

Meeting Date
July 12, 2016



AGENDA	
Section	Consent
Item No.	II.A.11

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	APPROVAL RE: RENEWAL OF POLICY BCC-82, CONTINUED USE OF TEMPORARY RESIDENCE AFTER ISSUANCE OF CERTIFICATE OF OCCUPANCY
DEPT/OFFICE:	PLANNING & DEVELOPMENT DEPARTMENT

Requested Action:  
 It is requested that the Board of County Commissioners consider the renewal of Policy BCC-82.

Summary Explanation & Background:

As part of the Sunset Review Policy requirement, staff has reviewed BCC-82 that establishes a procedure by which a temporary residence may be utilized for up to forty five (45) days after the issuance of a Certificate of Occupancy to ease the transition of the resident into the newly constructed residence. It is not the intent of this Policy to permit permanent residency of two (2) structures to occur on a single-family residential lot.

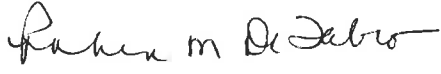
Staff has reviewed the policy and only recommends modifying Section IV to read "Effective Date" in lieu of "Reservation of Authority" to maintain consistency with other BCC policies.

Fiscal Impact: None

Clerk to the Board instruction:

Exhibits Attached: Policy BCC-82

Contract /Agreement (If attached): Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten		 Robin M. DiFabio, AICP 5-2069



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

July 13, 2016

MEMORANDUM

TO: Stockton Whitten, County Manager

RE: Item II.A.11., Approval of Renewal Policy BCC-82, Continued Use of Temporary Residence After Issuance of Certificate of Occupancy

The Board of County Commissioners, in regular session on July 12, 2016, approved the renewal of Policy BCC-82, Continued use of Temporary Residence after Issuance of Certificate of Occupancy. Enclosed is the original Policy.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Planning and Development Director

# POLICY

TITLE: Continued Use of Temporary Residence after Issuance of Certificate of Occupancy

NUMBER: BCC - 82

CANCELS 08/05/2008

APPROVED: July 12, 2016

ORIGINATOR: Planning & Development Department

REVIEW: July 12, 2019

## I. OBJECTIVE

To establish a procedure by which a temporary residence may be utilized for up to forty-five (45) days after the issuance of a Certificate of Occupancy to ease the transition of the resident into the newly constructed residence. It is not the intent of this Policy to permit permanent residency of two (2) structures to occur on a single-family residential lot.

## II. DEFINITIONS AND REFERENCES

- A. Certificate of Occupancy - As defined within the Florida Building Code and the Administration Section adopted in Chapter 22 of the Code of Ordinances of Brevard County.
- B. Temporary Residence - A temporary mobile home utilized during construction of a residence as defined within the Chapter 62 of the Code of Ordinances of Brevard County, or an existing residence occupied during construction of a replacement residence on the same property.

## III. DIRECTIVES

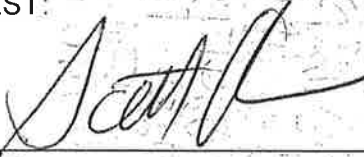
- A. The County Manager, or designee, is hereby authorized to approve continued use of a temporary residence for up to forty-five (45) days to permit the resident to move into the newly completed residence.
- B. A temporary Certificate of Occupancy may be issued by the Building Official while the temporary residence is still in place to permit the resident to move into the newly completed structure.

- C. For temporary mobile homes, the County Manager, or designee, shall establish a date after which the temporary mobile home shall be removed from the subject property. If the temporary mobile home is not removed as required, Brevard County shall begin code enforcement action.
- D. A demolition permit shall be issued for the existing site built home prior to the issuance of temporary Certificate of Occupancy for the replacement residence. The demolition permit shall be executed Pursuant to Administration Section 104.5.1.5 as adopted in Chapter 22, Code of Ordinances of Brevard County.

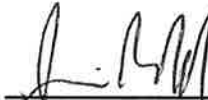
**IV. EFFECTIVE DATE**

The authority to issue or revise this Policy is reserved to the Board of County Commissioners.

ATTEST:



\_\_\_\_\_  
Scott Ellis, Clerk



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Jim Barfield, Chairman  
Board of County Commissioners  
Brevard County, Florida  
As approved by the Board on July 12, 2016

# POLICY

TITLE:	Continued Use of Temporary Residence after Issuance of Certificate of Occupancy	NUMBER:	BCC - 82
		CANCELS	<del>08/27/2002</del> <u>08/05/2008</u>
		APPROVED:	<del>08/05/2008</del> <u>July 12, 2016</u>
		ORIGINATOR:	Planning & Development Department
		REVIEW:	<del>08/05/2011</del> <u>July 12, 2019</u>

## I. OBJECTIVE

To establish a procedure by which a temporary residence may be utilized for up to forty-five (45) days after the issuance of a Certificate of Occupancy to ease the transition of the resident into the newly constructed residence. It is not the intent of this Policy to permit permanent residency of two (2) structures to occur on a single-family residential lot.

## II. DEFINITIONS AND REFERENCES

- A. Certificate of Occupancy - As defined within the Florida Building Code and the Administration Section adopted in Chapter 22 of the Code of Ordinances of Brevard County.
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IV. ~~RESERVATION OF AUTHORITY~~ EFFECTIVE DATE

~~The authority to issue or revise this Policy is reserved to the Board of County Commissioners. This procedure shall take effect upon approval by the Board and may be updated by staff, as necessary.~~

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Jim Barfield, Chairman  
Board of County Commissioners  
Brevard County, Florida

As Approved by the Board July 12, 2016