

Meeting Date
October 7, 2014



AGENDA	
Section	Consent
Item No.	PLA.3

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Custom Docks Marine Contractors, Inc. – Surface Water Permit Fee Reduction for Permits 14BC04618 and 14BC07512
DEPT/OFFICE:	Natural Resources Management Department (NRM)

Requested Action:

Custom Docks Marine Contractors Inc. requests relief from two after-the-fact (ATF) surface water permit fees. ATF are triple the normal permit fee per Fee Resolution No. 11-110.

Summary Explanation & Background:

Custom Docks Marine Contractors, Inc. recently installed two replacement seawalls on the Indian River Lagoon (IRL) at 2620 N. Riverside Drive in Indialantic and 17 Stockton Drive in Merritt Island. The permit numbers are 14BC04618 and 14BC07512 respectively. Brevard County requires a permit for replacement seawalls on the IRL. The applicant was unaware of the permitting requirement in this instance. When Custom Docks Marine Contractors, Inc. became aware of the requirement, they self-reported in good faith and applied to permit both seawalls. The permit fee for seawall replacement on the IRL is \$750.

Both seawalls are fully permitted and constructed in accordance with County Code.

Fee Resolution 11-110 requires that triple the normal permit fee be assessed for projects beginning construction prior to permit issuance (an ATF permit) This Resolution also states "fees are non-refundable unless This Resolution also states "fees are non-refundable unless specifically approved for a refund or waived by the Board of County Commissioners. Custom Docks Marine Contractors, Inc. seeks relief from the ATF portion of the fees which are \$1,500 per permit. The ATF portion of these permits total \$3,000. If amenable to the Board, \$3,000 will be refunded to the applicant.

Fiscal Impact: FY 14-15 – \$3,000
 FY 15-16 – No Net Impact

Name: Ernest N. Brown or Amanda Elmore, Natural Resources Management Department
Phone: (321) 633-2016

Clerk to the Board instruction:

Exhibits Attached:

Attachment A – Letter from Custom Docks



Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Mel Scott	 Ernest N. Brown/x52439



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

October 8, 2014

MEMORANDUM

TO: Ernie Brown, Natural Resources Management Director

RE: Item II.A.3., Permit Fee Reduction for Surface Water Permit Nos. 14BC04618 and 14BC07512 – Custom Docks Marine Contractors, Inc.

The Board of County Commissioners, in regular session on October 7, 2014, approved reduction of two After-the-Fact (ATF) surface water permit fees, 14BC04618 and 14BC07512, as requested by Custom Docks Marine Contractors, Inc.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

cc: Finance
Budget

Custom Docks Marine Contractor's Inc.
1900 South Atlantic Ave.
Cocoa Beach, Florida 32931
Ph (321) 783-5920 Fax (321) 784-1859
ccustomdocks@cfl.rr.com

08/05/14

Brevard County Natural Resource Management Division
2725 Judge Fran Jamieson Way
Viera, Florida 32940
ATTEN: Ernie Brown - Director

Re: Permit #'s

14BC04618 - 2620 N. Riverside Drive Indialantic, Fla. 32903
14BC07512 - 17 Stockton Drive Merritt Island, Fla. 32952

Dear Ernie,

I would like to put in a request to the Board for a waiver of the penalty fees associated with the two above referenced permits. The penalty per permit was in the amount of \$1,500.00 each or \$3,000.00 for both, this was in addition to the \$750.00 per permit fee.

This waiver request is based on the number of years that Brevard County permits were not required for open river seawall replacements. That combined with the fact that the majority of all of our seawall construction was done on interior canals, with permits having been pulled, we were not aware that we needed something outside of the State exemption criteria. (Which we requested from Kris Hebert at St. Johns River Water Management District prior to ever starting the job)

At the point that we were made aware of the County requirements, in good faith we self-reported that in a different section of the county had a second river seawall under construction.

We would greatly appreciate any consideration you can give us in this matter.

Thank you,

Steve Cayer - president