



BOARD OF COUNTY COMMISSIONERS

POLICY

Number: BCC-40
Cancels: March 6, 2018
Approved: February 23, 2021
Originator: Planning & Development
Review: February 23, 2024

TITLE: Waiver of Board of Adjustment Application Fees

I. Objective

To provide for the administrative waiver by the County Manager, or designee, of application fees for the Board of Adjustment under certain circumstances.

II. References

- A. Application Fees for the Board of Adjustment – The application fee for consideration for an item by the Board of Adjustment, as established by resolution by the Board of County Commissioners.
- B. Board of Adjustment – As established by Chapter 62, Division 4, Section 62-211 of the Code of Ordinances of Brevard County, Florida.
- C. Variance – As established by Chapter 62, Division 5, Section 62-251 of the Code or Ordinances of Brevard County, Florida.

III. Directives

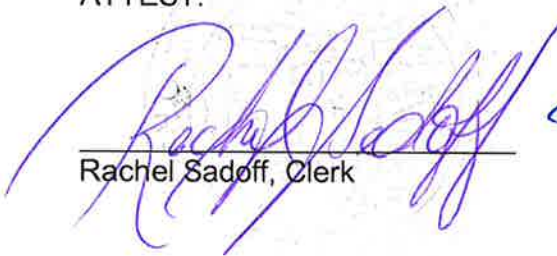
- A. The County Manager, or designee, is hereby authorized to grant waivers of application fees for the Board of Adjustment as defined above, in the following circumstances.
 - 1. The nonconformity for which the variance is requested was created due to a physical or material change in the property caused by an action of the Board of County Commissioners, or an action as directed by the Board of County Commissioners; or
 - 2. The nonconformity for which the variance is requested 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; or
 - 3. The structure for which the variance is requested has been demonstrated to be in existence for a period of ten (10) years prior to the determination that the structure does not meet zoning code requirements.

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 of the date the order is signed, but not thereafter.

IV. Reservation of Authority

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

ATTEST:



Rachel Sadoff, Clerk



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

As approved by the Board on February 23, 2021