAL REPORT	View image in PDF format
<u>12/22/2022 Merger</u>	View image in PDF format
02/04/2022 Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations



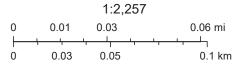


# Land Development Review



January 23, 2024

23115830\_T-2024-5399



RE	LNAME	LNAME2	MAIL_ADDR1	MAIL_ADDR2	MAIL_ADDR3	MAIL_CITY	MAIL_STATE	MAIL_ZIP
013853 0000	103RD STREET BELLS LLC		520 D ST UNIT C			CLEARWATER	FL	33756
096367 0000	5313 REDSTONE DR PSJAX39 LLC		667 MADISON AVE FL 20			NEW YORK	NY	10065
014521 0010	ANDRADE MANUEL S TRUST		C/O JACKSONVILLE DONUTS INC	7328 103RD ST		JACKSONVILLE	FL	32210-6709
	ARGYLE AREA CIVIC COUNCIL	BILL LEWIS	8852 SOUTH IVYMILL PL			JACKSONVILLE	FL	32244
014518 0000	BURGER KING COMPANY LLC		C/O RYAN LLC	PO BOX 460189		HOUSTON	TX	77056
014517 0000	DHYEY REALESTATE LLC		295 CONSTANCE LN			ST AUGUSTINE	FL	32095
013861 0000	DISCOUNT MINI STORAGE OF JACKSONVILLE LLC		1893 THATCH PALM DR			BOCA RATON	FL	33432
014520 0000	DUVAL COUNTY SCHOOL BOARD		1701 PRUDENTIAL DR			JACKSONVILLE	FL	32207-8152
014521 0100	EAGLE AND TIGER LLC		7400 103RD STREET			JACKSONVILLE	FL	32210
013859 0100	HALLE PROPERTIES LLC		20225 N SCOTTSDALE RD			SCOTTSDALE	AZ	85255
096368 0000	JAD LEIZER		5426 BLANDING BLVD			JACKSONVILLE	FL	32244
013861 0010	JZS ENTERPRISES OF JAX INC		3881 REDS GATE LN			JACKSONVILLE	FL	32223
013852 0060	MCDONALDS RESTAURANTS OF FLINC		JTS ENTERPRISES OF TAMPA LTD/BLAKE CASPER	4908 W NASSAU ST		TAMPA	FL	33607
096365 0000	MINOTT VICTOR		6027 BLANK DR			JACKSONVILLE	FL	32244
014521 0000	NNN REIT LP		358 SAW MILL RIVER RD			MILLWOOD	NY	10546
014515 0000	RADIFI FEDERAL CREDIT UNION		562 PARK ST			JACKSONVILLE	FL	32204-2918
	SOUTHWEST	CHRISTINA PURDY	6008 LAKE COVE AV			JACKSONVILLE	FL	32222
014518 0010	THREE FOWLER INVESTMENTS LLC		139 SOUTHWEST DR			JONESBORO	AR	72401
	WEST JAX CIVIC ASSOCIATION	PAUL CARNEAL	886 CRESSWELL LN W			JACKSONVILLE	FL	32221
096366 0000	ZIEGENBEIN ALVA V TRUST		C/O ALVA V ZIEGENBEIN TRUSTEE	380 PERTHSHIRE DR		ORANGE PARK	FL	32073-5770