

RESOLUTION 07- 064

A RESOLUTION AMENDING ENVIRONMENTAL, LANDSCAPE, AND LAND CLEARING REVIEW FEES FOR DEVELOPMENT PLANS, PRIVATE LAKES, LAND ALTERATIONS, LAND USE CHANGES, REZONING, FLAG LOTS, UNPAVED ROADS, SHORELINE HARDENING, WETLAND DETERMINATIONS, APPEALS, AND OTHER MISCELLANEOUS REVIEWS

WHEREAS, Brevard County Ordinance No. 73-17, currently codified as section 62-101 of Brevard County Code authorizes the establishment of a schedule of fees and charges for the public procurement of various documents and services; and

WHEREAS, the aforementioned Ordinance further provides for the collection of monies in accordance therewith; and

WHEREAS, this resolution will repeal previous fee resolutions, and

WHEREAS, the fees and charges specified in the resolution are required to provide necessary services and programs to implement the Natural Resources Management Office development review functions in accordance with established County Ordinances and the Comprehensive Plan, and

WHEREAS, the existing schedule of fees for development review is not sufficient to cover the costs incurred by the Natural Resources Management Office in conducting efficient plan review, permitting and inspections required under the Brevard County Code; and

WHEREAS, the development review functions within the Environmental Permitting Section of the Natural Resources Management Office shall be supported by user fees; and

WHEREAS, the Brevard County Board of County Commissioners, Florida, has determined that the fees hereinafter specified are reasonable.

NOW, THEREFORE BE IT RESOLVED, BY THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS, FLORIDA, that:

SECTION 1. Prior Fees and Charges. The Natural Resources Management Office fees and charges previously established for development review, documents and services are hereby amended to include those hereinafter specified.

SECTION 2. Establishment of Schedule of Fees and Charges. A schedule of fees and charges, as specified herein, is established and adopted for the Natural Resources Management Office as follows:

(A) Site Plan/Subdivision Review Fees (Revenue Account 3292060)

Preliminary Plat/Development Plan Review	\$798
Final Plat/Development Plan Review	\$400
Site Plan Review	\$998
Pre-application Conference	\$450
Re-inspections	\$300
Unpaved Road Application	\$300

Flag Stem/Easement application review		\$300
3 rd and subsequent site and subdivision reviews		\$375
Open Space Subdivision Pre-application Conference or 1 st Review		\$2,800
 (B) <u>Consistency Review Fees (Revenue Account 3292050)</u>		
Rezoning Requests and Land Use Changes		\$250
Appeals to the Board of County Commissioners		\$800
Vested Rights	\$2,000 (plus Special Magistrate Costs, if unsuccessful)	
Consistency Review for Marinas		\$900
Consistency Review for Marinas w/ Site Plan or Subdivision Review		\$600
Maintenance Dredging Consistency Review		\$600
 (C) <u>Land Alteration and Private Lake Fees (Revenue Account 3290004)</u>		
Private Lakes		\$400
Land Alterations	\$1,600 + \$75/acre or fraction thereof	
Private Lake Variance		\$250
 (D) <u>Landscape and Land Clearing Review Fees (Revenue Account 3292020)</u>		
Pre-application Conference		\$450
Landscape/Land Clearing Preliminary Plat/Development Plans	\$250+\$75/acre or fraction thereof	
Landscape/Land Clearing Site Plans	\$250+\$75/acre or fraction thereof	
Amendment to approved Landscape Plan		\$400
Re-inspections		\$300
Residential Bond inspection		\$300
Land Clearing Permit for Surveys/Soil Testing		\$150
3 rd and subsequent plan submittal		\$200
Change of Use review		\$250
Alternative Landscape Enhancement Plan		\$1,650
One-stop landscape/land clearing review for lots > 1.25 acre		\$254
One-stop landscape/land clearing review for lots ≤ 1.25 acre		\$75
Non-bonafide Agricultural Permits for Land Clearing		\$300
Agricultural Exemption for Building		\$75
Administrative Waiver for Land Clearing		\$200
 (E) <u>Environmental Assessment Fees (Revenue Account 3490050)</u>		
Surface Water Permits		\$750
Wetland Determinations		\$400
Wetland Delineations	< 2.5 acres = \$1600	
	2.5 ≤ < 5.0 acres = \$3,200	
	5.0 ≤ < 10 acres - \$800 for each acre or fraction thereof	
Property Reviews		\$75
One-Stop Permit Environmental Review		\$75
Coastal Setback Line Variance		\$1,400
Coastal Vulnerable Structure Determination – single family		\$1,400
Written Consistency, Exemption or Interpretation Determinations		\$300
Right-of-Way Permit Environmental Analysis		\$150
Restoration Plans (wetlands & land clearing)		\$800
Fence, Shed, Screen Room, Pool Enclosure Permits		\$12
2 nd and Subsequent Reviews of Unissued One-Stop Permits		\$25

(F) Miscellaneous Fees
After the Fact Permits

Project would have been permissible under current regulations-----Triple Normal Permit Fee
Project is not permissible under current regulations-----Restoration + fines

(G) Review Fees—No permit issued.

When a permit application has been reviewed and approved by all required agencies and the permit has not been issued within 30 (thirty) days of the last review, the review fee must be paid in its entirety for services rendered and will be collected through an approved process for collection.

When a permit application has not been reviewed and approved by an agency due to plan deficiencies and the permit is not issued within 90 days of the application, a review fee equal to one-half of the permit fee as set forth herein must be paid and will be collected through an approved process for collection.

In the event a permit applicant wishes to appeal the collection of a review fee, a written request must be made to the Department Director within 30 days of receipt of the notice that a review fee must be paid. The Director may, at his or her discretion, authorize a waiver of the review fees when the applicant demonstrates good cause for the waiver of such fees. Good cause as stated herein shall be defined as an economic or other undue hardship caused by circumstances beyond the applicant's control or other unforeseen circumstances. Denial of any request for waiver of the plan review fees may be appealed to the Board of County Commissioners within thirty (30) days of such denial.

SECTION 3. Collection of Fees and Charges.

All fees and charges shall be collected by Brevard County, and shall be received in full prior to the provision of such services and permit application reviews. Upon payment for such services, a receipt shall be issued to the payer, a copy of which shall be retained by the payee. Fees are non-refundable unless specifically approved for a refund or waived by the Board of County Commissioners. Five percent (5%) of the original fee to be refunded shall be retained by the County to offset the cost of processing the refund. No refund will be granted for any development application that has been processed for review by any of the other review agencies. After construction has commenced on site, no refund of any inspection fees will be made.

SECTION 4. Revision of Schedule of Fees and Charges. The schedule of fees and charges as established herein may, by resolution of the Board of County Commissioners of Brevard County, Florida, be amended or repealed, in whole or in part, as required for economical provision of such services.

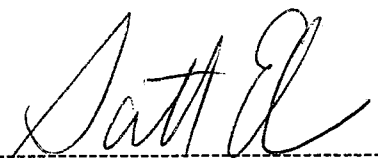
SECTION 5. Public Record and Posting. In accordance with Brevard County Ordinance No. 73-17, a certified copy of this Resolution shall be posted for public inspection in the Brevard County Natural Resources Management Office.

SECTION 6. Effective Date. This Resolution shall take effect on the 1st day of April 2007. Adopted this 6 day of March 2007 in regular session.

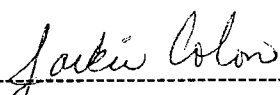
ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

OF BREVARD COUNTY, FLORIDA




Scott Ellis, Clerk



Jackie Colon, Chair
As approved by the Board on 03/06/07.

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a
true and current copy of Resolution
No 07-064 witness my hand
and official seal this 8 day of
March 20 07

SCOTT ELLIS
Clerk Circuit Court
BY  D.C.