

### **62B-33.008 Permit Application Requirements and Procedures.**

(1) All applications submitted to the Department or to the appropriate local building department prior to March 1, 2002, the effective date of the Florida Building Code Act (Part VII, Chapter 553, F.S.), shall contain all the information required in subsection 62B-33.008(3), F.A.C.

(2) Applications received by the Department after the March 1, 2002 effective date of the Florida Building Code Act shall not be required to comply with the provisions of paragraphs 62B-33.008(3)(j), and subsection 62B-33.008(4), F.A.C., except as noted in subsection 62B-33.008(1), F.A.C.

(3) Any person desiring to obtain a permit for construction seaward of the coastal construction control line (CCCL) or 50-foot setback from the Department, except those persons applying pursuant to the emergency procedures in Rule 62B-33.014, F.A.C., shall submit two (2) copies of a completed application form to the Bureau at the address below. The permit application form, which is entitled "Application for a Permit for Construction Seaward of the Coastal Construction Control Line or Fifty-Foot Setback" – DEP Form 73-100 (Revised 12/06), is hereby adopted and incorporated by reference. Copies of the form can be obtained by writing the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000; or by telephoning (850)488-7708. The application shall contain the following specific information:

(a) Name, mailing address, and telephone number of the property owner and of any duly authorized agent making the application on behalf of the owner, and the signature of the applicant.

(b) The name and mailing address of the owners of the immediately adjacent properties, exclusive of street-ends or easements.

(c) Sufficient evidence of ownership including the legal description of the property for which the permit is requested. Examples of evidence of ownership may include a copy of an executed warranty deed bearing evidence of appropriate recordation; a copy of a long term lease-purchase agreement, or contract for deed; a copy of a property tax receipt bearing the name and address of the current owner; articles of condominium bearing evidence of appropriate recordation (for condominiums); or the cooperative documents defined in Section 719.103(13)(a), F.S. (for residential cooperatives). Other documents submitted as evidence of ownership will be reviewed by the staff and shall be rejected if found not to be sufficient. A copy of a quit claim deed, a purchase contract, an affidavit from the owner, or a tax record obtained from an Internet website (unless obtained from an authenticated official county record) is not sufficient evidence of ownership. If the applicant is not the property owner, the applicant shall submit certification on the form provided by the Department as part of the permit application form, which is referenced in subsection 62B-33.008(3), F.A.C., authorizing the applicant to act as the owner's agent for the purpose of applying for a permit and to act on behalf of the owner in other matters pertaining to the permit.

(d) Written evidence, provided by the appropriate local governmental entity having jurisdiction over the activity, that the proposed activity, as submitted to the Bureau, does not contravene local setback requirements or zoning codes.

(e) A statement describing the proposed work, activity, or construction.

(f) Two original copies of a signed and sealed survey of the subject property. The information depicted on the drawing shall be from a field survey conducted not more than six months prior to the date of the application. The survey shall comply with the requirements given in Rule 62B-33.0081, F.A.C.

(g) For major and rigid coastal structures, two copies of a dimensioned site plan drawn to an appropriate scale, on eight and one-half (8 1/2)-inch by eleven (11)-inch size paper showing property boundaries, the location of the proposed structure(s), the proposed construction limits, the location and volume of any proposed excavation or fill, and the locations of roads, adjacent dwellings, the vegetation line, and the approximate mean high water line.

(h) For major and rigid coastal structures, two copies of dimensioned cross-sections drawn to an appropriate scale, on eight and one-half (8 1/2)-inch by eleven (11)-inch paper, showing:

1. All subgrade construction or excavation with elevations referenced to NAVD 88 (U.S. survey foot).
2. Typical cross-sections of major structures and crest elevations for any proposed coastal or shore protection structure.
3. Location of the control line or, if not established, the MHWL and the 50-foot setback.
4. Typical profile of existing and proposed grade at the site.
5. The location of the contour line corresponding to elevation 0.0 NAVD 88 (U.S. survey foot).

(i) For structures with proposed permanent exterior lighting, two copies of a dimensioned lighting plan drawn to an appropriate scale showing:

1. The location of all proposed permanent exterior lighting fixtures clearly marked by distinctive symbols for each model used,

2. A table with the column headings shown below providing the specified information for each fixture model used, and

SYMBOL	FIXTURE (e.g., name or stock number)	TOTAL NUMBER OF EACH FIXTURE	BULB LUMENS OUTPUT AND TYPE (e.g., 420 lumens output standard incandescent yellow “bug” bulb)	TYPE OF MOUNT (e.g., wall, pole, bollard)	MOUNTING HEIGHT
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3. A detailed description or manufacturer’s catalog sheet (cut sheet) for each fixture model used.

4. Multi-family and commercial project applications shall include three copies of the items listed in rule subparagraphs 62B-33.008(3)(i)1., through 3., F.A.C.

(j) Two copies of detailed final construction plans and specifications for all proposed structures or excavation including all planned appurtenant structures, permanent exterior lighting, and utilities. For major structures, these documents shall be signed and sealed by an engineer or architect (as appropriate) licensed in the State of Florida, and the site plan shall include all information required in subsection 62B-33.0081(1), F.A.C.

(k) For major habitable multifamily dwelling structures, two copies of detailed foundation plans and specifications. These documents shall be signed and sealed by an engineer or architect (as appropriate) licensed in the State of Florida.

(l) Two copies of a dimensioned site plan. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the state of Florida. The site plan shall include:

1. The locations and exterior dimensions of all proposed structures, including foundations and other activities, and the bearings and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of any coastal or shore-protection structure.

2. Dimensions and locations of the foundation outlines of any existing structures on adjacent properties and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any existing structures or the seaward limit of any coastal or shore-protection structure. These measurements shall include all structures that the applicant contends have established a reasonably continuous and uniform construction line for permits requested under the provisions of Sections 161.052(2)(b) or 161.053(4)(b), F.S.

3. Dimensions and locations of the foundation outlines of any existing structures on the subject property and distances from the CCCL or 50-foot setback to the seaward corners of the foundations of any major structures or the seaward limit of any coastal or shore-protection structure.

4. The horizontal location of the erosion control line (if one exists), any contour lines corresponding to elevation 0.00, the approximate contour of mean high water and the seasonal high water, and the horizontal location of the seaward line of vegetation and outlines of existing natural vegetation.

5. The horizontal location of the CCCL or the 50-foot setback (if no CCCL is established for the county in which the property is located) for the full width of the subject property, including the location and full stamping of the two nearest Department or published second order or higher horizontal control points.

6. The location and dimensions of the property boundary, rights of way, and easements, if any.

7. The property owner and project name, street address, scale, north arrow, sheet number, and date of drawings.

8. The location of work limits, construction fences, and dune features and vegetation to be protected during construction.

(m) Two copies of a dimensioned grading plan. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the State of Florida. The grading plan shall include:

1. Existing and proposed elevations, contours and spot elevations.

2. For any proposed excavation or fill:

a. A table of all permanent, temporary, and net excavation and fill volumes seaward of the CCCL;

b. The storage locations and description of handling methods for all temporary excavation and fill material; and

c. Soil and geotechnical data for beach compatible imported or excavated material proposed for placement on the beach seaward of a frontal dune or on the sandy beach.

(n) Two copies of dimensioned cross-sections. The drawings shall be signed and sealed by an architect, engineer, landscape architect, or professional surveyor and mapper (as appropriate) licensed in the State of Florida. The cross-sections shall include a typical view from the mean high water line to the CCCL depicting all structures and building elevations, proposed and existing grades, subgrade construction, excavation, fill, and elevations for any proposed or existing rigid coastal structures.

(o) For rigid coastal structures, two copies of a dimensioned site plan and detailed final construction plans and specifications for all proposed structures or excavation. These documents shall be signed and sealed by an engineer licensed in the State of Florida and shall bear the certification specified in paragraph 62B-33.0051(2)(c), F.A.C., and the site plan shall include all information required in subsection 62B-33.0081(1), F.A.C.

(p) Details, including engineering design computations, for any proposed waste or storm water discharge onto, over, under, or across the beach and dune system, such as storm water runoff, swimming pool drainage, well discharge, domestic waste systems, or outfalls. For multi-family dwellings, commercial developments, paved roadways, parking lots, and any de-watering projects, the applicant shall provide two copies of a dimensioned storm water management plan or other drainage plan(s). These plans shall show all conveyance systems (pipes, swales, culverts, wells, catchbasins, outlets), retention areas, invert elevations, and surface runoff drainage arrows.

(q) An anticipated construction schedule.

(r) Two copies of detailed planting plans, including the location of proposed plants, existing native vegetation, and plants to be removed. Plans shall include a plant list with both scientific and common names.

(4) If the application proposes to repair or rebuild, improve, or add an addition to an existing structure, the applicant shall submit a statement from the local governmental agency having jurisdiction over the activity which clearly states whether or not the proposed construction is a substantial improvement as defined in Section 161.54(12), F.S. If a statement is not available, the applicant shall submit to the Department all documentation necessary for the Department to make such a determination. The documentation shall include the cost of the improvement or repair and a figure representing the cumulative total of 50 percent of the market value of the structure, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred.

(5) The staff shall require the applicant to provide other site specific information or calculations as is necessary for proper evaluation of the application. The dimensions for the plans referenced in this section shall be submitted in U.S. Customary System units. Structures shall be located with distances measured perpendicular to the control line, 50-foot setback line, or the mean high water line, as appropriate. All elevations in this rule shall be referenced to NAVD 88 (U.S. survey foot). Site, grading, drainage, and landscape plans as well as cross-sections shall be drawn to a scale no smaller than 1" = 40' in the horizontal dimension.

(6) The Department recognizes that the requirements specified in paragraphs 62B-33.008(3)(f) through (r), and Rule 62B-33.0081, F.A.C., may not, due to the project specific circumstances, be applicable or necessary to ensure protection to the beach and dune system. In such cases, the applicant shall, as part of the application, identify those requirements and state the reason why they are inapplicable. The Department shall waive requirements that do not apply.

(7) The applicant shall have 180 days from the date the Department mails a timely request for additional information to submit that information to the Department. If an applicant requires more than 180 days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for a period of up to 90 days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.

(8) Permits for major structures shall expire three (3) years from the date of issuance unless the Department receives a written request for extension from the applicant demonstrating that the construction phase of the project cannot be completed within three years. In such case, permits for major structures shall expire five (5) years from the date of issuance. Permits for minor structures shall expire one year from the date of issuance. Once a permit has expired, all activity authorized must cease unless a new permit, a time extension, or a permit renewal is approved by the Department.

(9) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to subsection 62B-33.0085(4), F.A.C., and shall restart the time requirements of Section 120.60, F.S. For purposes of this rule section, the term "substantial modification" shall mean a modification that is reasonably expected to lead to new or increased adverse impacts that require a detailed review.

(10) As an alternative to the above procedure, the Department issues field permits for certain minor structures and activities if the Department determines the activity has minor impacts. The field permit form that, is entitled "Field Permit Pursuant to Section 161.053 or 161.052, F.S.," DEP Form 73-122 (Revised 3/05), is hereby adopted and incorporated by reference. A copy of the form can be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, or by telephoning (850) 488-7708.

(11) Requests for the Department to determine that the proposed activity is exempt from permitting pursuant to the provisions of Section 161.053(11)(b), F.S., shall include, at a minimum, a survey meeting the requirements of Rule 62B-33.0081, F.A.C., and the information requirements of paragraphs 62B-33.008(3)(l), (m), (n), (p), (r), and subsection 62B-33.008(5), F.A.C. The Department recognizes that the requirements specified above may not be necessary to make an exemption determination. In such cases, the applicant shall, as part of the request for exemption, identify those requirements and state the reason why they are inapplicable. The Department shall waive requirements that do not apply.

*Rulemaking Authority 161.052(11), 161.053(20), 161.085(5) FS. Law Implemented 161.052(2), 161.053(2), (4), 161.085(1), (2), (12) FS. History—New 11-18-80, Amended 7-7-81, 3-17-85, 11-10-85, Formerly 16B-33.08, Amended 8-7-86, Formerly 16B-33.008, Amended 1-26-98, 8-27-00, 12-31-01, 6-13-04, 5-31-07.*