



BOARD OF COUNTY COMMISSIONERS

Planning and Development
Planning and Zoning
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

Office Use Only	
10/26/21	\$775
Request Date	Fees
21SP00021	21WV00022
Original Project Number	Waiver Number
TC	
Coordinator Initials	Reference Files
County Manager/Designee Approval	

APPLICATION TYPE: ☐ Subdivision Waiver ☐ Site Plan Waiver ☒ Other

Wall Waiver

If other, please indicate

Tax Parcel Identification:

24	35	36	00	21 and 25
Township	Range	Section	Subdivision	Block/Parcel

Tax Account Numbers (list all) 2409588 2409568

Waste Management - Cocoa

Project Name

Waste Management Inc. of Florida

Property Owner

Site Address:

3303 and 3345 Lake Drive	Cocoa	FL	32926
Street	City	State	Zip Code

CORRESPONDENCE TO BE PROVIDED TO APPLICANT AT THE ADDRESS BELOW:


Ron Kaplan	Waste Management Inc. of Florida		
Applicant Name	Company		
2700 Wiles Road	Pompano Beach	FL	33073
Street	City	State	Zip Code
954-648-8626			
Phone Number	Cell Phone Number	Fax Number	Email Address

ENGINEER/CONTRACTOR (if different from applicant)

MBV Engineering, Inc.	David Bassford, P.E.		
Company	Engineer or Project Manager		
1250 W Eau Gallie Blvd Ste H	Melbourne	FL	32935
Street	City	State	Zip Code
321-253-1510	321-253-0911	davidb@mbveng.com	
Phone Number	Cell Phone Number	Fax Number	Email Address

DESCRIPTION OF WAIVER REQUEST AND CODE SECTION:

Subject property is proposing an alternate design to the required masonry wall along the western boundary. This is an existing site with an existing land use that is not proposed to be changed. Application of this waiver is in an effort to save as many of the existing trees as possible that would otherwise be removed in order to install the required wall.

	Ron Kaplan
Owner/Applicant Signature	Print Name

If you wish to appeal any decision made by the county staff on the waiver, you may request the Board of County Commissioners to make a determination. The Board's decision approving or disapproving the waiver or interpretation is final.

LAND DEVELOPMENT APPLICATION DOCUMENT SUBMITTAL REQUIREMENTS

Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an 8 ½-inch x 11 inch vicinity map, and a fee of \$775.00.

WAIVER CRITERIA FOR SUBDIVISIONS AND SITE PLANS

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

1. The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

This is an existing site with an existing land use and operations. Additionally there is an existing fence and landscaping along the western property boundary. Application of this waiver is in an effort to save as many of the existing trees that would otherwise be removed in order to install the required wall. The existing fence and landscaping has provided sufficient buffer between the properties for many years.

2. The granting of the waiver will not be injurious to the other adjacent property.

This is an existing site with an existing land use and operations. The request for a waiver is to continue operating as the site currently does. It does not adversely impact the adjacent properties.

3. The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

This is an existing site with an existing land use and operations. The request for a waiver is to continue operating as the site currently does. It does not adversely impact the adjacent properties.

4. The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan, and the requirements of this article.

We feel that by maintaining and enhancing the existing fence and landscaping the project is maintaining compliance with the applicable code that the project was originally permitted under.

5. Delays attributed to state or federal permits.

None.

6. Natural disasters.

None.

7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by county staff)