

## RESOLUTION 2017-03

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE TOWN LAND DEVELOPMENT CODE APPLICATION FEE SCHEDULE; AMENDING, SUPERSEDING, AND REPLACING TOWN RESOLUTION 2015-16A; AMENDING THE LAND DEVELOPMENT CODE FEE SCHEDULE TO ADD A TITLE AND FEES FOR LAND DEVELOPMENT CODE TEXT CHANGE APPLICATIONS; PROVIDING FOR SEVERABILITY, PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.**

**WHEREAS**, the Town Commission for the Town of Melbourne Beach has established a policy that land and building development activities be financed, to the greatest extent possible, by user fees; and

**WHEREAS**, Section 1A-4, Fees, of the Melbourne Beach Land Development Code authorizes the Town Commission to set land and building development fees by Resolution; and

**WHEREAS**, Section 1A-5(e)(8), of the Melbourne Beach Land Development Code authorizes the Town Commission to set fees and charges for Land Development Code Text Amendment Applications; and

**WHEREAS**, in setting non-proprietary fees or charges, the Town recognizes that it must either follow Florida Statutes or assure that the fee structure does not exceed the cost of providing the departmental service to the general public; and

**WHEREAS**, other fees are set pursuant to the home rule powers of the Town of Melbourne Beach, Florida, as a Florida Municipal Corporation; and

**WHEREAS**, pursuant to Resolution 2015-16A, Exhibit "A" and "Exhibit B" the Town's current Land Development Code Fee Schedule was adopted and set; and

**WHEREAS**, the Town Commission determines it to be in the public interest that additional fees be added or amended to the Land Development Code Fee Schedule adopted by Resolution 2015-16A; and

**WHEREAS**, the Town Commission has determined that it is necessary to review and amend the fees and charges associated with Town's Land Development Code Fee Schedule from time to time; and

**WHEREAS**, the fees and charges shall be established by the appendage to this Resolution titled as "Exhibit 'A;'" and

**WHEREAS**, Extraordinary Expenses shall be charged in accordance with the appendage to this Resolution titled "Exhibit 'B;'" and

**WHEREAS**, the fees and charges related to zoning, comprehensive planning, variances, special exceptions, and the associated advertising are incorporated within "Exhibit 'A'" of this Resolution; and

**WHEREAS**, on May 17, 2017 the Town Commission of the Town of Melbourne Beach considered this Resolution and approved the same in public session.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, that:**

**SECTION 1. APPLYING OF FEES:** The fees and charges set forth in the attached and incorporated Exhibits "A" and "B" are hereby effective May 17, 2017, and shall hereby amend and replace the fee schedule previously adopted by Town Resolution No. 2015-16A.

**SECTION 2. SEVERABILITY:** Should any section or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Resolution as a whole or any part thereof, other than the part so declared to be invalid.

**SECTION 3 . REPEALING CLAUSE:** All other Resolutions or part of Resolutions in conflict herewith, are to the extent of such conflict, hereby repealed.

**SECTION 4. EFFECTIVE DATE:** This Resolution shall be in full force and effective immediately upon adoption and publication as provided by law.

**PASSED AND ADOPTED** by the Town Commission of the Town of Melbourne Beach, Brevard County, Florida, at its regular meeting of the Town Commission on the 17th day of May, 2017.

TOWN OF MELBOURNE BEACH, FLORIDA

By: \_\_\_\_\_  
JAMES D. SIMMONS, Mayor

ATTEST:

\_\_\_\_\_  
NANCY WILSON  
Town Clerk

**TOWN OF MELBOURNE BEACH**  
**LAND DEVELOPMENT CODE**  
**APPLICATION FEE SCHEDULE**

Fee Type	Fee	Explanation
<b>Administrative Appeals</b>		
Administrative Appeals	\$250.00	Includes first two hearings by Board of Adjustment (BOA), Additional hearings/continuances initiated by BOA –no charge, Initiated by applicant – see following lines
<b>Administrative Continuances Requested by Applicant</b>		
Town Staff Hours	\$80.00	Per hour, After first hearing and one continuance
Town Attorney	Actual Cost	Per hour, After first hearing and one continuance
Town Planner	Actual Cost	Per hour, After first hearing and one continuance
Outside Professional Service	Actual Cost	Per Contract or Agreement
<b>Change of Use</b>		
Change of Use Application	\$250.00	Zoning Districts: Commercial 6-B, 7-C, 8-B, Downtown Business, General Commercial, Residential Business
Town Attorney/Town Planner/Outside Professional Service/Advertising	Actual Costs	
<b>Comprehensive Plan Amendment</b>		
Comprehensive Plan Amendment	\$1,000.00	Per Change
Advertising for Comprehensive Plan Amendment	Actual Cost	Per Invoice
<b>Site Plan Review</b>		
Commercial Site Plan Review	\$1,200.00	Zoning Districts: 6-B, 7-C, 8-B, Downtown Business, Genreal Commercial, Residential Business
Residential Site Plan Review	\$500.00	Zoning Districts: 1-RS, 2-RS, 3-RS, New Single Family Residence
Residential Site Plan; Addition or Modification	\$200.00	Zoning Districts: 1-RS, 2-RS, 3-RS
Residential Site Plan Review	\$750.00	Zoning Districts: 4-RM, 5-RMO, New Multi-Family Residence
Residential Site Plan Review	\$1000.00	Zoning Districts: 4-RM, 5-RMO, New Multi-Family Residence-Ocean Front

TOWN OF MELBOURNE BEACH  
LAND DEVELOPMENT CODE  
APPLICATION FEE SCHEDULE

Fee Type	Fee	Explanation
<b>Special Exceptions</b>		
Special Exception	\$1,000.00	Zoning Districts: Commercial 6-B, 7-C, 8-B, Downtown Business, General Commercial, Residential Business, Residential Business. Includes first two hearings by Board of Adjustment (BOA), Additional hearings/continuances initiated by BOA –no charge, Initiated by applicant – see following lines
Town Staff Hours	\$80.00	Per hour, After first hearing and one continuance
Town Attorney	Actual Cost	Per hour, After first hearing and one continuance
Town Planner	Actual Cost	Per hour, After first hearing and one continuance
Outside Professional Service	Actual Cost	Per Contract or Agreement
Advertising for Special Exception	Actual Cost	Per Invoice
<b>Variances</b>		
Commercial Variance	\$1,000.00	Zoning Districts: Commercial 6-B, 7-C, 8-B, Downtown Business, General Commercial, Residential Business. Includes first two hearings by Board of Adjustment (BOA), Additional hearings/continuances initiated by BOA –no charge, Initiated by applicant – see following lines
Town Staff Hours	\$80.00	Per hour, After first hearing and one continuance
Town Attorney	Actual Cost	Per hour, After first hearing and one continuance
Town Planner	Actual Cost	Per hour, After first hearing and one continuance
Outside Professional Service	Actual Cost	Per Contract or Agreement

