



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2370, **Version:** 1

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### **Subject:**

Board Policy Review, Re: BCC-40, Waiver of Board of Adjustment Application Fees

### **Fiscal Impact:**

Board of Adjustment Application fee is \$598 for the first variance, and \$182 for each additional variance. The fee defrays the cost of advertising, mailing notifications, and processing the application.

### **Dept/Office:**

Planning and Development

### **Requested Action:**

It is requested that the Board of County Commissioners continue Board Policy BCC-40, Waiver of Board of Adjustment Application Fees.

### **Summary Explanation and Background:**

Pursuant to BCC-31, Sunset Review of Programs, Services, Ordinances, Policies, & Administrative Orders, staff has reviewed BCC-40 and requests continuance of the Policy until February 23, 2024. BCC-31 requires the review of Board Policies every three years to determine if a policy is relevant. BCC-40 is relevant in that it provides a mechanism for the County Manager or designee to waive fees for variances under 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.
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.
3. The structure for which the variance is requested has been determined to be in existence for a period of ten (10) years prior to the determination that the structure does not meet zoning code requirements.

No substantial changes to the Policy were identified during the review of BCC-40.

### **Clerk to the Board Instructions:**

Please forward the signed original BCC-40 to the County Manager's Office.