



**AGENDA REPORT
May 8, 2018**

SUBJECT:

Board Policy Review, Re: BCC-41, Waiver of Development Review and Permit Fees

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County Commissioners continue Board Policy BCC-41, Waiver of Development Review and Permit Fees.

SUMMARY EXPLANATION and BACKGROUND:

Pursuant to BCC-31 (Sunset Review of Programs, Services, Ordinances, Policies, and Administrative Orders) staff has reviewed BCC-41 and requests that the Board continue the policy to May 8, 2021. BCC-31 requires the review of Board Policies every three (3) years to determine if a policy is relevant. BCC-41 is relevant in that it provides a mechanism for the County Manager, or designee, to waive fees for development review and permit fees under certain circumstances as follows:

1. The project for which the development order is sought was created due to a physical or material change in the property caused by an action of the Board of County Commissioners, or an action taken as directed by the Board of County Commissioners.
2. The project for which the development order is sought was created due to a physical or material change in the property caused by an action of a Federal, State, or regional governmental agency based upon a request by the Board of County Commissioners.

Any applicant who requests a waiver which is denied by the County Manager, or designee, may appeal that decision to the Board of County Commissioners within 30 days after the date of the decision, but not thereafter.

No substantial changes to the policy were identified during the review of BCC-41.

Contact: Rebecca Ragain, Assistant Director
2362

321-633-2072 ext. 5-

CLERK TO THE BOARD INSTRUCTIONS:

Please forward signed original BCC-41 to the County Manager's Office.

ATTACHMENTS:

Description

- **Sunset Review Form**
- **Strike Through and Underlined Version**
- **Clean Verson**



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

May 9, 2018

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item II.A.3, Board Policy Review for BCC-41, Waiver of Development Review and Permit Fees

The Board of County Commissioners, in regular session on May 8, 2018, continued Board Policy BCC-41, Waiver of Development Review and Permit Fees; and authorized the Chair to execute the Policy. Enclosed is a fully-executed copy of the Policy.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

Encl. (1)

cc: Each Commissioner
County Attorney
Planning and Development Director



POLICY

Title: Waiver of Development Review and Permit Fees

Number: BCC-41

Cancels: 12-15-09

Approved: 05-08-18

Originator: Planning and Development

Review: 05-08-21

I. OBJECTIVE

To provide for the administrative waiver by the County Manager, or designee, of fees for development review and permits under certain circumstances.

II. DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

- A. Development review and permit fees – Fees associated with the review and issuance of a development order issued by Brevard County.
- B. Development order – A site plan, subdivision plat, building permit, sign permit, or other similar approval required for construction or development by Brevard County.

III. DIRECTIVES

A. The County Manager, or designee, is hereby authorized to grant waivers of review and permit fees, as defined above, in the following circumstances:

- 1. The project for which the development order is sought was created due to a physical or material change in the property caused by an action of the Board of County Commissioners, or an action taken as directed by the Board of County Commissioners; or
- 2. The project for which the development order is sought was created due to a physical or material change in the property caused by an action of a Federal, State, or regional governmental agency based upon a request by the Board of County Commissioners

- B. Any request for a waiver which is denied by the County Manager, or designee, may appeal that decision to the Board of County Commissioners within 30 days after the date of the decision, but not thereafter.

IV. RESERVATION OF AUTHORITY

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

ATTEST:



Scott Ellis, Clerk



Rita Pritchett, Chair
Board of County Commissioners
Brevard County, Florida

As approved by the Board on May 8, 2018

SUNSET REVIEW
BCC-31

POLICY NUMBER AND NAME: BCC-41, Waiver of Development Review and Permit Fees

Department: Planning and Development
Please review with recommendations to the County Manager and/or Advisory Board

Citizen Group: N/A

County Commission: To receive results of Department and Citizen Group reviews:

REVIEW TO INCLUDE (BUT NOT LIMITED TO):

1. What is the need being met and who benefits: (Quantify)
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2. Is this Policy/Administrative Order duplicative? Yes No
If yes, please explain.

3. Can another agency perform this function: Yes No
If yes, please explain.

4. County Funding Yes No
Application fees vary

5. Should this Policy/Administrative Order be
 Eliminated
 Modified
 Continued

6. Is there an acceptable alternative? Yes No
If yes, please explain

The date(s) the Citizen's Group/Advisory Board will review: N/A

The date the Board of County Commissioners will review results: May 8, 2021



Tad Calkins, Planning & Development Director

4/20/2018

Date

Strickman



POLICY

Title: Waiver of Development Review and Permit Fees

Number: BCC-41

Cancels: ~~02-02-2002~~
12-15-2012

Approved: ~~12-15-2009~~
05-08-2018

Originator: Planning and Development

Review: ~~12-15-2012~~
05-08-2021

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