

NATURAL RESOURCES MANAGEMENT OFFICE
2725 JUDGE FRAN JAMIESON WAY, BUILDING A, Ste. 207
VIERA, FLORIDA 32940
(321) 633-2016 - Ph. # / (321) 633-2029 - Fax #

1. APPLICATION FOR A VARIANCE FOR CONSTRUCTION SEAWARD OF THE BREVARD COUNTY COASTAL CONSTRUCTION SETBACK LINE

Please read these instructions carefully before completing the application. This application will not be given consideration until such time as all required information is received by the Natural Resources Management Office.

Eligibility to submit an application is based upon the applicant providing evidence that accretion (accumulation) is occurring at the immediate north and south Department of Environmental Protection Reference Monuments between the Brevard County Coastal Setback Line and the toe of dune.

1. This form shall be completed by all applicants for a variance for construction or other activities seaward of the Brevard County Coastal Construction Setback Line as provided in Section 62-4209 of the Brevard County Code.
2. The applicant shall submit all information described herein. Additional sheets may be attached when necessary. Each statement shall be separate and shall be labeled to correspond with the appropriate item on this application form. If additional sheets are necessary to complete an item, please indicate this.
3. When numbering attachments, place appropriate number in the lower right hand corner of each separate sheet of paper.
4. The Natural Resources Management Office is authorized to waive specific information required as a part of this application. An applicant's request for waiver shall be submitted on the waiver request form provided, and in the form of a written statement giving the reason that the applicant considers the waiver request justified. All waiver requests shall be submitted with the variance application.
5. When the requested information is clearly unrelated to the type of construction of activity proposed, please indicate by placing the letters NA in the correct blank on the application form.
6. The application fee is \$1,400 for all development. Checks shall be made payable to Brevard County Board of County Commissioners.

NOTE: The Natural Resources Management Office staff is authorized to require the applicant to provide other information considered necessary for proper evaluation of the application besides correcting apparent errors or omissions in the information submitted on, or attached to, this form.

Any information requested for waiver may be required at the discretion of the Natural Resources Management Office staff.

1. INSTRUCTIONS FOR POSTING NOTICES

Section 62-4209(1) of the Brevard County Code, requires the applicant or property owner requesting the variance to the Brevard County Coastal Setback Line to post notices on the respective property.

1. Notices must be posted not more than (25) days, not less than (15) days prior to the date of the public hearing before the Board of County Commissioners (as indicated on the notice).
2. Notices must be posted on the affected property so as to be easily accessible, and visible from an adjacent public road right-of-way so that they may be read and observed by the general public.
3. The affidavit (attached) must be signed by the owner, applicant or his legally designated agent as proof of posting of the affected real property.
4. The affidavit must be presented to the Board of County Commissioners at the public hearing when the item is called and heard by the Board of County Commissioners.
5. Failure to provide the affidavit as proof of posting at the public hearing shall result in the postponement of the application for one (1) meeting at a cost to the applicant of 4/5 (80%) of the original required application fee or a denial of the request.
6. The owner, applicant or his legally designated agent is responsible for the removal of the notice after the matter is finally decided by the Board of County Commissioners.
7. This notice must also be printed in the legal advertising section of the Florida Today newspaper at least ten (10) days prior to the date of public hearing. Contact the **legal advertising** department at (321)242-3832.

1. ALL AFFIDAVITS MUST BE PRESENTED AT THE PUBLIC HEARING

THIS AFFIDAVIT IS TO BE PRESENTED AT THE PUBLIC HEARING

Owner's Name: _____

Hearing Date: _____

AFFIDAVIT

7. STATE OF FLORIDA
COUNTY OF BREVARD

Before me, the undersigned authority, personally appeared, _____, to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

1. That pursuant to Section 62-4209 of the Brevard County Code, the affiant has posted a notice on _____, of the time and place of the public hearing before the Brevard County Board of County Commissioners to consider a variance from the Brevard County Coastal Setback Line.
2. Said posted notice contains the name and address (or tax I.D.#) of the applicant, a statement of proposed work, activity, or construction seaward of the Coastal Setback Line, and a list of the names and addresses of all property owners within 500 feet of the subject property.
3. The said notice has been posted in a conspicuous place on the subject property at least fifteen (15) days prior to the public hearing before the Brevard County Board of County Commissioners. If the property abuts a public road right-of-way, the notice was posted in such a manner so as to be visible from the road right-of-way.
4. This affidavit was signed by the affiant and to the best of affiant's knowledge will be received by the Office of Natural Resources Management of Brevard County, Florida, at the public hearing before the Board of County Commissioners.

Sworn to and Subscribed before me, this _____ day of _____, 20____.

Notary Public, State of Florida

My Commission expires: _____

THIS AFFIDAVIT IS TO BE PRESENTED AT THE PUBLIC HEARING
AUTHORIZATION TO ACT AS APPLICANT

Owner's Name: _____
Hearing Date: _____

AFFIDAVIT

8. STATE OF FLORIDA
COUNTY OF BREVARD

Before me, the undersigned authority, personally appeared, _____,
to me well known and known to me to be the person described in and who executed the foregoing
affidavit, after being first duly sworn, says:

I, _____ authorize _____
_____ to act as applicant, representing me before the Board of County
Commissioners on _____ for the public hearing regarding my request for a Coastal
Construction Variance for subject property located at Twp. ___ S, Rng. ___ E, Sec. ___, S/D# ___,
Parcel/Block ___, Lot _____.

This affidavit has been signed by the affiant and to the best of affiant's knowledge will be received
by the Office of Natural Resources, Brevard County, Florida, at the public hearing before the Board
of County Commissioners.

Owner's Signature

Sworn to and Subscribed before me, this _____ day of _____, 20_____.

Notary Public, State of Florida

My Commission expires: _____

THIS AFFIDAVIT IS TO BE PRESENTED AT THE PUBLIC HEARING

BREVARD COUNTY NATURAL RESOURCES MANAGEMENT OFFICE

COASTAL VARIANCE APPLICATION

2725 Judge Fran Jamieson Way, Bldg. "A", Ste. 207
Viera, FL 32940

Name of Owner(s): _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Name of Applicant: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Legal description of property covered by this application:

(Tax parcel ID#) _____

Street address of property (if available) _____

The following items must be provided by the APPLICANT to complete this application for a public hearing and will be verified as complete upon submission to the Natural Resources Management Office.

- _____ (a) A list of names and addresses of owners of all properties located within five hundred (500) feet of the subject property.
- _____ (b) A statement describing the proposed work, activity, or construction seaward of the Coastal Setback Line.
- _____ (c) One (1) copy of a topographic survey of the subject property prepared or verified for accuracy not more than six months prior to the date application and certified by a land surveyor registered in the State of

Florida. The topographic survey shall include the following specific information:

- _____ (1) The location of the contour line corresponding to elevation 0 NGV
- _____ (2) The location of any existing vegetation line on the subject property.
- _____ (3) The location of the established State of Florida Department of Natural Resources Coastal Construction Control Line, Brevard County Coastal Construction Line, the mean high water line, the existing dune line top and toe, and the Coastal Setback Line for the full width of the subject property, including the location and number of the two nearest State of Florida Department of Environmental Protection baseline monuments (designated R-###).
- _____ (4) A current survey of the State of Florida Department of Environmental Protection baseline monuments(R-###) located immediately north and south of the subject parcel. This information must be presented in cross sectional form and overlay the Department of Environmental Protection profile data (from 1972, 1986, and 1997). A professional engineer must interpret this information and certify that accretion is occurring at these monuments.
- _____ (d) One copy of the detailed final construction plans and specifications for all structures proposed to be constructed seaward of the Coastal Setback Line. These documents shall be signed and sealed by a professional engineer or architect, as appropriate, who must be registered in the State of Florida.
- _____ (e) Copy of Warranty Deed.

The undersigned understands this application must be completed and accurate before a hearing can be advertised. APPLICANT FURTHER UNDERSTANDS THE ABOVE CRITERIA (a through e) WHICH ARE NECESSARY FOR A VARIANCE TO BE AUTHORIZED.

All the answers to the questions in this application, all sketches and data attached to and made a part of this application are true to the best of my knowledge.

Sworn and subscribed to before me this _____ Day of _____, 20 _____ (Signature)
 My Commission Expires:

 NOTARY
 PUBLIC

FOR OFFICE USE ONLY
Fee of \$ _____ CASH or CHECK, made out to Brevard County Board Of County Commissioners

Receipt Number: _____

Date: _____

(Signature for Natural Resources)

Commission District: _____

COASTAL CONSTRUCTION SETBACK LINE
VARIANCE APPLICATION CHECKLIST

Applicant's Name: _____

File No: _____

- ___ Application Form
- ___ Application Fee
- ___ Owner's Name and Address
- ___ Applicant's Name and Address
- ___ Authorization from owner to act as applicant (Notarized)
- ___ Legal Description of property (Tax Parcel ID)
 ___ Street Address
- ___ Copy of warranty deed
- ___ List of names and addresses of surrounding property owners within 500 ft. - May be obtained easiest by contacting Joanne Adams, with Planning and Zoning's GIS, Graphics & Cartography Section, at ph. #(321) 633-2060
- ___ Statement describing proposed work
- ___ Construction plans and specifications
- ___ Certified topographic survey (not > 6 mo. old)
- ___ 0 ft. NGVD contour
- ___ Existing vegetation line
- ___ D.E.P. Current CCCL
- ___ D.E.P. OLD CCCL
- ___ Brevard County Coastal Setback Line
- ___ Mean High Water
- ___ Dune line (top and toe)
- ___ Location of 2 nearest DNR monuments (designated R-####)

- ___ Beach Profile Survey for nearest D.E.P. monuments delineating accretion to date
- ___ Accretion Report accompanying Beach Profile Survey, certified by Professional Engineer
- ___ Olsen Report Data of Erosion (provided by Natural Resources Management Office)

Staff/Date

9. BREVARD COUNTY NATURAL RESOURCES MANAGEMENT OFFICE

2725 Judge Fran Jamieson Way, "A" 2nd Floor
Viera, FL 32940
(321)-633-2016

APPLICATION FOR WAIVER

The applicant may request waiver of any specified item as indicated on the application for variance for construction seaward of the Brevard County coastal construction setback line. Such requests should be completed on this form. The applicant should list the number of each item as indicated on the application form and give the reason(s) that this waiver is requested.

Item # (from application)

Reason for Waiver

d. Construction Plans and Specifications
phase.

Project is in a conceptual design

Attach additional sheets as necessary

Staff Comments:

Director, Natural Resources Management Office

Date