



## BREVARD COUNTY BUILDING CODE

2725 Judge Fran Jamieson Way, A115  
Viera, FL 32940  
(321) 633-2072 phone (321) 633-2087 fax

## APPLICATION SUBMITTAL GUIDE

### Demolition

*\*The items listed may not cover every situation or circumstance, additional information may be required.*

- Application for Building Permit** – complete with notarized signature of contractor or authorized agent. [IF owner acting as contractor, only owner can sign and owner must appear in person to pick up]
- Owner/Builder Application for Contractor Exemption**– signed by the owner and notarized.
- Subcontractor Authorization** for each named subcontractor or **Annual Subcontractor Authorization** on file with Brevard County Building Code.
- One (1) Copy of recorded Notice of Commencement (NOC) or Affidavit of NOC Filing** along with a copy of the NOC
- Property Owner's Authorization** (signed and notarized) for work contracted by a tenant of rental property
- Two (2) Copies of Onsite Sewage Treatment and Disposal System (septic) Permit and Documents** for more information contact the State Department of Environmental Health 321-633-2100
- Letter from Owner of the Structure** giving permission for the demolition
- Contractor Asbestos Notification Statement** OR **IF** owner acting as contractor: **Owner Asbestos Notification Statement**
- Two (2) Copies of Dimensioned Plot Plan Diagram** drawn to sufficient scale and clarity showing to be removed and must include at a minimum:
  - Location and dimensions of all structures and distances to property lines
  - Location and dimensions of driveway, driveway aprons, & AC pads
  - Clearly indicate which structures to be removed
  - Location of septic tank and drain field
  - Location of wells
- IF** on a coastline: **State Department of Environmental Protection Approval**. For more information contact the State D. E. P. at 321-779-4773 or 877-314-1329 or 850-921-7778
- IF** on a coastline: **Marine Turtle Protection Affidavit**



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Permit # \_\_\_\_\_  
 Entered by: \_\_\_\_\_  
 Application Date: \_\_\_\_\_

**APPLICATION FOR BUILDING PERMIT**  
 Florida Building Code Edition in effect: 2007

**PROPERTY INFORMATION**

TWP: \_\_\_\_\_ RNG: \_\_\_\_\_ SEC: \_\_\_\_\_ SUB #: \_\_\_\_\_ BLK/PAR: \_\_\_\_\_ LOT: \_\_\_\_\_

**Site Address:** \_\_\_\_\_  
 # Street City Zip

**Owner's Name:** \_\_\_\_\_  
 Last First Telephone Number

**Owner's Address:** \_\_\_\_\_  
 # Street City Zip

**CONTRACTOR'S INFORMATION (APPLICANT)**

**Qualifier Name:** \_\_\_\_\_  
 Last First License #

**Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
 # Street City Zip

**Fax #:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

**PROJECT INFORMATION**       **Residential**       **Commercial**      Site Plan #: \_\_\_\_\_

Describe Work To Be Done: \_\_\_\_\_  
 \_\_\_\_\_

Cost of Project: \$ \_\_\_\_\_ Proposed Sq. Ft.: \_\_\_\_\_  
 (conditioned) (total new construction)

# of housing units \_\_\_\_\_ # of new bedrooms \_\_\_\_\_ Master Plan #: \_\_\_\_\_

Sanitary Service:  Sewer Service      Potable Water Service:  Public or Private Water  
 Septic       Well

**SUBCONTRACTOR INFORMATION:**

LAST NAME	FIRST NAME	(NO STATE REGISTRATION #)	
Plumbing Contractor Name:		License #:	Phone:
Electrical Contractor Name:		License #:	Phone:
HVAC Contractor Name:		License #:	Phone:
Roofing Contractor Name:		License #:	Phone:
Specialty Contractor Name:		License #:	Phone:

**NOTICE OF COMMENCEMENT INFORMATION:** If the cost of the proposed work has a value of \$2,500 or more (\$7,500 for HVAC) a Notice of Commencement must be recorded with the Brevard County Clerk of Courts. **A copy of the recorded Notice of Commencement must be submitted to Brevard County Building Code and the recorded Notice of Commencement must be posted on the job site prior to receiving an inspection.**

Fee Simple Titleholder's Name...(if other than owner): \_\_\_\_\_  
Fee Simple Titleholder's Address...(if other than owner): \_\_\_\_\_  
Bonding Company: \_\_\_\_\_  
Bonding Company Address: \_\_\_\_\_  
Architect/Engineer's Name: \_\_\_\_\_  
Architect/Engineer Address: \_\_\_\_\_  
Mortgage Lender's Name: \_\_\_\_\_  
Mortgage Lender's Address: \_\_\_\_\_

***WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.***

**\*\* NOTICE:** In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county or that may be required from other governmental entities such as water management district, state agencies or federal agencies.

**APPLICANT'S AFFIDAVIT**

Application is hereby made to obtain a permit to do the work and installations as indicated. I acknowledge and accept responsibility for compliance with all applicable codes, regulations and ordinances as well as the payment of all legally constituted fees regarding this development application, including but not limited to **ALL REVIEW FEES, PERMIT FEES, IMPACT FEES AND RESERVATION FEES.**

\_\_\_\_\_  
Signature: **Contractor**

\_\_\_\_\_  
Signature: **Owner**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

State of Florida  
County of Brevard

State of Florida  
County of Brevard

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Public Signature

Seal

Seal

**FINAL INSPECTION IS REQUIRED** Failure to obtain a final inspection may result in a penalty.



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### “OWNER/BUILDER” APPLICATION FOR CONTRACTOR EXEMPTION

#### Florida Statutes 489.103 Exemptions.

7) Owners of property may act as their own contractor and provide direct, onsite supervision themselves of all work not performed by licensed contractors:

(a) When building or improving farm outbuildings or one-family or two-family residences on such property for the occupancy or use of such owners and not offered for sale or lease, or building or improving commercial buildings, at a cost not to exceed \$75,000, on such property for the occupancy or use of such owners and not offered for sale or lease. In an action brought under this part, proof of the sale or lease, or offering for sale or lease, of any such structure by the owner-builder within 1 year after completion of same creates a presumption that the construction was undertaken for purposes of sale or lease.

(b) When repairing or replacing wood shakes or asphalt or fiberglass shingles on one-family, two-family, or three-family residences for the occupancy or use of such owner or tenant of the owner and not offered for sale within 1 year after completion of the work and when the property has been damaged by natural causes from an event recognized as an emergency situation designated by executive order issued by the Governor declaring the existence of a state of emergency as a result and consequence of a serious threat posed to the public health, safety, and property in this state.

This subsection does not exempt any person who is employed by or has a contract with such owner and who acts in the capacity of a contractor. The owner may not delegate the owner’s responsibility to directly supervise all work to any other person unless that person is registered or certified under this part and the work being performed is within the scope of that person’s license. For the purposes of this subsection, the term “owners of property” includes the owner of a mobile home situated on a leased lot. To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner’s obligations under the law as specified in the disclosure statement of this section. If any person violates the requirements of this subsection, the local permitting agency shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued. The local permitting agency shall provide the person with a disclosure statement.

**Owners violating the above shall be subject to a penalty under Florida Statute 455.228 and may be issued a citation and/or civil penalty.**

\_\_\_\_\_  
initials

## DISCLOSURE STATEMENT

Florida Statute 489.103(7) requires all owners of property acting as their own contractor to complete the following disclosure statement. This is an affidavit for owner/builders applying for building permits under the owner/builder contractor exemption.

1. **I UNDERSTAND** that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.
2. **I UNDERSTAND** that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.
3. **I UNDERSTAND** that, as an owner-builder, I am the responsible party of record on a permit, I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits or contracts.
4. **I UNDERSTAND** that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will assume that I built or substantially improved it for sale or lease, which violates the exemption.
5. **I UNDERSTAND** that, as the owner-builder, I must provide direct, onsite supervision of the construction.
6. **I UNDERSTAND** that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county ordinance.
7. **I UNDERSTAND** that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
8. **I UNDERSTAND** that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide worker's compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.

\_\_\_\_\_  
initials

9. **I AGREE** that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

10. **I UNDERSTAND** that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at (850) 487-1395 or [www.myfloridalicense.com](http://www.myfloridalicense.com) for more information about licensed contractors.

11. **I AM AWARE OF, AND CONSENT TO**, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the following address:

Property Address: \_\_\_\_\_

12. **I AGREE** to notify the Brevard County Building Code Division immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and the Department of Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may also be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's worker's compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

\_\_\_\_\_  
Owner/Builder Signature

\_\_\_\_\_  
Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature

Seal



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**AUTHORIZATION TO SIGN ON BEHALF OF CONTRACTOR**

Building Permit # \_\_\_\_\_

Site Address: \_\_\_\_\_  
Street City State Zip

Description of work to be done \_\_\_\_\_

Contractor: \_\_\_\_\_ License # \_\_\_\_\_  
(Print Name of License Holder)

Phone Number: \_\_\_\_\_

As contractor for the above referenced permit I hereby authorize the following individual(s) to sign documents related to the above referenced permit including picking up the permit. [NOTE: If an owner is acting as the contractor this authorization does not apply.]

\_\_\_\_\_ (PRINT NAME OF PERSON)  
\_\_\_\_\_ (PRINT NAME OF PERSON)  
\_\_\_\_\_ (PRINT NAME OF PERSON)

This authorization is valid for thirty (30) days from the date of execution. All signatures must be original.

\_\_\_\_\_  
Signature of License Holder Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature Seal



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**SUBCONTRACTOR AUTHORIZATION**

Building Permit # \_\_\_\_\_

Site Address: \_\_\_\_\_  
Street City State Zip

I hereby authorize the following contractor or individual to include me as a subcontractor for the referenced job.

\_\_\_\_\_  
(Print Name of Authorized License Holder or Property Owner) License # \_\_\_\_\_

**Subcontractor:** \_\_\_\_\_ License # \_\_\_\_\_  
(Print Name of License Holder)

Phone Number: \_\_\_\_\_

√ Type of Work

- Plumbing  Electrical  Mechanical  
 Roofing  Specialty \_\_\_\_\_  
(specify)

\_\_\_\_\_  
Signature of License Holder (subcontractor) Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
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**OWNER'S AUTHORIZATION FOR RENTER**

**PROPERTY INFORMATION**

TWP: \_\_\_\_\_ RNG: \_\_\_\_\_ SEC: \_\_\_\_\_ SUB #: \_\_\_\_\_ BLK/PAR: \_\_\_\_\_ LOT: \_\_\_\_\_

Site Address: \_\_\_\_\_  
Street City State Zip

Property Owner: \_\_\_\_\_  
Last First Telephone Number

Owner's Address: \_\_\_\_\_  
Street City State Zip

I, \_\_\_\_\_ authorize  
(print property owner's name)

\_\_\_\_\_  
(print renter's name)

to place \_\_\_\_\_ on the above  
identified property.

\_\_\_\_\_  
Signature of Owner Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared  
\_\_\_\_\_ who is personally known to me or  
produced \_\_\_\_\_ as identification, and who did/did not  
take an oath.

\_\_\_\_\_  
Notary Public Signature Seal



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**CONTRACTOR ASBESTOS NOTIFICATION STATEMENT**

Date: \_\_\_\_\_

Building Permit # \_\_\_\_\_

Site Address: \_\_\_\_\_  
Street City State Zip

**104.1.10 Asbestos.** The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of s. 469.003 Florida Statutes and to notify the Department of Environmental Protection of her or his intentions to remove asbestos, when applicable, in accordance with state and federal law.

**469.003 License required.--**

(1) No person may conduct an asbestos survey, develop an operation and maintenance plan, or monitor and evaluate asbestos abatement unless trained and licensed as an asbestos consultant as required by this chapter.

(2)(a) No person may prepare asbestos abatement specifications unless trained and licensed as an asbestos consultant as required by this chapter.

(b) Any person engaged in the business of asbestos surveys prior to October 1, 1987, who has been certified by the Department of Labor and Employment Security as a certified asbestos surveyor, and who has complied with the training requirements of s. 469.013(1)(b), may provide survey services as described in s. 255.553(1), (2), and (3). The Department of Labor and Employment Security may, by rule, establish violations, disciplinary procedures, and penalties for certified asbestos surveyors.

(3) No person may conduct asbestos abatement work unless licensed by the department under this chapter as an asbestos contractor, except as otherwise provided in this chapter.

\_\_\_\_\_  
Contractor's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature

Seal



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### OWNER ASBESTOS NOTIFICATION STATEMENT

Date: \_\_\_\_\_

Building Permit # \_\_\_\_\_

Site Address: \_\_\_\_\_  
Street City State Zip

**104.4.4 Asbestos removal.** Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. **To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application.** The permitting agency shall provide the person with a disclosure statement in substantially the following form:

#### Disclosure Statement

State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. **The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license.** You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

\_\_\_\_\_  
Property Owner's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification, and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature

Seal

NOTICE OF COMMENCEMENT

STATE OF \_\_\_\_\_
COUNTY OF \_\_\_\_\_

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

- 1. Description of property: (legal description of property, and street address if available)
2. General description of improvement:
3. Owner information:
a. Name and address:
b. Phone number:
c. Name and address of fee simple titleholder (if other than owner):
4. Contractor:
a. Name and address:
b. Phone number:
5. Surety:
a. Name and address:
b. Amount of bond \$ c. Phone number:
6. Lender:
a. Name and address:
b. Phone number:
7. Persons with the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)7, Florida Statutes:
a. Name and address:
b. Phone number:
8. In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes:
a. Name and address:
b. Phone number:
9. Expiration date of notice of commencement (the expiration date is one (1) year from the date of recording unless a different date is specified)

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature of Owner or Owner's Authorized Officer/Director/Partner/Manager
Signatory's Title/Office

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_, \_\_\_ by \_\_\_ (name of person) as \_\_\_ (type of authority, ...e.g. officer, trustee, attorney in fact) for \_\_\_ (name of party on behalf of whom instrument was executed).

Signature of Notary Public - State of Florida
Print, type, or stamp commissioned name of Notary Public
Personally Known OR Produced Identification
Type of identification produced

Verification pursuant to Section 92.525, Florida Statutes

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true to the best of my knowledge and belief.

Signature of natural person signing above



**LAND CLEARING/LANDSCAPING PERMIT INFORMATION:**

**1. LAND CLEARING PERMIT:**

**Sec. 62-4337. Permit Application Requirements and Review Process.**

Unless specifically exempted by Section 62-4334, a permit shall be required prior to any land clearing activities.

Land Clearing means the removal or cutting down of vegetation, including trees, root-raking on any site, parcel or lot. This does not include allowable mowing, trimming or pruning so as to maintain vegetation in a healthy, viable condition.

IS A LAND CLEARING PERMIT REQUIRED? Yes \_\_\_\_\_ No \_\_\_\_\_

**2. LANDSCAPE PLAN REQUIREMENTS:**

**II. LANDSCAPE PLAN REQUIREMENTS: All Landscape plans shall comply with Chapter 62, Article XIII, Division 2 Code of Ordinances of Brevard County, Florida, Relating to Landscaping, Land Clearing and Tree Protection. Regulations are available at:**

[http://www.brevardcounty.us/environmental\\_permitting/ep\\_publication.cfm](http://www.brevardcounty.us/environmental_permitting/ep_publication.cfm)

**THE LANDSCAPE PLAN SHALL BE DRAWN TO SCALE ON THE SURVEY.**

The following items shall be provided on the landscape plan:

- a. Aerial photograph or tree survey depicting the existing canopy coverage.
- b. Depending on the size of your property, canopy coverage and mandatory preservation may be required pursuant to Sec. 62-4334. Exemptions and Sec. 62-4339 Canopy and Tree Preservation Performance Standards. Place number, size and species of preserved trees on landscape plan.
- c. Calculations of required landscape material. For lots less than 1.25 acres, calculate required trees, and shrubs pursuant to Sec. 62-4341. Landscaping Performance Standards. (3) and place on landscape plan. Minimum size of newly planted trees shall meet the following overall height, diameter (caliper) and Spread requirements, at the time of planting, by species classification Pursuant to Sec. 62-4341 (8):

**Minimum size of newly planted trees. Trees used to fulfill the landscaping requirements in this Division, shall meet the following overall height, caliper and Spread requirements, at the time of planting, by species classification:**

- a. **Large species: Twelve (12) feet tall with two and one-half (2.5) inch diameter (caliper) minimum and five (5) foot Spread.**
- b. **Medium species: Ten (10) feet tall with one and one-half inch (1.5) inch diameter (caliper) minimum and three (3) foot Spread.**
- c. **Small species: Eight (8) feet tall with one (1) inch diameter (caliper) minimum and two-foot Spread.**
- d. **Palms: Ten (10) feet of Clear Trunk.**

**For single-family residential lots, eight (8) feet tall, one (1) inch minimum caliper, three (3) foot spread trees may be substituted on a 3:1 basis for each required large species tree.**

**Pursuant to Sec. 62-4341 (9), Preservation of palms, or the planting of palms, may only be used to satisfy up to twenty-five percent (25%) of the required landscaping unless barrier island conditions prohibit the use of less salt-tolerant plants.**

- d. **Note any specimen trees being preserved or proposed for removal on plan. Specimen Tree means a tree considered an important community asset due to its unique or noteworthy characteristics or values. A tree may be considered a Specimen Tree based on its size, age, rarity or special historical or ecological significance. Specimen trees include large hardwoods (oaks, maples, etc.) or softwoods (pines, cypress, cedars, etc.) in good condition as determined by a Recognized Knowledgeable Person, with a dbh of 24 inches or greater and smaller understory trees (stoppers, hollies, etc.) in good or better condition with a dbh of ten inches or greater.**
- e. **Show the limits of clearing to scale on the landscape plan.**
- f. **Must restore and sod all area disturbed by construction in county right-of-way or easements.**
- g. **Pursuant to Sec. 62-4339 (c) Provide the details for the method of root zone protection that will be utilized for all preserved trees during construction.**

- III. **INVASIVE PLANT REMOVAL: Pursuant to Brevard County Code of Ordinances, Chapter 62, Section 62-4341 (15) Prior to the issuance of the Certificate of Occupancy or Certificate of Completion for single-family, subdivision, multifamily, commercial, and industrial projects, and at the time of development of government-owned lands, all Non-Native Invasive Plants, as defined in this Division, shall be removed. For lots greater than five (5) acres, the requirement to remove and control re-growth of Non-Native Invasive Plants applies to five (5) contiguous acres to and including the Area of Alteration as defined in section 62-4332. After the issuance of the Certificate of Occupancy or Certificate of Completion, re-growth of Non-Native Invasive Plants shall be controlled in perpetuity. The requirements to remove Non-Native Invasive Plants at the time of development and control re-growth of such**

plants in the required area within the site shall apply countywide and prospectively to property after October 24, 2006. Australian pine may be retained on site with a waiver from the Director if maintained at its current extent.

**IV. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II CONSTRUCTION PERMIT REQUIREMENTS: As of May 1, 2003, sites one acre or greater must complete a Notice of Intent (NOI) [DEP form 62-621.300(4)(b)] and must develop and submit a Stormwater Pollution Prevention Plan (SWPPP) in order to comply with the Generic Permit for Stormwater Discharge from Large and Small Construction Activities [DEP 62-621.300(4)(a)].**

**3. AFFIDAVIT OF COMPLIANCE FOR PLANTED LANDSCAPE**

I, the undersigned, hereby understand and agree that pursuant to Brevard County Code of Ordinances, Chapter 62, Article XIII, Division 2, Section 62-4339(2)(a) Section 62-4341(3)(4). No Certificate of Occupancy or Certificate of Completion shall be issued by the County without full satisfaction of the landscape requirements in accordance with the approved Development Order:

Code Section 62-4339(2)(a) states:

No more than fifty percent (50%) of planted trees shall be of any one genus (i.e. *Quercus*, *Pinus*, *Acer*, etc.) to encourage biodiversity and decrease impacts from disease.

Code Section 62-4341 (3)(4)states:

- (3) All development shall meet the following standards through preservation, plantings, or a combination thereof: All plantings shall be at least Florida No. 1 grade as defined by the *Grades & Standards for Nursery Plants*. 1998. Division of Plant Industry, Florida Department Agriculture and Consumer Services, as may be amended. Fruit and Nut Crops, appropriate to Brevard County, shall be considered for credit towards required plantings provided size specifications, as outlined above, are met.
- (4) At least fifty percent (50%) of trees required for preservation and planting shall be of native species. At least fifty percent (50%) of shrubs and groundcovers shall be native species or recommended by "Waterwise Florida Landscapes. 2004. Florida Water Management Districts, as may be amended.

\_\_\_\_\_  
Contractor/Agent/Owner

\_\_\_\_\_  
Date

Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

My Commission Expires: \_\_\_\_\_



**MARINE TURTLE PROTECTION AFFIDAVIT**

**FOR USE ONLY ON CONSTRUCTION PROJECTS WHICH HAVE ARTIFICIAL LIGHT WHICH COULD BE VISIBLE FROM THE ATLANTIC OCEAN BEACH**

I, \_\_\_\_\_  
(please print name - architect or engineer)

Hereby certify that the construction plans for the below referenced structure have been designed to meet or exceed the minimum Exterior Electrical Design Standards of Chapter 46, Article III – Marine Turtle Protection, Section 46-91 through Section 46-95 of the Brevard County Code.

BUILDING PERMIT NUMBER: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_

\_\_\_\_\_

CITY

STATE

ZIP

Signed: \_\_\_\_\_  
Architect or Engineer Date

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

I.D. provided: \_\_\_\_\_

\_\_\_\_\_  
Notary Signature

**OWNER'S AFFIDAVIT**

I, \_\_\_\_\_  
(please print name)

Owner of the above referenced property hereby certify that upon receiving the electrical power to the above structure, will test the outside lighting system, after dark, and adjust the lights to conform to the Lighting Standards of Chapter 46, Article III, Marine Turtle Protection, Brevard County Code.

\_\_\_\_\_  
Signature Date

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

I.D. provided: \_\_\_\_\_

\_\_\_\_\_  
Notary Signature