

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR SIGN WAIVER SW-14-05

OCTOBER 21, 2014

Location: 6546 Normandy Boulevard; on the south side of Normandy Boulevard just west of Lane Avenue

Real Estate Number: 007581 0000; 007577 0000

Waiver Sought: Reduce minimum setback from 10 feet to 3 feet for an existing sign

Current Zoning District: Commercial Community General-2 (CGC-2)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southwest, District 4

City Council Representative: The Honorable Reginald Brown, District 10

Applicant / Agent: The Seyer Group
Kim Binkley Seyer/Pam DeDea
7321 Merchant Court
Sarasota, Florida 34240

Owner: McDonald's Restaurants of Florida, Inc.
Tim Chess
10150 Highland Manor Drive, Suite 470
Tampa, Florida 33610

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Sign Waiver Ordinance 2014-0614 (SW-14-05) seeks to allow for a reduction in the minimum setback for an existing commercial business pylon sign from ten (10) feet to three (3) feet from the public right-of-way. The site is within a Commercial Community General-2 (CCG-2) zoning district and a Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The subject property has been a McDonald's Restaurant since 1965. Throughout the years, the property has been renovated, remodeled and rebuilt. The existing pole sign was permitted in 1978. McDonald's was not aware of any code deficiency until



they submitted plans to rebuild the existing restaurant. During this process, they were advised that the sign pole base met the setback requirements, but the top portion of the sign did not. The entire sign is situated on the McDonald's property. The code currently requires all signage be setback 10 feet from any street right of way. The base of the sign does meet the setback requirement. It is the upper portion of the sign that encroaches into the required setback. The distance from the bottom of the sign to the ground is 30 feet.

The Applicant seeks to redevelop the site while allowing the existing pylon sign to remain. The original sign structure has existed on the property for over three decades without incident or complaint.

NOTICE TO OWNER / AGENT

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as "*a painting, structure or device which is placed, erected, or constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction*".

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the Planning Commission shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

- (i) *Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?*

Yes. There are many existing signs in the area similar to what currently exists on the subject site; which is located along an older, established Normandy Boulevard commercial corridor. The effect of the sign waiver will be compatible with existing contiguous signage and consistent with the general character of the area. The site is located along an intensely commercialized node where similar sign structures encroach into the existing right of way. Some of the sign encroachments exist due to ROW projects and roadway widening which has occurred over the years while others were erected prior to the adoption of the City's current sign regulations. Further, the existing zoning for this parcel and the surrounding properties requires no setback from the right of way, and as such, structures could be built just as close to the property line as the existing sign. Given the development pattern along this corridor,

a relaxation of the Code to allow for the proposed encroachment into the setback area for the sign is consistent with the general character of the area.

- (ii) *Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?*

No. While approval of this waiver would allow the continued existence of a non-conforming sign, the intent of the zoning ordinance as it relates to this request is to discourage and not have signage that interferes with site, distance, and/or intersection visibility and to discourage signage that is overly large and inconsistent with the adjoining community. The requested setback reduction does/will not detract from the specific intent of the zoning code as it relates to safety or compatibility with existing development and signage. The distance from the bottom of the sign to the ground is 30 feet, and that is the only portion of the sign that does not meet setback requirements. The owner will be redeveloping the McDonald's site and would like the existing pylon sign that fronting Normandy Boulevard to remain, as it is consistent with other signage found in the surrounding area. Given the location of the sign in relationship to the established developed pattern of the area, staff has determined that the requested reduction in setback distance does not detract from the specific intent of the zoning ordinance as it relates to compatibility.

While the Planning Department does not want to support the proliferation of non-conforming signs, existing improvements on the subject property create practical difficulties in accommodating a more suitable location on the site that would not otherwise interfere with parking and vehicular maneuverability in the parking lot.

- (iii) *Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same?*

No. The applicant seeks to update and improve the condition of the site. The approval of this sign waiver will not alter the aesthetic character of the area surrounding the site, nor will it injure the rights of others by granting more signage rights to the applicant than are otherwise afforded to adjoining property owners along this Normandy Boulevard corridor. The request is to allow the existing pylon sign that has been in the same location for over thirty (30) years to remain.

- (iv) *Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?*

No. The nature, size and location of the existing sign are similar to other signs in the area, and does not create any visibility impediment, traffic or vehicular parking problem. The existing landscaping around the base of the sign will be maintained at a

height so as not to obstruct visibility in the future. The sign will not result in any objectionable effects such as lighting or glare, especially when considering other signage located nearby. The upper portion of the sign encroaches into the required setback area and not onto/into the right of way. Additionally, the sign will be facing a busy commercial corridor and will not have a negative effect on any residential zoning districts.

- (v) *Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?*

No. The proposed waiver will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows, or other effects, when taking into account existing uses and zoning in the vicinity. It does not create or contribute to visual obstructions' along this corridor and does not limit vehicular access to the site. Approval of this waiver will benefit the public welfare by maintaining the existing sign area and location, and providing landscaping improvements that will benefit the aesthetics of the surrounding area.

- (vi) *Does the subject property exhibit specific physical limitations or characteristics, which could be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?*

Yes. The property is located on the west side of a major commercial corridor, and was developed in 1965. Strict enforcement of the regulation would require the sign to be set back further from the right-of-way and roadway, greatly reducing and interfering with the existing/planned parking and vehicular use areas. The layout of the existing parking lot and the movement of the existing sign to another location on site with adequate setback from the right-of-way would reduce the off street parking and limit maneuverability outside of the public right-of-way. Given the age of the sign and the existing conditions of the site, the proposed improvements make the strict letter of the distance regulation unduly burdensome on the applicant.

- (vii) *Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?*

No. The request is not based upon a desire to reduce the costs associated with compliance, but rather the strict enforcement of the regulation would severely limit the visual impact of the sign and reduce the existing tenants advertising space. While the top portion of the sign is approximately three (3) feet back from the Normandy Boulevard sidewalk, the base is the required ten (10) feet. If required to be moved, the sign could still be located in front of the building or along the roadway, but would result in the loss of off street parking and/or alter the property's internal traffic pattern and parking configuration.

- (viii) *Is the request the result of violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?*

Yes. The property has remained as originally developed in 1965, and the current sign was installed in 1978. The nature, size and location of the existing sign are similar to that of others in the area and does not create any visibility impediment, traffic or vehicular parking problem. The site is being reconfigured to meet current code requirements and improve circulation. The island where the sign is located will be much smaller than as it currently exists, and the area around the base of the sign will be maintained at a height so as not to obstruct visibility in the future. The sign does not create any objectionable effects such as lighting or glare, especially when considering other signage nearby.

- (ix) *Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?*

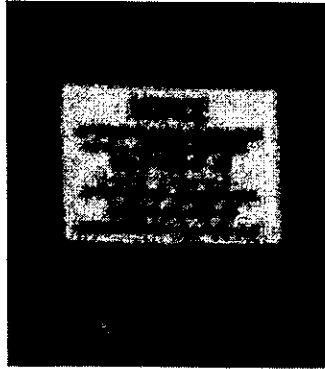
Yes. It is the intent of the Zoning Code, under most circumstances, to permit these nonconformities to continue until they are removed but not to encourage their survival. It is further the intent of the Zoning Code that nonconformities shall not be enlarged upon, expanded, intensified or extended nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. Although the request may not seem to accomplish a larger public interest, allowing the existing sign to remain prevents a newer, taller and larger sign to take its place along the roadway. This request furthers the public interest, as it recognizes the issuance of sign permits issued in 1978 and again in 1991. McDonald's was not aware of any code deficiency until they submitted plans to rebuild the existing restaurant. During this process, they were advised that the sign pole base met the setback requirements, but the top portion of the sign did not. The existing pylon sign still has many years of life and the applicant is requesting that the sign be allowed to stay in its existing location until such time that the sign needs to be replaced.

- (x) *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

Yes. Strict compliance with the regulation in moving the sign would require altering the off-street parking area and the design of the internal traffic circulation pattern. When considering the costs associated with the removal and construction of the sign, the limitations of the existing site, and that the sign does not pose a threat to the public safety due to its height and limited size, compliance would be substantially burdensome in relation to the benefit that would be accomplished by approving this application.

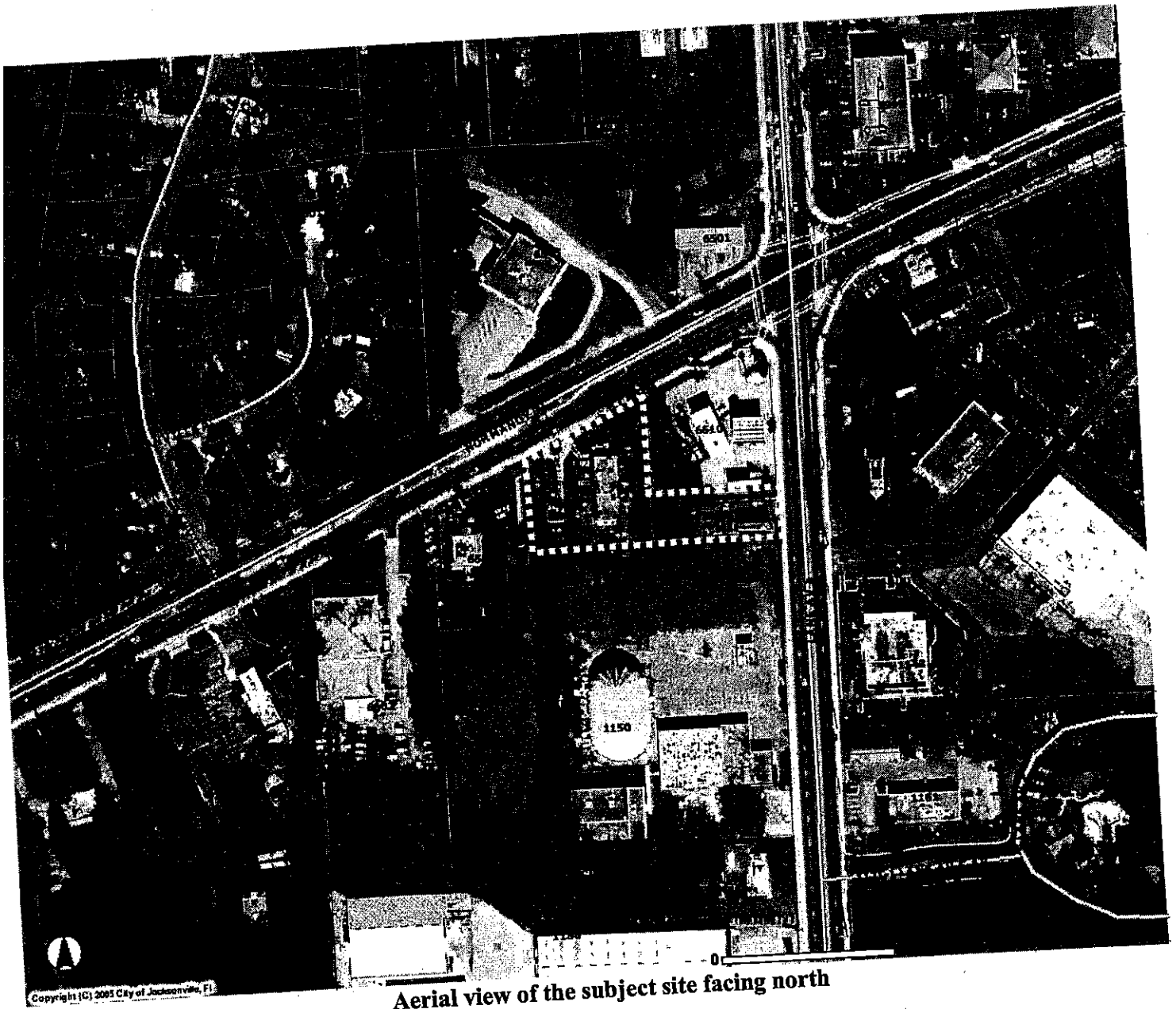
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 13, 2014 by the Planning and Development Department, the required Notice of Public Hearing sign was posted.

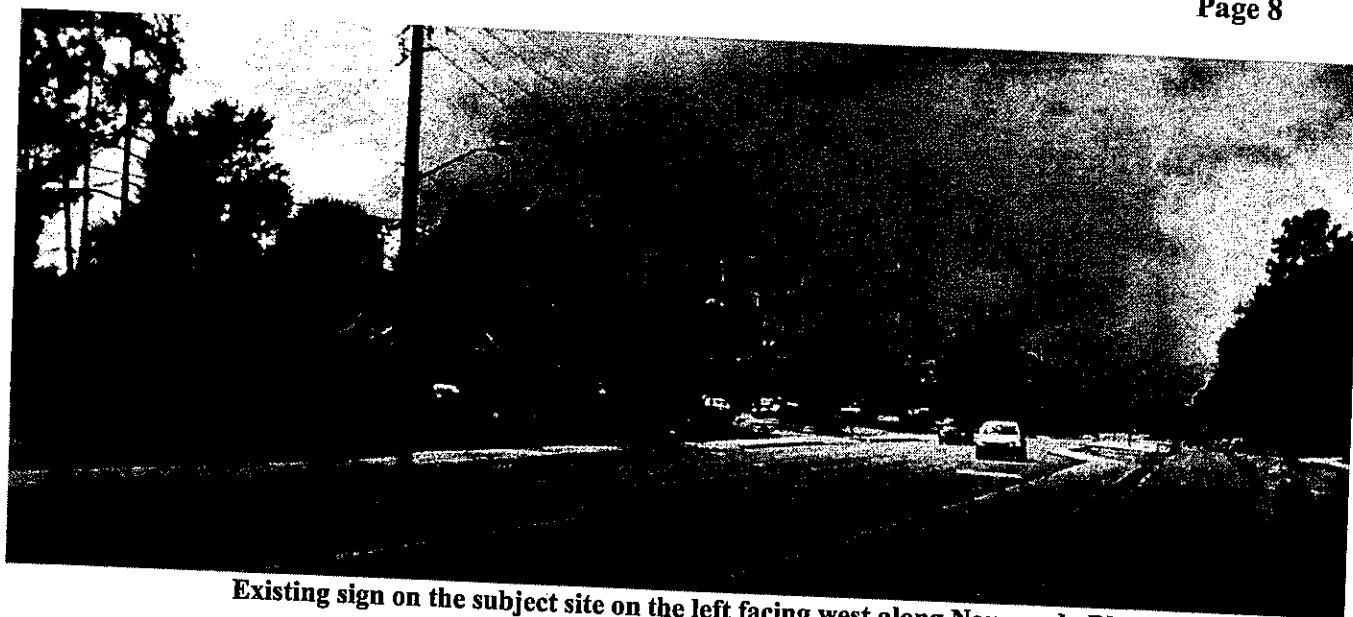


RECOMMENDATION

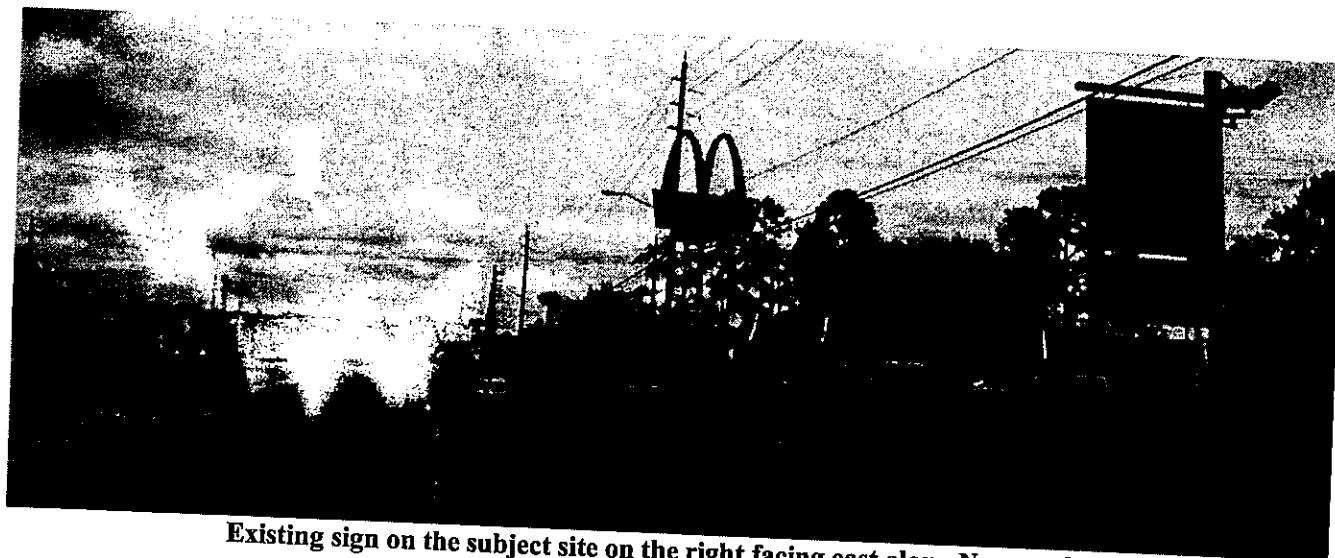
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver SW-14-05 (Ordinance 2014-0614) be **APPROVED.**



Aerial view of the subject site facing north



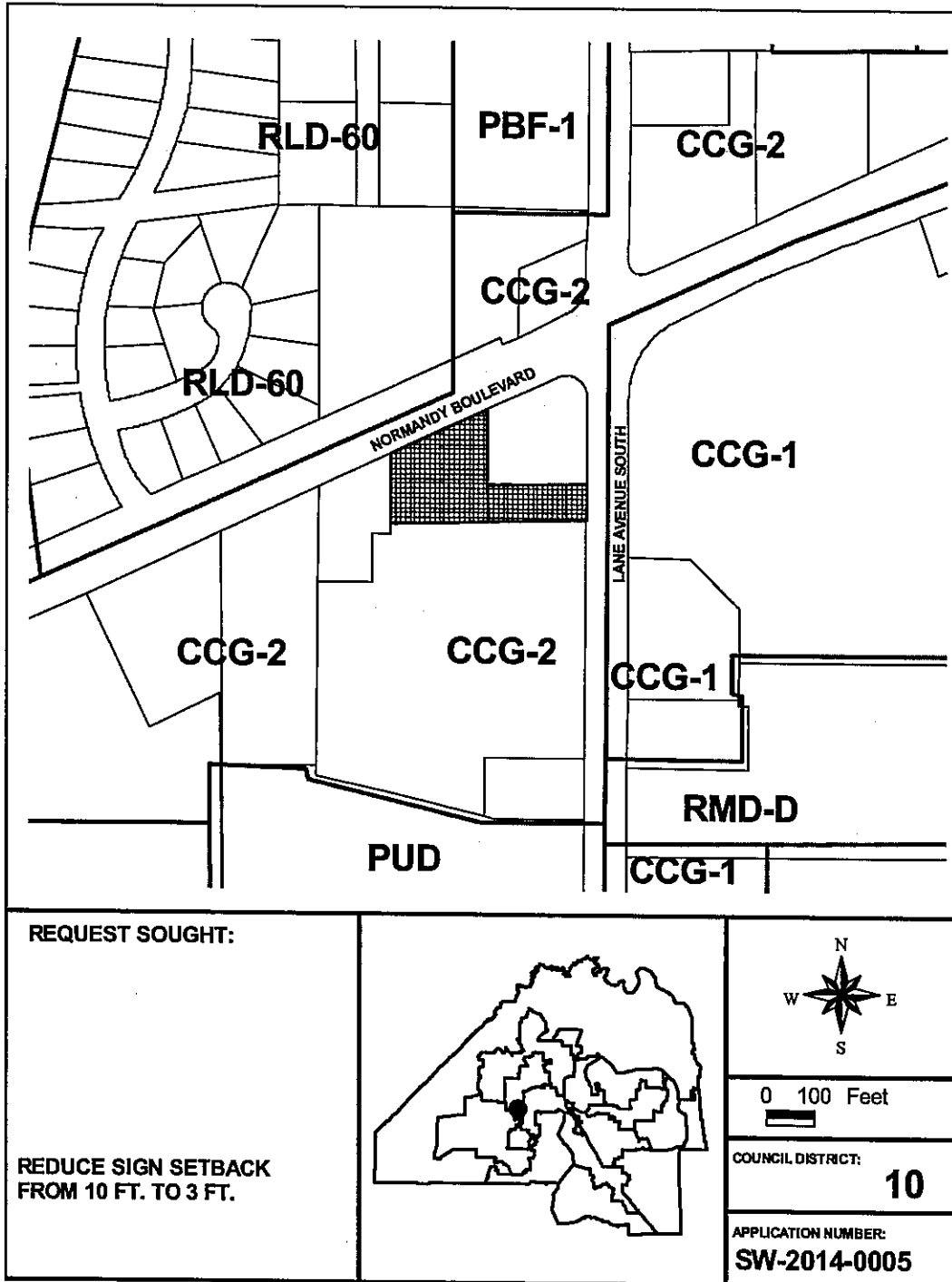
Existing sign on the subject site on the left facing west along Normandy Blvd.



Existing sign on the subject site on the right facing east along Normandy Blvd.



Existing sign on the subject site on the right facing east along Normandy Blvd.



APPLICATION FOR SIGN WAIVER

This application must be typed or printed in black and submitted in person with three (3) other copies for a total of four (4) copies.

Ordinance Number:	2014-0614
Application Number:	SW- 14-05
Notice of Violation:	

Planning and Development Department,
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202

CD-10
PD-4

FOR INFORMATION REGARDING THIS FORM, CALL: (904) 253-7865.
TO BE COMPLETED BY PLANNING AND DEVELOPMENT DEPARTMENT ONLY

1. Date Submitted: 7-21-14	2. Date Filed: 8/5/14	3. Current Zoning District(s): COG-2	4. Future Land Use Ma Category (FLUMs): CGC	5. Applicable Section of Ordinance Code: 656.1303 (1)(2)
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6. LUZ Public Hearing Date: 10 / 21 / 2014	7. City Council Public Hearing Date: ____ / ____ / ____
8. Neighborhood Association (If Applicable): _____	
9. Number of Signs To Be Posted: 2	

TO BE COMPLETED BY APPLICANT

10. Complete Property Address: 6546 Normandy Blvd.	13. Between Streets: I-295
11. Real Estate Number: 007581 0000 and	and Lane Avenue
12. Date lot was recorded: 007577 0000	
14. Application being sought:	
<input type="checkbox"/> Increase maximum height of sign from _____ to _____ ft. (Not to Exceed 20% or 5 ft. in height, whichever is less.).	
<input type="checkbox"/> Increase maximum size of sign from _____ SF to _____ SF (Maximum request 25% or 10 Sq. Ft., whichever is less).	
<input type="checkbox"/> Increase number of signs from _____ to _____ (Not to exceed maximum square feet allowed).	
<input type="checkbox"/> Allow for illumination or change from _____ external to _____ internal lighting:	
<input checked="" type="checkbox"/> Reduce minimum set back from 10 ft. to 3 ft. (Less than 1 ft. may be granted administratively).	

15. In whose name will the waiver be granted? McDonalds Restaurants of Florida, Inc.

Is transferability being requested? Yes: _____ No: _____

16. Land Area(1/100 Acres): 1.27

17. Utility Services Provider

Well: City Water: JEA
Septic Tank: City Sewer: JEA

**** NOTICE TO OWNER/AGENT/APPLICANT *****

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as "a painting, structure or device which is placed, erected, constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying, information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction."

Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the City Council shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

18. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. (Please note that failure by the applicant to adequately substantiate the need for the waiver and to meet the criteria set forth below may result in a denial).

1. Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?

2. Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?

3. Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same.

4. Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?

5. Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?

6. Does the subject property exhibit specific physical limitations or characteristics, which would be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?

7. Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?

8. Is the request the result of a violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?

9. Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?

10. Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?

19. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

Survey

Site Plan as required per instructions. (All copies on 8 1/2" x 11 and 2 copies on 11 x 17 or larger)

Letter of Authorization for Agent is required if any person other than the property owner makes the application.

Legal description may be either lot and block, including book and page numbers, or metes and bounds descriptions; and either shall include real estate assessment number(s) of the subject property.

Photographs of sign structure showing nonconforming nature and physical impediments to compliance

If waiver is based on economic hardship, applicant must submit the following:

- Two estimates from licensed contractors stating the cost of bringing the sign structure into compliance; and
- Any other information the applicant wished to have considered in connection to the waiver request.

 Proof of Ownership

(Note: the Council may, as a condition of the waiver, specify a time period within which the sign structure shall be required to conform to the requirements of the City's sign regulations.)

***** NOTICE TO OWNER / AGENT *****

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all 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. You (or your agent) must be present at the public hearing.

The required signs must be posted on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. Proof of notice publication must be submitted to the Current Planning Division of the Planning and Development Department, Ed Ball Building, 214 North Hogan Street, Suite 300, Jacksonville, Florida 32202, (904) 255-7865, PRIOR TO THE HEARING.

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

FILING FEES	
RESIDENTIAL DISTRICTS.....\$985.00	NOTIFICATION COSTS: \$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS..... \$1,009.00	ADVERTISING COSTS: BILLED TO OWNER /AGENT
*** Applications filed to correct existing zoning violations are subject to a double fee. ***	

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.

PLEASE PRINT:

Name and address of Owner(s)

Name: McDonald's Restaurants of Florida, Inc.

Tim Chess, Asst. Regional Construction Manger

Address: 10150 Highland Manor Dr. #470

City: Tampa

State: FL Zip: 33610

Email: Chess Tim <Tim.Chess@us.mcd.com>

Daytime Telephone: 772.486.4190

Name and address of Authorized Agent(s)

Name: The Seyer Group Kim Binkley Seyer and Pam DeDea

Address: 7321 Merchant Court

City: Sarasota

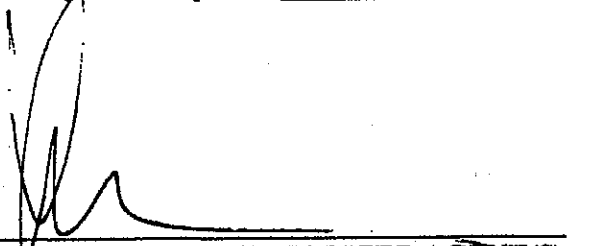
State: FL Zip: 34240

Email: kim@seyergroup.com / pam@seyergroup.com

Daytime Telephone: 941-552-2200



SIGNATURE OF OWNER(S)



SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record

EXHIBIT A

Property Ownership Affidavit

Date: July 17, 2014

City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / Ed Ball Building, 214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:


I, Timothy Chess, Asst. Regional Construction Manager hereby certify that I am

the Owner of the property described in the attached legal description, **Exhibit 1** in

connection with filing application(s) for Sign Waiver

_____ , submitted to the Jacksonville Planning and

Development Department.


(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

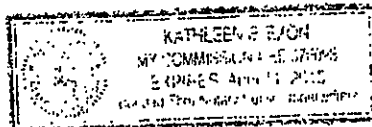
The foregoing affidavit was sworn and subscribed before me this 17th day of

July (month), 2014 (year) by

Tim Chess who is personally known to me or has

produced _____ as identification.


(Notary Signature)



MCDONALD'S REBUILD @ NORMANDY BLVD.
JACKSONVILLE, FL

A PART OF GOVERNMENT LOT 2, SECTION 25, TOWNSHIP 2 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 16423, PAGE 01208, AS RECORDED IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORMANDY BOULEVARD, A 130 FOOT RIGHT-OF-WAY AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 72120-2504 (DATED 11/19/1964) ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 65°12'20" EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORMANDY BOULEVARD, A DISTANCE OF 243.08 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN SOUTH 00°01'13" EAST, A DISTANCE OF 160.56 FEET; THENCE RUN NORTH 89°48'42" EAST, A DISTANCE OF 195.97 FEET TO THE WEST RIGHT OF WAY LINE OF LANE AVENUE AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 72504-2605 (DATED 12/3/1971) THENCE RUN ALONG SAID RIGHT-OF-WAY LINE SOUTH 00°08'24" WEST, A DISTANCE OF 75.01 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN SOUTH 89°54'33" WEST A DISTANCE OF 417.50 FEET; THENCE RUN NORTH 00°25'23" EAST, A DISTANCE OF 133.66 FEET TO THE POINT OF BEGINNING.

SUBJECT PARCEL CONTAINS 55,437 SQUARE FEET OR 1.27 ACRES.

SW

6546 NORMANDY BV.

JACKSONVILLE, FLORIDA
6546 Normandy Boulevard
L/C: 09-0043 FILE: 915

GENERAL WARRANTY DEED

This General Warranty Deed, made this 1st day of May, 1988, is between McDONALD'S RESTAURANT OPERATIONS, INC., a Delaware corporation ("Grantor"), whose principal place of business is in Wilmington, Delaware and McDONALD'S RESTAURANTS OF FLORIDA, INC., a Florida corporation ("Grantee"), whose mailing address is Post Office Box 66207, AMF O'Hare, Chicago, Cook County, Illinois 60666.

The Grantor, for no consideration, as a contribution to the capital of the Grantee, its wholly owned subsidiary, has granted, bargained and sold to the Grantee, its successors and assigns, forever, the land and improvements described on Exhibit A.

Together with all the tenements, hereditaments, appurtenances and every privilege, right, title, interest and estate, reversion, remainder and easements belonging or in any way pertaining to it. The Grantor warrants the title to the above described land and will defend it against the lawful claims of all persons whomsoever.

Executed this 1st day of May, 1988.

GRANTOR: McDONALD'S RESTAURANT
OPERATIONS, INC.
a Delaware corporation

By: Donald Cohen

Signed, Sealed and Delivered in Our Presence:

Denna McTash

[Signature]

STATE OF ONTARIO
PROVINCE OF CANADA

The foregoing instrument was acknowledged before me this 1st day of May, 1988, by Donald Cohen, ~~George Borzick~~ ^{Donald Cohen} President of McDonald's Restaurant Operations, Inc., on behalf of the corporation.

[Signature]
Notary Public

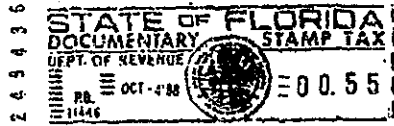
My Commission ~~Expires~~ has no expiry date

65881162
OFFICIAL REC: RDS

This instrument prepared by Michael J. Sise, attorney, One McDonald's Plaza, Oak Brook, Illinois 60521.

Please send all subsequent tax bills to Post Office Box 66207, AMF O'Hare, Chicago, Illinois 60666.

This document is exempt from the Documentary Stamp Tax under Rule 12B-4.14(17) - Corporation - Contribution to Capital.



90083

JACKSONVILLE, FLORIDA
6546 Normandy Boulevard
L/C: 009-0043 File #0915

DUVAL COUNTY, FL
6558-1163
OFFICIAL RECORD

PARCEL I

A part of Government Lot 2, Section 25, Township 2 South, Range 25 East, Duval County, Florida, and being more particularly described as follows:

Commence at the intersection of the North line of said Section 25, and the Westerly line of the old right-of-way of Lane Avenue (66' right-of-way); thence South 0 degrees 15 minutes 50 seconds West along the said Westerly line of Lane Avenue, a distance of 359.0 feet; thence North 89 degrees 47 minutes 10 seconds West a distance of 128.28 feet to a point in the old Southeasterly right-of-way line of Normandy Boulevard (100' right-of-way); Thence South 65 degrees 12 minutes 20 seconds West along said old Southeasterly right-of-way line of a distance of 171.16 feet; thence South 0 degrees 15 minutes 50 seconds West a distance of 16.56 feet to a point in the new Southeasterly right-of-way line of Normandy Boulevard, a 130 foot right-of-way as now established; said point also being the point of beginning; thence continue South 0 degrees 15 minutes 50 seconds West a distance of 196.44 feet; thence South 89 degrees 53 minutes 50 seconds West a distance of 140.9 feet; thence North 0 degrees 15 minutes 50 seconds East a distance of 133.48 feet to a point in said new Southeasterly right-of-way line of Normandy Boulevard, a 130 foot right-of-way as now established; thence North 65 degrees 12 minutes 20 seconds East along said new Southeasterly right-of-way line of Normandy Boulevard, a 130 foot right-of-way as now established a distance of 155.52 feet to the point of beginning.

PARCEL II

That part of Lot 2, Section 25, Township 2 South, Range 25 East, more particularly described as follows:

Commencing at point of intersection of the Section line between Section 24 and 25, said Township and Range, with Western line of Lane Avenue, run thence South 0 degrees 15 minutes 50 seconds West along said Western line of said Lane Avenue 359 feet, thence North 89 degrees 47 minutes 10 seconds West 128.28 feet to an iron pipe in the Southeasterly line of Normandy Boulevard (State Road No. 228) thence Southwesterly along the Southeasterly line of said Normandy Boulevard 82.82 feet to an iron pipe for a point of beginning, and from said point of beginning, run thence South 0 degrees 15 minutes 50 seconds West 252.69 feet to an iron pipe, thence South 89 degrees 53 minutes 50 seconds West 80 feet to an iron pipe, thence North 0 degrees 15 minutes 50 seconds East 215.73 feet to an iron pipe in the Southeasterly line of said Normandy Boulevard, thence Northeasterly along and with the Southeasterly line of Normandy Boulevard 88.34 feet to the point of beginning. Being otherwise identified as Lot 5, of that part of Government Lot 2, Section 25, Township 2 South, Range 25 East, allotted to Harry O. Dowling by Decree of Partition in C. O. Book 55, page 536, Except -15- feet lying in the right-of-way line of Normandy Boulevard (State Road No. 228, a 130 foot right-of-way as now established).

EXHIBIT A

3 00 4 AM: 25
88-102342

HENRY W. COOK

EXHIBIT B
Agent Authorization

Date: July 17, 2014

City of Jacksonville City Council / Planning and Development Department 117 West Duval Street, 4th Floor / Ed Ball Building, 214 North Hogan Street, Suite 300, Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

Kim Binkley Seyer and Pam DeDea of The Seyer Group

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers

The Seyer Group to act as agent to file application(s) for a Sign Waiver

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.



(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 17th day of

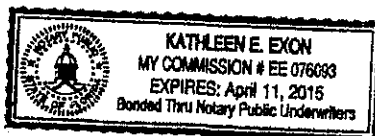
July (month), 2014 (year) by Tim Chess

who is personally known to me or has produced _____ as

identification.



(Notary Signature)

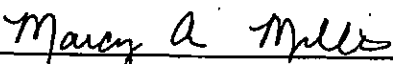


McDONALD'S CORPORATION
CERTIFICATE OF ASSISTANT SECRETARY

I, Marcy A. Miller, an officer of McDonald's Corporation, a corporation organized under the laws of the State of Delaware (the "Company"), hereby certify as follows, as of the date hereof:

1. I am the duly appointed, qualified and acting Corporate Assistant Secretary of the Company;
2. The Board of Directors of the Company duly adopted the McDonald's Corporation Corporate Governance Policy Regarding Authorizations, as amended, on December 4, 2008 (the "Authorization Policy"), that authorized the Chief Executive Officer to delegate signature authority for documents required in connection with construction projects to appropriate officers and employees of the Company, as part of the day-to-day operation of the business; and
3. Attached hereto as Exhibit A is a true, complete and correct copy of the CEO Authorization of Signature Authority, approved and executed by James A. Skinner, Vice Chairman and Chief Executive Officer of the Company, on July 6, 2010, pursuant to the Authorization Policy. The Authorization Policy and the CEO Authorization of Signature Authority have not been amended, modified, or rescinded in any way and remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand on this 18th day of April, 2012



Marcy A. Miller
Corporate Assistant Secretary

EXHIBIT A

McDonald's Corporation
CEO Authorization of Signature Authority
July 6, 2010

Pursuant to the authority granted to the Chief Executive Officer under McDonald's Corporation's (the "Company") Corporate Governance Policy Regarding Authorizations, as amended, which was approved by resolution of the Board of Directors on December 4, 2008, I authorize any of James Carras, Catherine A. Griffin, Denise Horne, Kathleen M. Kuta, Jerome N. Krulewitch, Larry B. Long, Michael D. Richard, Gloria Santona, Heather Smedstad, Padraic Molloy and Robert L. Switzer, all of whom are officers of the Company or McDonald's USA, LLC; Maximiliano Carmona, Senior Director, Michael B. Ebanks, Director, and any attorney employed by the Company or McDonald's USA, LLC who holds the title of Managing Counsel or Senior Counsel and is practicing in the U.S. Legal Practice Group, to execute in the name of and on behalf of the Company, such agreements, documents, certificates, insurance and indemnity policies, bonds and other instruments as may be required in connection with construction projects undertaken by the Company or any of its wholly-owned subsidiaries.

I further authorize any of the above signatories and any Assistant Secretary, any Assistant Treasurer and any attorney who holds the title of Counsel for the Company or McDonald's USA, LLC and is practicing in the U.S. Legal Practice Group to attest to the signatures on any documents that have been executed pursuant to the foregoing authorizations (except that no individual may attest to his or her own signature).

The above authorizations supersede and replace the Delegation of Signature Authority for documents required in connection with construction projects undertaken by the Company, approved and executed by the undersigned as Vice Chairman and Chief Executive Officer of the Company on June 9, 2010, and all actions taken by the persons duly authorized therein and in conformity therewith are in all respects confirmed, adopted and ratified as the valid and subsisting acts of the Company, having full force and effect from and after the dates thereof.

/s/ James A. Skinner
Chief Executive Officer

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS

That I, CATHERINE A. GRIFFIN, Vice President of McDonald's Corporation, a Delaware corporation, whose principal place of business is One McDonald's Plaza, Oak Brook, Illinois 60523, being desirous of appointing an attorney-in-fact to act on behalf of the corporation, do hereby nominate, constitute and appoint Michael Motta, Development Director, Tim Chess, Area Construction Manager, Rosangela DeMello, Area Construction Manager, Ramon Santos, Area Construction Manager, Stephanie Tyrrell, Area Construction Manager, Jose Villar, Area Construction Manager, Melvin Mance, Regional Construction Manager, James Giarrusso, Area Construction Manager members of the McDonald's Real Estate and Construction Department at its regional office location at 10150 Highland Manor Drive, Suite 470, Tampa, Florida 33610, as true and lawful attorney-in-fact with the following powers for and on behalf of McDonald's USA, LLC, a Delaware limited liability company regarding the following:

- 1. To prepare, file, execute and otherwise prosecute any and all types of applications for rezoning, special use permits, subdivisions, variances and any other land use matter necessary for the construction and development of McDonald's restaurants located in the State of Florida.
2. To appear before administrative and legislative bodies, to present testimony to such bodies and to otherwise represent McDonald's USA, LLC, a Delaware limited liability company in zoning and other land use hearings in cities, municipalities and counties located in the State of Florida.
3. To do any other act on behalf of McDonald's USA, LLC, a Delaware limited liability company with regard to land use applications and procedures involved in the construction and development of McDonald's restaurants in the State of Florida.
4. To exercise all powers and to do all acts on behalf of McDonald's USA, LLC, a Delaware limited liability company deemed by said attorney-in-fact to be incidental to, or necessary or appropriate to carry into full effect the foregoing powers, hereby ratifying and confirming all that said attorney can lawfully do or cause to be done by virtue hereof.

This power of attorney shall remain in full force and effect until revoked by me provided further that said revocation shall be of no effect in respect to parties acting or things done in reliance herein prior to the actual receipt by them of written notice of said revocation. This power of attorney shall terminate one (1) year from the date hereof unless sooner revoked by me.

In witness whereof, I have executed this agreement this 7th day of February 2014.

ATTEST:

Ruth A. Schoenmeyer, Senior Counsel

McDONALD'S CORPORATION, a Delaware corporation

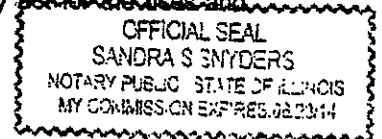
Catherine A. Griffin, Vice President

STATE OF ILLINOIS }
COUNTY OF DUPAGE } ss.

I Sandra S. Snyders, a Notary Public in and for the said county and state aforesaid, DO HEREBY CERTIFY that Catherine A. Griffin, Vice President and Ruth A. Schoenmeyer, Senior Counsel of McDonald's Corporation who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 7th day of February 2014.

Sandra S. Snyders, Notary Public



My commission expires: 6-23-14

McDonald's Sign Waiver Request

Please find attached our application for a sign waiver on behalf of McDonald's for the sign at their property located at 6546 Normandy Boulevard. We are requesting the waiver for the existing pole sign located on Normandy Boulevard. The waiver request is to reduce the minimum setback from 10 feet to 3 feet in Zoning District CCG-2. *The entire sign is situated on the McDonald's property.* The code currently requires all signage be setback 10 feet from any street right of way. The base of the sign *does* meet the setback requirement. It is the upper portion of the sign that encroaches into the required setback. The distance from the bottom of the sign to the ground is 30 feet. It should be noted that the edge of the sidewalk in front of the sign is 15 feet from the property line. Therefore, the sign does not interfere with any activity on the sidewalk or the area of land between the property line and the edge of the sidewalk.

The subject property has been a McDonald's Restaurant since 1965. Throughout the years, the property has been renovated, remodeled and rebuilt. On September 20, 1978 the existing pole sign was permitted. The sign was inspected and the installation was approved. Staff has stated that the code was changed in 1986 regarding the setback.

On October 27, 1991, the reader board section was added to the pole sign. This was permitted and there was not any deficiency identified. McDonald's was not aware of any code deficiency until they submitted plans to rebuild the existing restaurant. During this process, they were advised that the sign pole base met the setback requirements, but the top portion of the sign did not.

The existing pylon sign on Normandy still has many years of life. We are requesting that the sign be allowed to stay in its existing location until such time that the sign needs to be replaced.

Sign Waiver Application
Attachment

1. Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?

Yes. There are signs similar to what currently exists. Normandy Boulevard is an older established commercial corridor and the site is located east of I-295 and just west of Lane Avenue. The effect of the sign waiver will be compatible with existing contiguous signage and consistent with the general character of the area. The site is located along a commercialized node where there are similar sign structures. The sign was properly permitted and met all standards prior to the adoptions of the City's current sign regulations. Given the development pattern along this commercial corridor, a relaxation of the Code to allow a reduction in setback from the upper sign would be consistent with the general character in the area. The upper portion of the sign encroaches into the required setback area and not onto the right of way.

2. Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?

No. Approval of this waiver would allow the continued existence of a permitted conforming sign; and the intent of the zoning ordinance as it relates to this request is to discourage and not have signage that interferes with site, distance, and/or intersection visibility. The requested waiver will not detract from the specific code as it relates to safety or compatibility with existing development and signage.

3. Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such a waiver substantially interfere with or injure the rights of others whose property would be affected by the same.

No. The applicant seeks a waiver for a setback for the upper portion of the sign that has been in place since 1978. The approval of the sign waiver will not alter the aesthetic character of the area surrounding the site, nor will it injure the rights of others by granting this waiver.

4. Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?

No. The proposed waiver will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows, or other effects when taking into account existing uses and zoning in the vicinity. It does not create or contribute to visual obstructions along this corridor and does not limit vehicular access to the site. It provides a public benefit by identifying the business location. Approval of this waiver will benefit the public welfare by maintaining the existing sign area and location and providing improvements that benefit the aesthetics of the surrounding area.

5. Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?

No. The proposed waiver will not have a detrimental effect on vehicular or pedestrian traffic. The sign was permitted and installed in 1978 and the reader board was added in 1991. The public has not been harmed by the upper space encroachment.

6. Does the subject property exhibit specific physical limitations or characteristics, which would be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?

The site is being reconfigured to meet the current codes and improve circulation. The island where the sign is located will be much smaller than currently exists. The current sign has an expected remaining life of approximately 15 years.

7. Is the request based exclusively upon a desire to reduce the cost associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?

Yes, the strict enforcement of this regulation would reduce the reinvestment in the items that the public recognizes and would appreciate more. Approval of this waiver will benefit the public welfare by maintaining an existing sign and location, and providing improvements that benefit the aesthetics of the surround area.

8. If the request is a result of a violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the current owner?

This is currently a legal sign. It is the desire to reinvest in the property that makes this an issue. The issue exists due to a code change in 1986. The entire sign is on the McDonald's property and the base of the sign meets the current setback requirement. The upper portion of the sign does not meet the 1986 requirement. The reader board was permitted and added in 1991 and this was not raised at an issue at that time.

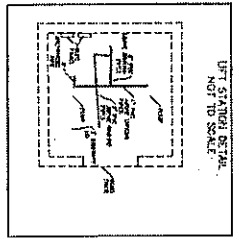
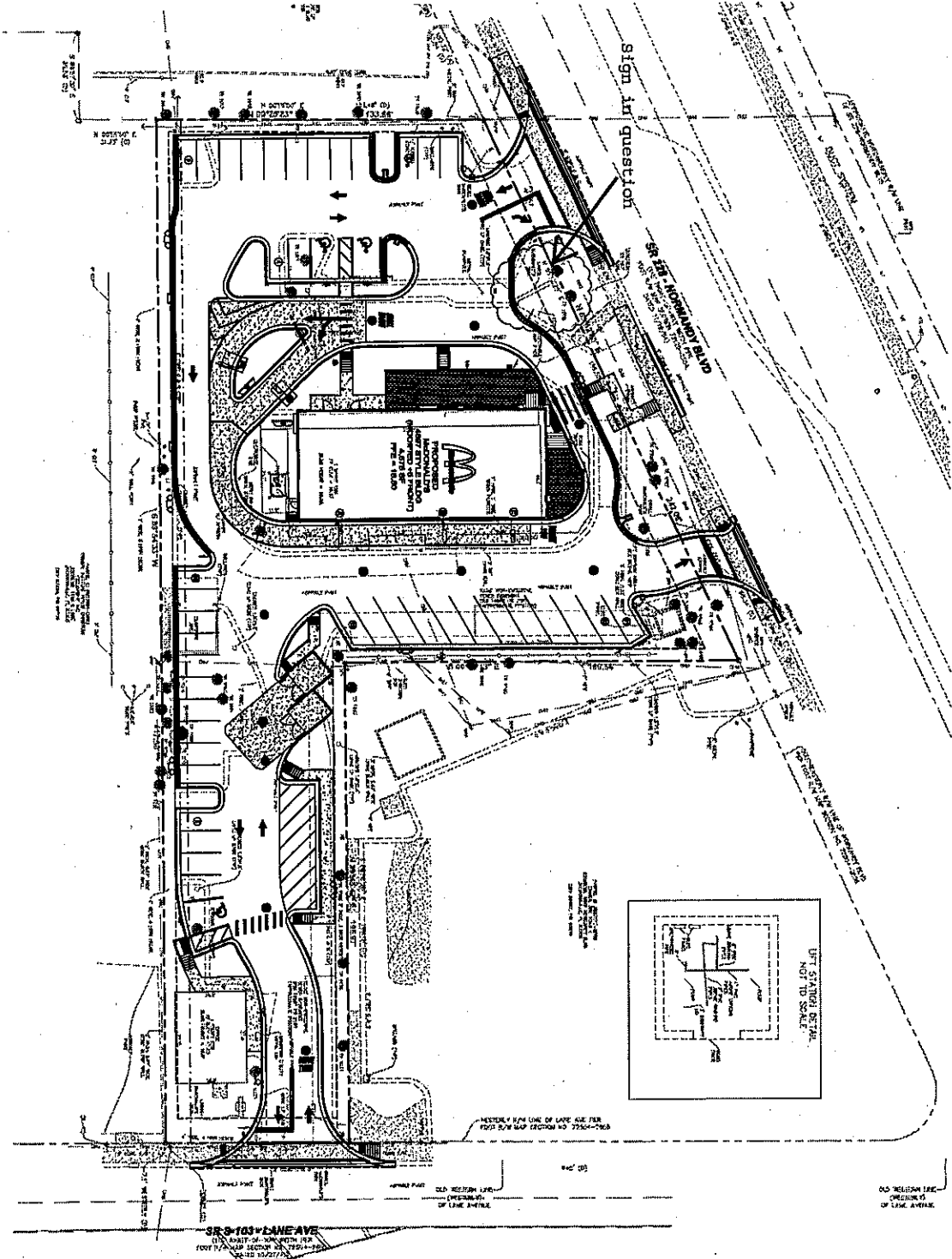
9. Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?

Yes, the approval of this application would allow the owner to maintain a legal sign that is similar to other commercial developments in the area allowing businesses to effectively communicate their message while protecting the rights of others. It furthers the public interest as it recognizes the original sign location as well as assuring the safety and interests of the public and property owner are protected.

10. Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?

Yes. Consideration should be given to pre-existing conditions. Strict compliance with the regulation in moving the sign, when considering the costs associated with the removal and construction of a new one and that the sign does not pose a threat to the public safety would be substantially burdensome in relation to the benefit that would be accomplished by approving this application.

Consideration should be given to the fact that the issue has only come to light as a result of the applicants desire to reinvest in the existing property. The sign cannot simply be picked up and relocated. The sign base would have to be excavated to create room to move the entire structure over seven inches.



G-7

Sheet No.

SITE DIMENSION PLAN
McDonald's
 NORMANDY REBUILD
 CITY OF JACKSONVILLE / FLORIDA

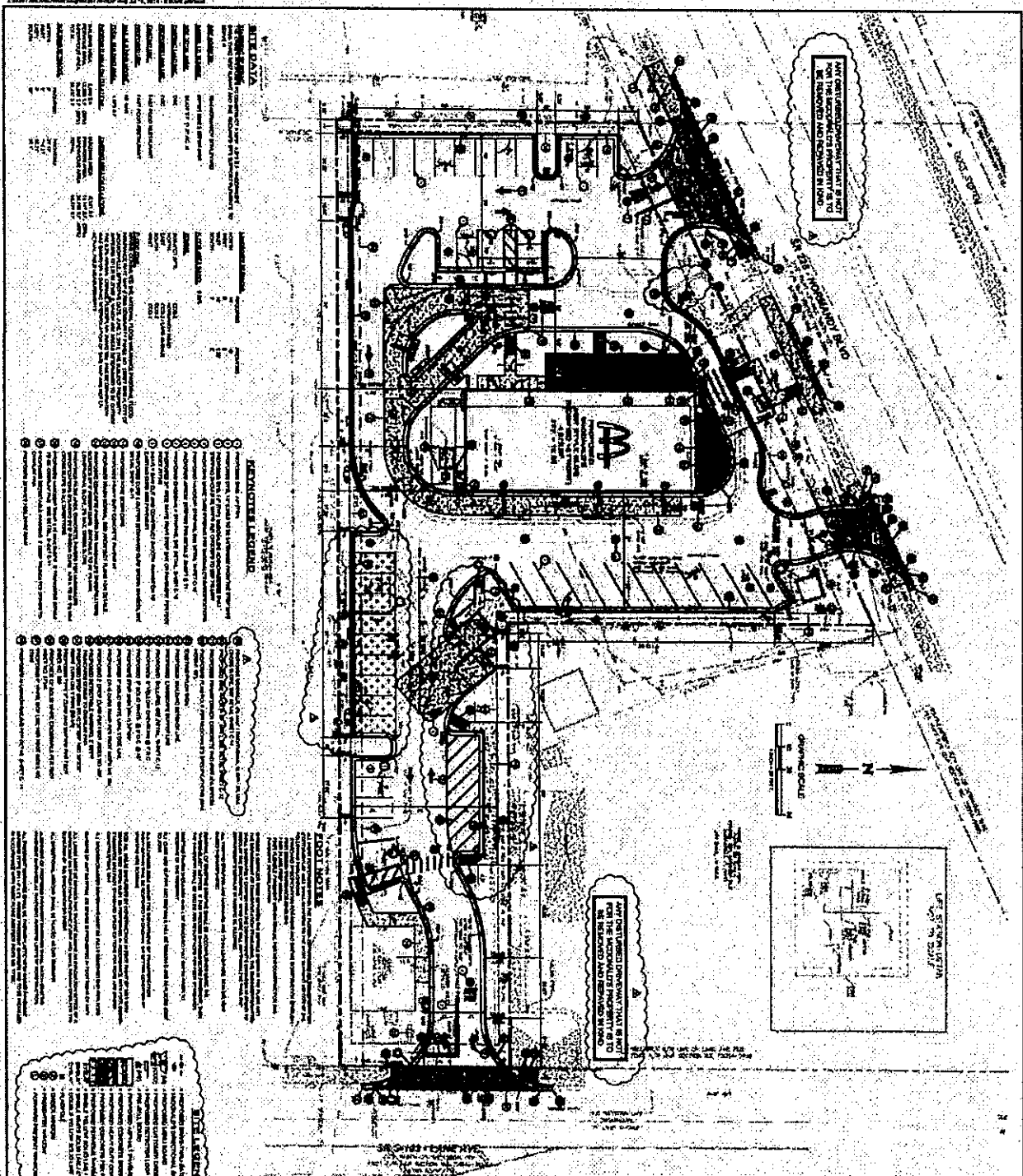
Designed by:	B.D.T.	△
Drawn by:	P.W.R.	△
Checked by:	B.P.C.	△
Approved by:	W.P.O.	△
Date:	11/20/13	△
Scale:	1"=20'	△
Job No.:	M272513	△
© 2014	No.	Δ

No.	Date	Revision	By

MCDONALD'S, P.L.
 1992

Created by: P.M.
 Plotted by: P.M.
 Title: McDonald's Normandy Rebuild
 Date: 11/20/13





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GENERAL INFORMATION

PROJECT NAME	McDonald's	
CLIENT	McDonald's	
DATE	12/23/11	
SCALE	AS SHOWN	
DRAWN BY	RDY	
CHECKED BY	PWP	
APPROVED BY	WJD	
DATE	12/23/11	
JOB NO.	10000000	
REV.	DATE	DESCRIPTION

McDonald's
 NORMANDY RESULDS
 CITY OF JACKSONVILLE / FLORIDA

PERMITS:

PLANNING DEPARTMENT

APPROVED: [Signature]

DATE: 12/23/11

PROJECT: McDonald's

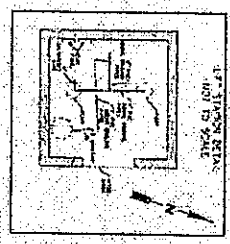
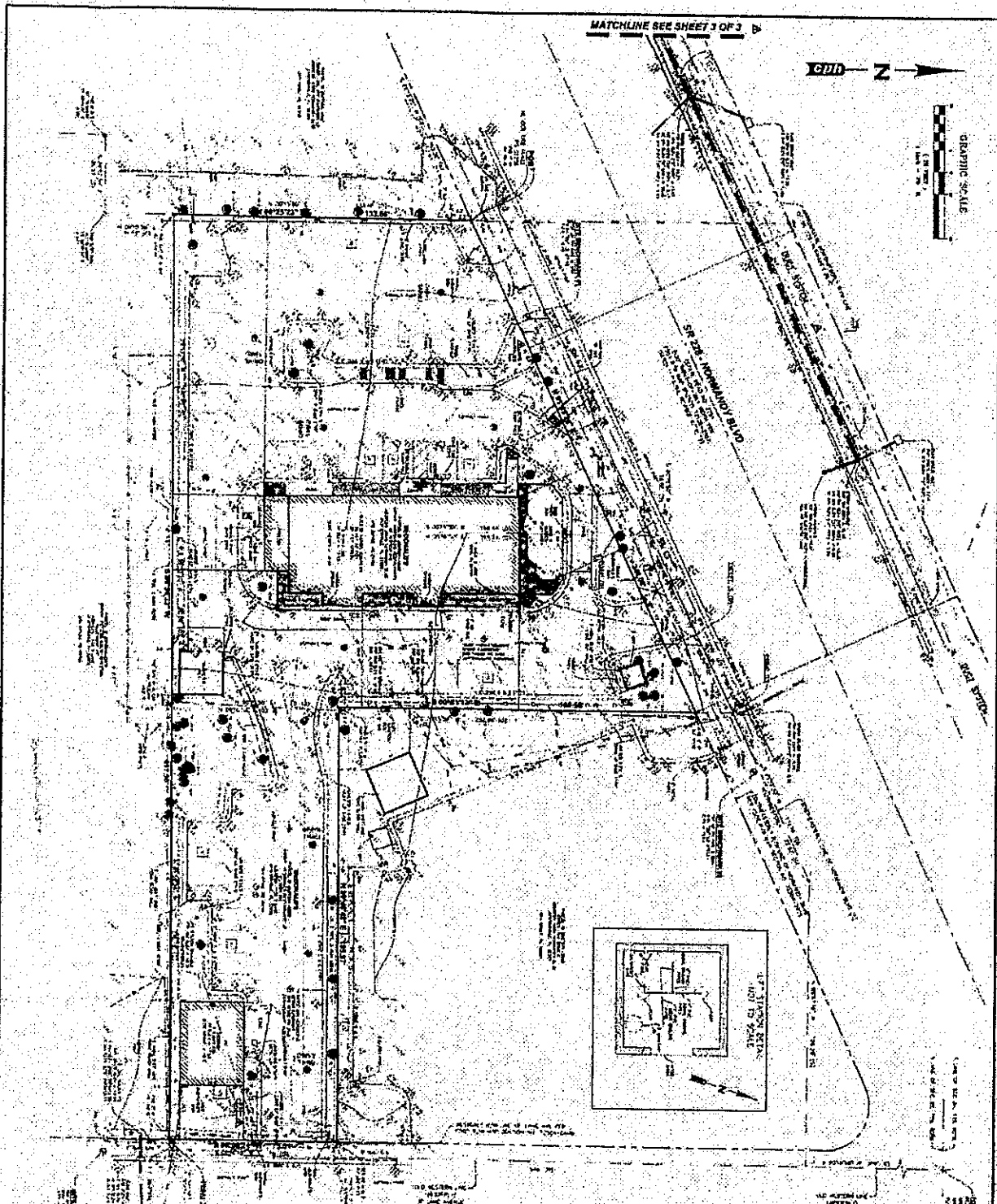
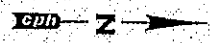
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REVISIONS:

NO.	DATE	DESCRIPTION
1	12/23/11	PER ORIGINALS
2	1/16/14	PER FOOT AND CITY COMMENTS
3	2/26/14	PER FOOT COMMENTS
4	4/24/14	PER FOOT COMMENTS

C-7

MATCHLINE SEE SHEET 3 OF 3



NOTE
 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING BOARD OF FLORIDA RULES AND REGULATIONS, CHAPTER 61G, F.A.C. AND THE PROFESSIONAL SURVEYING ACT, CHAPTER 471, F.S.

SW 2-103 - LANE AVE
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 1/2" = 100' - 60' - 40' PER
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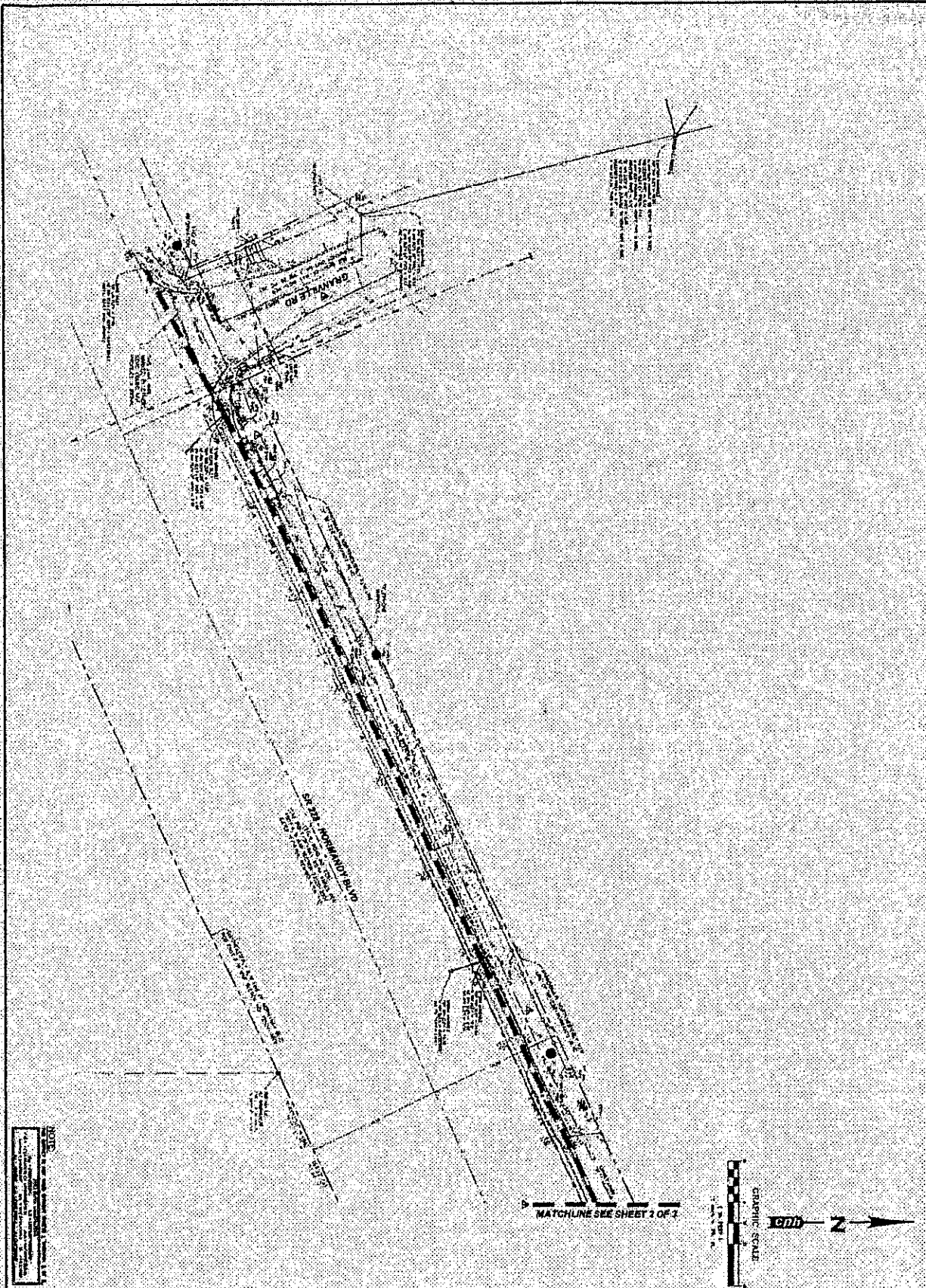
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BOUNDARY & TOPOGRAPHIC SURVEY
 (ALTA/C&M LAND TITLE SURVEY)
McDonald's
 LOT 689 2442
 1/4th HIGHLANDWAY BLVD
 SECTION 24 TOWNSHIP 3 SOUTH RANGE 21 EAST
 DUNEL COUNTY, FLORIDA

Field Crew	E.J.L.	
Checked by	J.F.P.	
Reviewed by	R.L.R.	
Plotted by	R.L.R.	
Scale	1" = 40'	
Date	01/11/14	41514
Job No.	32272	122612
Plot	0/24	ALL DATA

REVISION SHOW 688
 ADDED DIFFERENTIAL TOPOGRAPHIC INFORMATION
 P.M.
 J.F.P.

Sheet No.
2

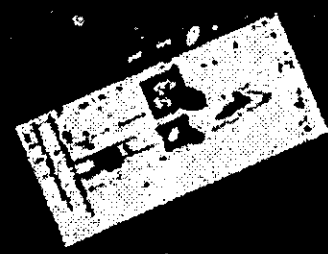


3 OF 3 SHEET NO.	BOUNDARY & TOPOGRAPHIC SURVEY (ALTA/ACSM LAND TITLE SURVEY)		Field Crew: B.K.	<input checked="" type="checkbox"/>			
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			Checked by: R.L.K.	<input checked="" type="checkbox"/>			
			Approved by: R.L.K.	<input checked="" type="checkbox"/>			
		Scale: 1"=200'					
		Date: 04/17/13	<input checked="" type="checkbox"/>	07/07/13			REVISED SURV SIZE
		Job No.: 102726	<input checked="" type="checkbox"/>	03/08/13			ADDED OFFSITE TOPOGRAPHIC INFORMATION
		P.M. 10/24/14	<input checked="" type="checkbox"/>	03/24/14			BY

© 1984

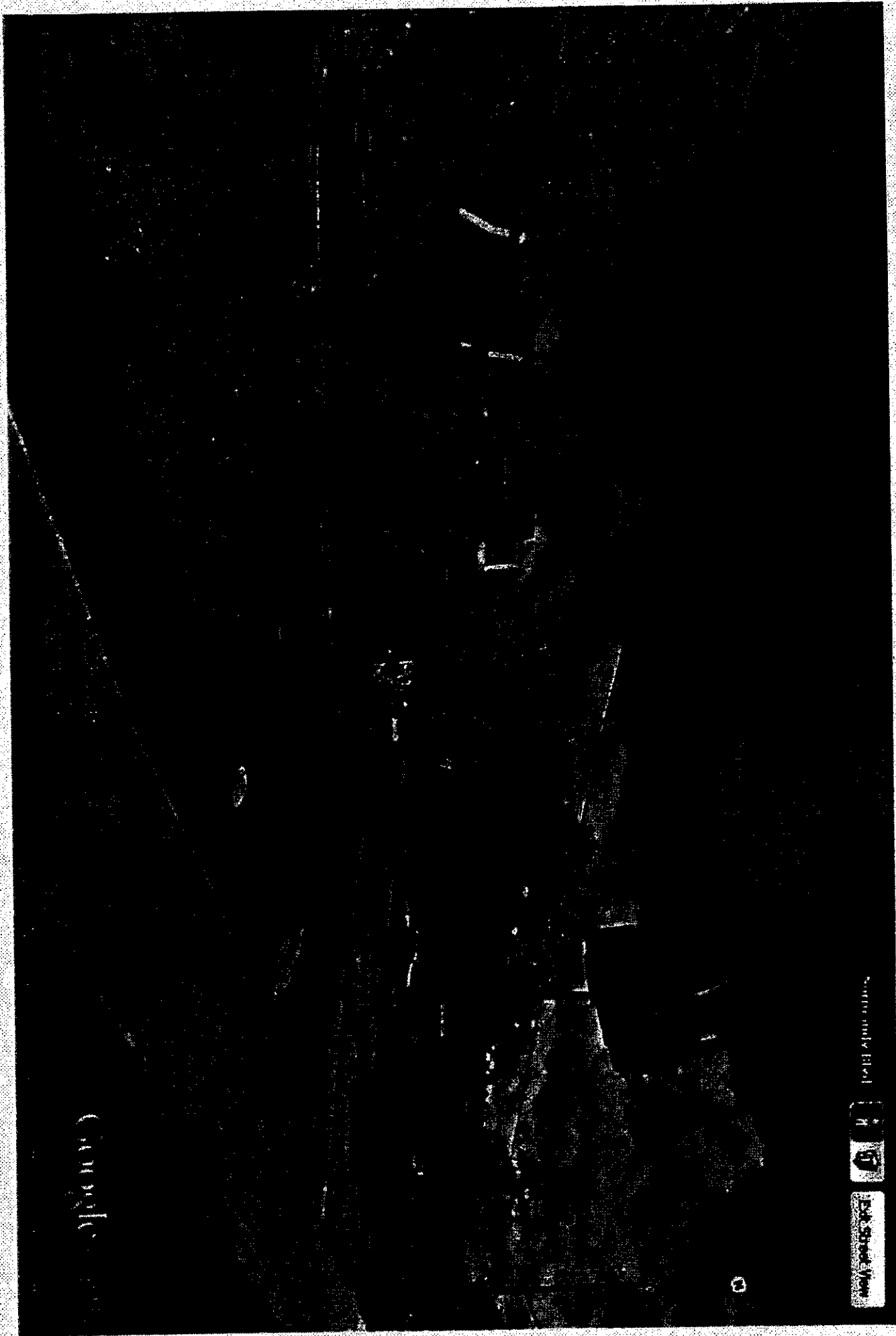
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McDonald's



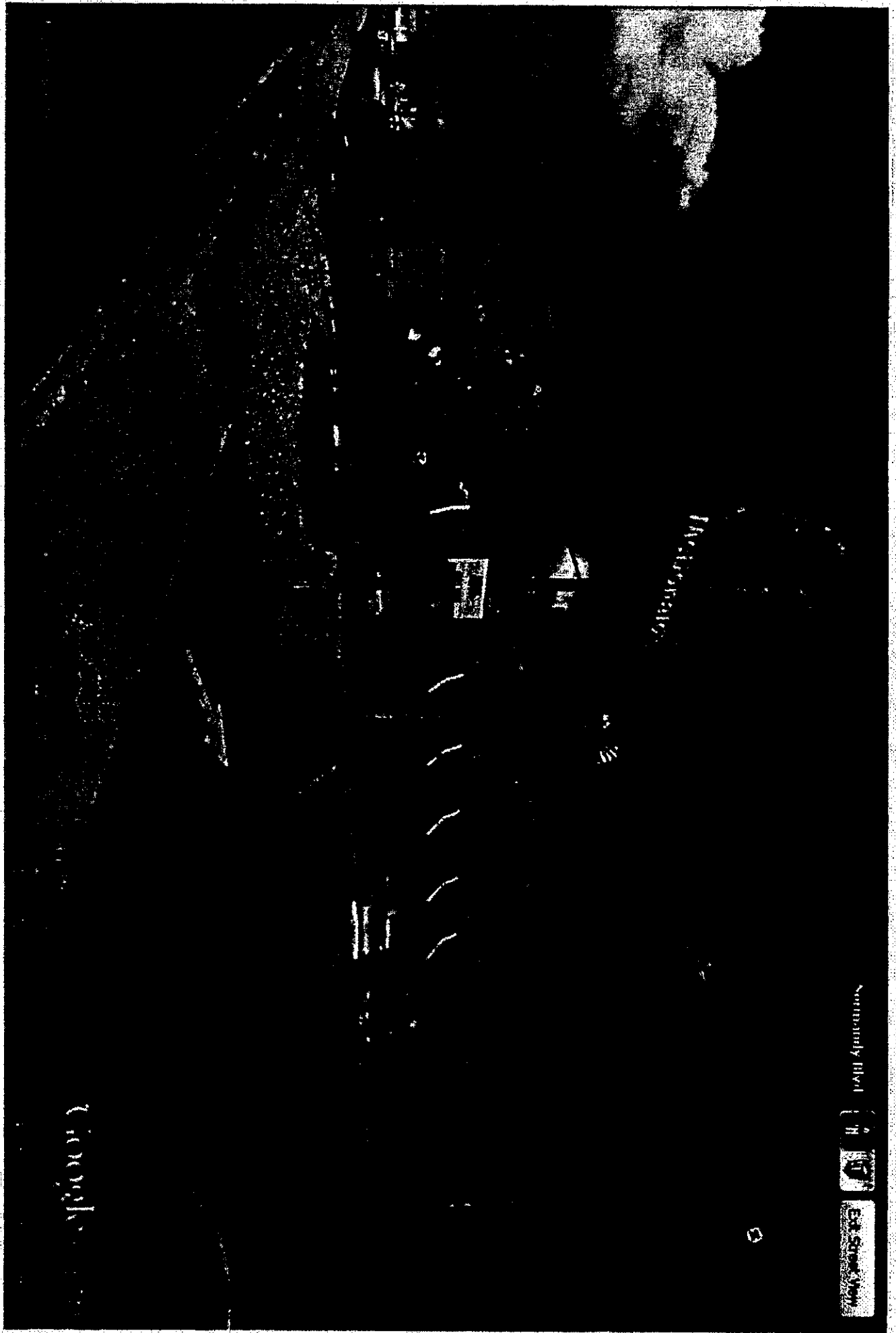
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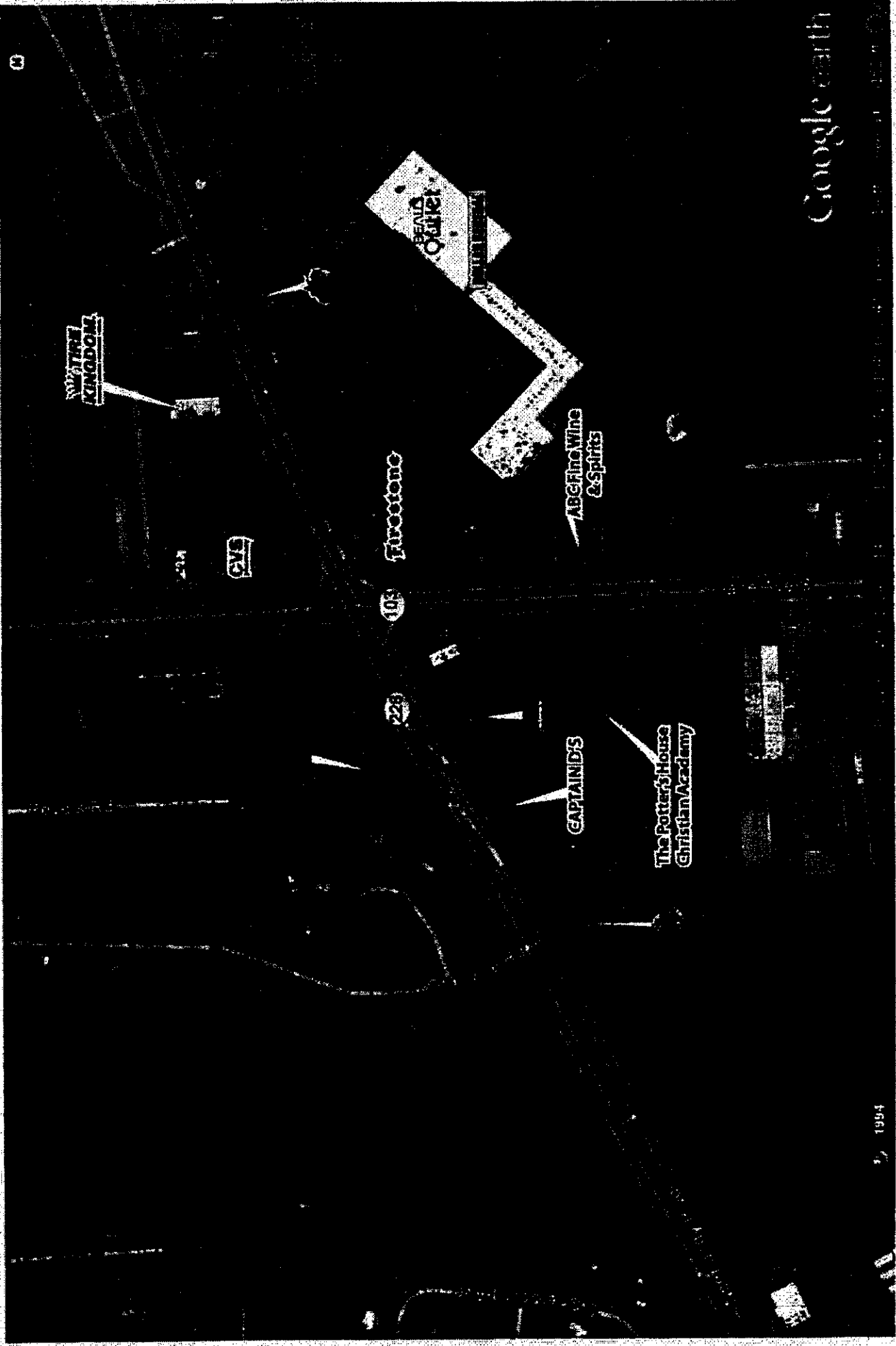


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CAPTAIN'S

The Potter's House
Christian Academy

ABE Fine Wine
& Spirits

BEAN Outlet



