

SPECIAL EXCEPTION USE (SPSE) APPROVAL

YOU NEED SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL IF YOU INTEND TO CONSTRUCT OR EXPAND A FACILITY OR USE THAT IS SPECIFIED IN THE APPROPRIATE ZONING DISTRICT USE TABLE AS REQUIRING SPECIAL EXCEPTION APPROVAL.

If you intend to construct a facility requiring special exception approval, then your application (SPSE) will need to follow the steps for special exception approval, and will need to meet all specific land use criteria established for the proposed use.

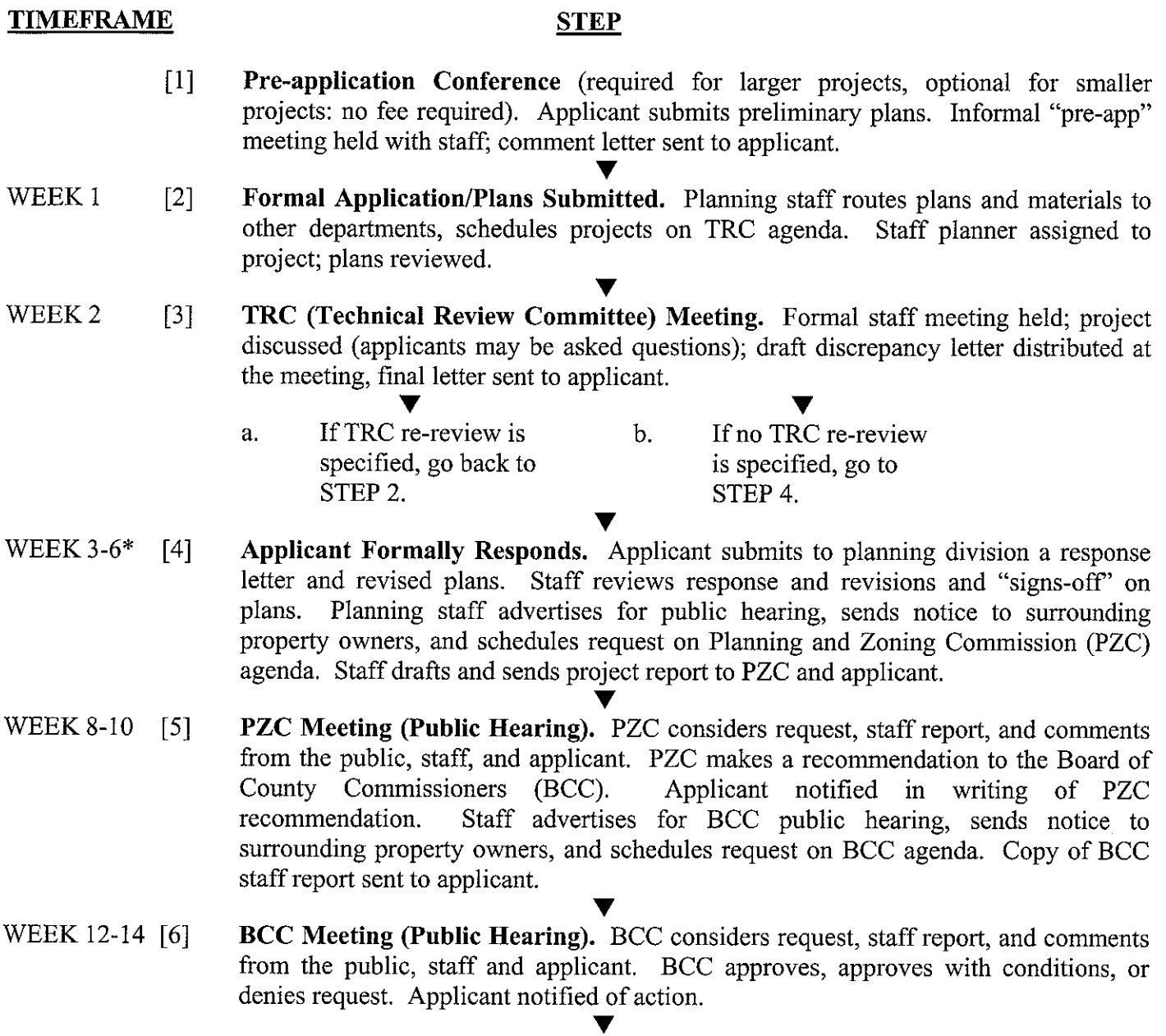
IF YOU NEED SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL:

- You will need to prepare (or have prepared for you) 10 sets of the site plan and 3 sets of floor plans, submit complete application forms, submit review fees, and allow time for application review and approval and for project construction and inspection.
- You may need the services of design professionals (architect and/or engineer). Also, surveying services may be needed.
- You may need to obtain permits and approvals from other departments and agencies (e.g. county right-of-way permit, SJRWMD stormwater permit, FDOT permit, environmental health permit).

SPECIAL EXCEPTION (SPSE) APPROVAL

1. **PURPOSE:** Special exception use and site plan approval are required for uses which require special exception approval as specified in the appropriate zoning district use table.
2. **PROCESS:** The following flowchart illustrates the general steps in the review and approval of a special exception use site plan application

NOTE: Initial, informal meetings with staff to discuss project concepts are encouraged and can be held at any time.



IF APPROVED BY BCC



** [7] **Site Plan Release.** Applicant meets with staff planner and documents that all jurisdictional agency permits and approval conditions are satisfied. Planner releases approved site plans to applicant.



** [8] **Building Permit Issuance.** Applicant coordinates directly with the building division and obtains building permit. Note: Concurrency and impact fee obligations must be finalized prior to building permit issuance.



** [9] **Project Construction.** Applicant has project constructed.



** [10] **Certificate of Occupancy (C.O.) Issuance.** Applicant requests inspections of all site improvements. Inspections performed by various departments and staff “sign-offs” obtained. C.O. issued by building division. Use/occupancy of new facilities allowed to commence.

* TIMEFRAMES SHOWN are typical for a project for which the applicant is able and willing to “turn around on” quickly during the 2 week response period covered in the first part of STEP [4].

** TIMING OF STEPS 7-10 are dependent upon decisions and actions by the applicant and the applicant’s ability to obtain any necessary jurisdictional agency permits. Therefore, timeframes for these steps may vary greatly from project to project.

TIME SAVER: An applicant may save time by having any necessary building plans reviewed prior to site plan application approval. For more information contact the Building Division at 226-1275.

INFORMATION AND INSTRUCTIONS

HOW TO APPLY: Perform steps A, B, C, and D as described below:

STEP A. Complete the SPECIAL EXCEPTION SITE PLAN APPLICATION FORM (SPSE). Be sure to complete the submittal checklist, prepare the appropriate number of plans and pay the review fee.

STEP B. Review the LANDCLEARING/TREE REMOVAL EXEMPTION ACKNOWLEDGMENT FORM.

*If you consider your proposed project exempt, complete the exemption acknowledgment form.

*If your project requires land clearing, complete the Application for Land clearing and apply.

*If your project requires removal of any protected tree(s), complete the Application for Tree Removal and apply.

STEP C. Determine if any of the following are required:

- (1) County Right-of-Way Permit: **IF** work is proposed in a county road right-of-way (e.g. new driveway, driveway alteration), then complete the right-of-way permit application and submit to the Public Works Department 226-1590.
- (2) Concurrency Certificate: **IF** your project involves a new development, expansion of a use (e.g. retail space addition), or intensifying a use (e.g. changing a retail store to a restaurant) then a concurrency certificate will be required. If you are unsure whether or not concurrency applies to your project, contact the planning division long range section at 226-1241.
- (3) County Utilities Approval: **IF** county water and/or wastewater service is required or proposed to be altered, or if the project would result in an increase in the demand of water and/or wastewater services, please contact the county utilities department at 226-1636.
- (4) Special Environmental Permits: **IF** you believe your project may involve one of the following permit activities, please contact the Environmental Planning Section at 226-1249:
 - Dune vegetation alteration/removal
 - Wetlands alteration/filling/mitigation
 - Mangrove alteration/removal
 - Sand Mining

STEP D. Submit all completed application forms, plans, and fees to the planning technician.

COUNTY STAFF CONTACTS: The planner assigned to your project is your main "contact person" within the county regarding your application. As of the date of this publication, the staff contacts are as follows:

- ❖ Current Development (Staff Assistant III, Maria Bowdren 226-1242 or mbowdren@ircgov.com)
John McCoy 226-1235 jmccoy@ircgov.com
- ❖ Environmental Planning (Planning Assistant, Gail Boatwright 226-1249 or gboatwright@ircgov.com)
Andy Sobczak 226-1518 or asobczak@ircgov.com
- ❖ Engineering (Drainage, Right-of-Way)
(Right-of-Way – Engineering Technician, Cindy Cahill 226-1590 or ccahill@ircgov.com)
(Drainage - Staff Assistant II, Dennise Cleerdin 226-1283 or dcleerdin@ircgov.com)
David Hays 226-1596 or dhays@ircgov.com
Jack Jolly 226-1697 or jjolly@ircgov.com
- ❖ Traffic Engineering – (Staff Assistant III, Maya Miller 226-1637 or mmiller@ircgov.com)
Geoff Bass 226 1527 or gbass@ircgov.com
Jeanne Bresett 226-1326 or djbresett@ircgov.com
- ❖ Utilities – 226-1636 (Jesse Roland - jroland@ircgov.com)
- ❖ Department of Health – 794-7440
Glenn Schuessler - glenn_schuessler@doh.state.fl.us
Lori Hoffman – lori_hoffman@doh.state.fl.us
- ❖ Fire Prevention: - (Staff Assistant I, Laura Vazquez 226-1949 or lvasquez@ircgov.com)
Lt. Sandra Seeley 226-1961 sseeley@ircgov.com
Lt. Richard Marini 226-1976 rmarini@ircgov.com
Lt. Peggy Parmenter 226-1969 pparmenter@ircgov.com
Lt. John Duran 226-1977 jduran@ircgov.com
- ❖ Concurrency Questions –
regarding application submittal call Vickie Johnston 226-1241 or vjohnston@ircgov.com

DO YOU HAVE THE NECESSARY PERMITS FOR YOUR PROPERTY?

If not, you could experience costly delays. Avoid this by starting out right and checking with the St. Johns River Water Management District to determine what permits you may need. If a permit is required for your project, you must obtain it before you start clearing the land.

The St. Johns River Water Management District regulates construction of drainage systems, stormwater treatment ponds, large uses of water and other types of projects in order to protect the state's resources and the rights of existing water users.

WHO NEEDS A PERMIT?

Most probably you do if:

- * **You are building any commercial development, including additions.**
- * **Your project is a residential/subdivision development, including additions.**
- * **The project involves any dredging, drainage, or filling of wetlands.**
- * **Your project includes any ditches, dikes, or other major drainage improvements.**
- * **You have any agricultural or industrial discharges into surface waters.**
- * **Your project includes any bridge construction or roads.**
- * **You are building a public supply well.**

This is only a general overview of projects that may require District permits. Our Applicant's Handbooks and Rules further define these thresholds and are available by calling the district.

REMEMBER - you need to find out about what permits you are going to need before you start **CLEARING THE LAND.**

You may call any of the following District field office to determine if a permit is needed: **St. Johns River Water Management District (321) 984-4940 – Palm Bay Office**

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

ATTENTION: STATE PERMITS MAY BE REQUIRED FOR DEVELOPMENT ACTIVITIES. This fact sheet has been developed to assist property owners by providing information on permit requirements and the agencies to contact for further information.

Many properties in Indian River County include areas of wetlands. Before proceeding with any work in or near a wetland or waterbody, it is advised that you check with the agencies listed below. You may be required to obtain permits from local, state and federal agencies. Unauthorized wetland alterations may result in agency enforcement actions requiring site restoration and payment of civil penalties.

Wetlands are a valuable resource that are protected by federal, state and in some cases, local regulation. Wetlands provide important economic and recreational values that are damaged by uncontrolled development and alteration. Wetlands filter pollutants from stormwater runoff. They protect shorelines from erosion and provide flood storage. Wetlands are nurseries for fish and shellfish and provide critical habitat to wildlife.

Vegetation, soils and hydrology are the major factors in determining if an area is considered a wetland. The following may be an indication of the presence of wetlands:

- * **Standing water after rain.**
- * **Adjacent waterbodies such as creeks, rivers, lakes and bays.**
- * **Ditches which connect to any waterbodies.**
- * **Dark mucky soils.**
- * **Plants such as cypress, mangrove, red maple, loblolly bay, willow, sweet bay, water oak, ash, dahoon holly, tupelo, ferns, rushes, sedges, and many types of grasses.**
- * **Swollen tree bases.**
- * **Floodplains.**

These indicators are only a guide. You may still have wetlands even though you do not have any of the conditions listed above. Wetlands generally do not include longleaf or slash pine flatwoods with an understory of saw palmetto.

Activities in or near wetlands that may require a permit or site evaluation include:

- * **Clearing or grading.**
- * **Dredging or excavating.**
- * **Filling, the placement of sand, soil, debris or structures.**
- * **Septic system installations.**
- * **Boat docks or ramps.**
- * **Boardwalks.**
- * **Seawalls or revetments.**
- * **Mangrove trimming.**

The following agencies regulate activities within wetlands in Indian River County and should be contacted for further information:

Indian River County (772) 226-1518

**Florida Department of Environmental Protection –
DEP (407) 897-4100 – Central District Office**

**St. Johns River Water Management District
(321) 984-4940 – Palm Bay Office**

**U. S. Army Corps of Engineers - ACOE
(904) 232-2234**

**INDIAN RIVER COUNTY
LAND CLEARING APPLICATION**

Date Application Received: _____

PROJECT NAME & NUMBER ASSIGNED: _____

GENERAL INFORMATION

1. **Applicant/Agent Name:** _____

Address: _____

Phone: _____ **E-mail:** _____

2. **Location where the proposed activity will occur:**

Tax Parcel ID #: _____

Street Address: _____

3. **Reason(s) for clearing [check appropriate reason(s)]:**

_____ The land clearing or grubbing is necessary in order to make site improvements authorized by an approved site plan, subdivision approval, or land development permit and the area to be cleared is the minimum necessary for such work.

_____ In the event the aforementioned approvals are not required bylaw, the proposed clearing is the necessary for the proposed use or improvement.

Specify proposed use: _____

4. **Erosion Control Plan:**

Please describe briefly the method(s) to be used in controlling erosion that may be expected to occur as a result of the proposed clearing or grubbing.

5. **Person or Company to be responsible for land clearing:**

Name: _____

Address: _____

Phone: _____ E-mail: _____

6. **Method of debris disposal (check appropriate method):**

- Debris to be removed to an approved disposal facility.
- Debris to be burned with an air curtain incinerator in accordance with Indian River Environmental Health Department permit.

7. **Date the clearing is proposed to begin:** _____

Date the clearing is proposed to be complete: _____

THE APPLICATION MUST BE SIGNED BY THE PERSON WHO DESIRES TO UNDERTAKE THE PROPOSED ACTIVITY, HOWEVER, THE APPLICATION MAY BE SIGNED BY A DULY AUTHORIZED AGENT IF ACCOMPANIED BY A STATEMENT BY THAT PERSON DESIGNATING THE AGENT AND AGREEING TO FURNISH UPON REQUEST, SUPPLEMENT INFORMATION IN SUPPORT OF THE APPLICATION.

I, the undersigned, do hereby certify that I am familiar with Chapter 927 (Tree Protection and Land Clearing) of the Land Development Regulations of Indian River County and that the information contained within this application, to the best of my knowledge and belief, is true complete and accurate. I agree to provide any additional information/data that may be necessary to fully process this application. I also agree to provide entry to the project site for inspectors from the Indian River County Planning and Development Division of an authorized agent for Indian River County Planning and Development Division for the purposed of allowing preliminary analysis of the site and for any subsequent monitoring of the project as may be required. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant

Date

The following information is required for application completeness. Please check that the attachments are submitted to ensure prompt processing of your application.

- Location Map**
- Tree Survey and/or Aerial**
- Deed of Ownership**

LAND CLEARING PERMIT FEE (cash, or check payable to "Indian River County"):

- INDIVIDUAL SINGLE-FAMILY LOT OR PARCEL: \$50.00
- SITE PLAN, SUBDIVISION (INCLUDING AFFIDAVITS OF EXEMPTION), OR PLANNED DEVELOPMENT PROJECT: \$120.00

***** PLEASE BE ADVISED THAT THERE IS A 3-4 WEEK PROCCESSEING TIME ON ALL LAND CLEARING APPLICATIONS*****

OFFICE USE

Application Complete _____
Date

Initials

**INDIAN RIVER COUNTY
TREE REMOVAL APPLICATION**

Date Application Received: _____

PROJECT NAME & NUMBER: _____

1. GENERAL INFORMATION

A. Applicant/Agent Name: _____

Address: _____

Phone: _____ **E-mail:** _____

B. Location where the proposed activity will occur:

Tax Parcel ID #(s): _____

Street Address: _____

2. TREE REMOVAL INFORMATION

A. Criteria for removal [check appropriate reason(s)]

_____ The tree(s) is/are located within the net buildable area of a given site; as identified on the tree survey site plan by the applicant;

_____ The tree(s) is/are located within an existing or proposed right-of-way;

_____ The tree(s) is/are located within an existing or proposed easements, stormwater tract or facility provided that only the minimum area reasonably necessary for the contemplated service or use shall be considered under this criteria;

_____ The tree(s) is/are located where continued existence would unreasonably interfere with the physical construction of the improvements on a particular site as may result from interference with access to the site by construction equipment on the site in the immediate vicinity of the proposed structure or improvements;

_____ The tree(s) is/are located where it creates or will create a safety or health hazard, or a nuisance with respect to existing or proposed structures or vehicle or pedestrian routes;

_____ The tree(s) is/are located where there is interference with the installation, delivery, or maintenance of proposed or existing utility services to the site;

_____ The tree(s) is/are diseased, injured, or in danger of falling;

_____ The tree is located on a portion of the site outside of the net buildable area but within that portion of the site to be used for construction of required parking areas or vehicular and pedestrian ingress and egress areas; provided that, when this criteria is used to justify removal of a tree or trees located outside of the gross buildable area, the applicant shall replace any such tree or trees with an equal number of trees of similar ecological or aesthetic value, as can be demonstrated by the applicant that the remaining site cannot be designed to accommodate and sustain the substituted tree or trees. All replacement trees shall be of a minimum two (2) inches DBH.

B. Number of trees which are to be directly affected by removal, including type of species and size measured in diameter at breast height (dbh):

<u>SPECIES</u>	<u>SIZE (dbh)</u>	<u>NUMBER OF TREES</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. Person or Company to be responsible for tree removal:

Name: _____

Address: _____

Phone: _____ Email: _____

D. Method of debris removal [check appropriate method]

_____ Debris to be removed to approved disposal facility.

_____ Debris to be burned with an air curtain incinerator in accordance with an Indian River Environmental Health Department permit.

E. Date the removal is proposed to begin: _____

Date the removal is proposed to be complete: _____

THE APPLICATION MUST BE SIGNED BY THE PERSON WHO DESIRES TO UNDERTAKE THE PROPOSED ACTIVITY, HOWEVER, THE APPLICATION MAY BE SIGNED BY A DULY AUTHORIZED AGENT IF ACCOMPANIED BY A STATEMENT BY THAT PERSON DESIGNATING THE AGENT AND AGREEING TO FURNISH UPON REQUEST, SUPPLEMENT INFORMATION IN SUPPORT OF THE APPLICATION.

I, the undersigned, do hereby certify that I am familiar with Chapter 927 (Tree Protection and Land Clearing) of the Land Development Regulations of Indian River County and that the information contained within this application, to the best of my knowledge and belief, is true complete and accurate. I agree to provide any additional information/data that may be necessary to fully process this application. I also agree to provide entry to the project site for inspectors from the Indian River County Planning and Development Division of an authorized agent for Indian River County Planning and Development Division for the purpose of allowing preliminary analysis of the site and for any subsequent monitoring of the project as may be required. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant

Date

The following information is **required** for application completeness. Please check that the attachments are submitted to ensure prompt processing of your application.

- _____ **Location Map**
- _____ **Tree Survey and/or Aerial**
- _____ **Deed of Ownership**

TREE REMOVAL PERMIT FEE (cash, or check payable to "Indian River County"):

- INDIVIDUAL SINGLE-FAMILY LOT OR PARCEL: \$50.00
- SITE PLAN, SUBDIVISION (INCLUDING AFFIDAVIT OF EXEMPTION), OR PLANNED DEVELOPMENT PROJECT: \$200.00

***** PLEASE BE ADVISED THAT THERE IS A 3-4 WEEK PROCESSING TIME ON ALL TREE REMOVAL PERMITS*****

OFFICE USE

Application Complete: _____
Date

Initials

SPECIAL EXCEPTION SITE PLAN (SPSE) APPLICATION FORM

PROJECT NAME (Please Print): _____

PROPOSED PROJECT USE: _____

CORRESPONDING PRE-APPLICATION CONFERENCE PROJECT NAME AND CDPLUS ASSIGNED FILE NUMBER (IF ANY): _____

PROJECT#: _____ SP-SE- _____ - _____ - _____

OWNER: (PLEASE PRINT)

AGENT (PLEASE PRINT)

NAME

NAME

ADDRESS

ADDRESS

CITY, STATE, ZIP

CITY, STATE, ZIP

PHONE NUMBER

PHONE NUMBER

EMAIL ADDRESS

EMAIL ADDRESS

CONTACT PERSON

CONTACT PERSON

SIGNATURE OF OWNER OR AGENT

PROJECT ENGINEER: (PLEASE PRINT)

PROJECT SURVEYOR: (PLEASE PRINT)

NAME

NAME

ADDRESS

ADDRESS

CITY, STATE, ZIP

CITY, STATE, ZIP

PHONE NUMBER(s)

PHONE NUMBER(s)

EMAIL ADDRESS

EMAIL ADDRESS

CONTACT PERSON

CONTACT PERSON

● DOES THE REQUEST INCLUDE A CONCEPTUAL PLAN ONLY OR A CONCEPTUAL AND "FINAL" SITE PLAN?: _____

● AMOUNT OF NEW IMPERVIOUS SURFACE: (SQ.FT.) _____

● SITE ADDRESS: _____

● SITE TAX PARCEL ID#(s): _____

● IS ALL OR A PORTION OF PROJECT IN ENVIRONMENTALLY SENSITIVE AREA AS DESIGNATED IN THE COMPREHENSIVE PLAN OR ADDRESSED IN A PRE-APP CONFERENCE?
_____ YES _____ NO

● FLOOD ZONE: _____ ZONING: _____ FLUE: _____

● TOTAL (GROSS) ACREAGE OF PARCEL: _____

● AREA OF DEVELOPMENT (NET) ACREAGE: _____
=====

● PROPOSED CHANGES TO EXISTING DEVELOPMENT (IF APPLICABLE):

A. NUMBER OF UNITS: FROM _____ TO _____

B. DENSITY: FROM _____ UNITS PER ACRE TO _____ UNITS PER ACRE

● CHANGE IN USES BY SQUARE FEET GROSS BUILDING AREA

USE: FROM _____ SQ.FT. OF _____ (USE)

TO _____ SQ. FT. OF _____ (USE)

COMMENTS: _____

****PLEASE COMPLETE APPLICATION CHECKLIST ON NEXT PAGE****

SPECIAL EXCEPTION SITE PLAN APPLICATION SUBMISSION CHECKLIST

<u>MATERIAL</u> (note N/A where applicable)	YES	NO
1. EVIDENCE OF PRE-APP CONFERENCE IF PROJECT OVER 20 UNITS OR 40,000 SQ. FT. NEW IMPERVIOUS SURFACE	_____	_____
2. Fee: Administrative Approval \$200.00 Minor \$650.00 Major < or = 5 acres: \$1000.00 > 5 but < 10 acres: \$1200.00 = or > 10 acres: \$1400.00	_____	_____
Special Exception Use fees required <u>in addition</u> to above site plan fees: \$975.00 less than 40 acres \$1075.00 40 - 100 acres \$1275.00 over 100 acres +\$ 50.00 for each additional 25 acres over 100 acres		
3. Completed Application Form, and if pre-app conference already held, then a pre-application conference discrepancy letter response or summary of plan revisions	_____	_____
4. Ten (10) Copies of the Site Plan	_____	_____
5. Two (2) <u>Sealed</u> Site Surveys	_____	_____
6. Two (2) aerials of site with project overlaid, showing surrounding 200 feet	_____	_____
7. Two (2) Copies of the Owner's Deed	_____	_____
8. Letter of Authorization (if applicant is not owner)	_____	_____
9. One (1) Copy of the Drainage Report	_____	_____
10. Completed Tree Removal Permit Application <u>OR</u> Signed Exemption Form <u>OR</u> Noted as will apply 10 days prior to site plan release	_____	_____
11. Completed Land Clearing Permit Application <u>OR</u> Signed Exemption Form <u>OR</u> Noted as will apply 10 days prior to site plan release	_____	_____
12. Three (3) sets signed, conceptual floor plans and elevations prepared by architect or engineer (when project is required by Florida law to have such architectural or engineering drawings)	_____	_____
13. Environmental Survey if all or portion of project in environmentally sensitive are_____	_____	_____
14. Concurrency Application or Acknowledgement Form	_____	_____
15. Written statement and photograph of posted sign (Needed if Planning & Zoning approval required)	_____	_____