



## TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

**NOTICE: Development Applications are public record under Florida Statute 119. Scammers have been known to target applicants with requests for payment. The Town of Melbourne Beach will never request payment via wire transfer. If you receive any requests for payment, contact Town Hall directly at 321-724-5860 to verify whether the request is legitimate. Please share this information with all parties named on the application.**

### I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

### II. REQUEST:

- |   |  |
|---|--|
| <input type="checkbox"/> Land Use Plan Amendment                        | <input type="checkbox"/> Rezoning  |
| <input type="checkbox"/> Special Exception                              | <input type="checkbox"/> Coastal Construction Variance                     |
| <input type="checkbox"/> Variance                                       | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO)          |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I)   | <input type="checkbox"/> Amendment to the Land Development Code            |
|   | <input type="checkbox"/> Other (specify) _____                             |

### III. PROPERTY INFORMATION:

General Location: \_\_\_\_\_

Address: \_\_\_\_\_

Parcel Number(s): \_\_\_\_\_

Area (in acreage): \_\_\_\_\_ Area (in square feet): \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Current Future Land Use: \_\_\_\_\_ Proposed Future Land Use: \_\_\_\_\_

Brief Description of Application: \_\_\_\_\_

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): \_\_\_\_\_

**IV. APPLICANT INFORMATION:**

Property Owner

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Applicant (if other than property owner)

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

**V. OWNER AUTHORIZATION:\***

The undersigned hereby affirms the following:

1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
2. That I/we have read and understands the entire application and concurs with the request.
3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

\*Must sign in front of notary.

State of Florida

County of Brevard.

The foregoing application is acknowledged before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_,

who is/are personally known to me, or who has/have produced \_\_\_\_\_

as identification.

\_\_\_\_\_  
Signature of Notary Public, State of Florida

NOTARY SEAL

**VI. APPLICANT CERTIFICATION:\***

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

\*Must sign in front of notary.

State of Florida  
County of Brevard.

The foregoing application is acknowledged before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_,  
who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

\_\_\_\_\_  
Signature of Notary Public, State of Florida

NOTARY SEAL

**VII. PROJECT DESCRIPTION:**

Describe Application: \_\_\_\_\_

\_\_\_\_\_

Provide attachment if more space is needed.

Describe Existing Conditions: \_\_\_\_\_

\_\_\_\_\_

Provide attachment if more space is needed.

**Future Land Use Plan Amendment\***

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed Amendment to the Future Land Use Plan is consistent with the Comprehensive Plan, and cite Comprehensive Plan Goals, Objectives and Policies in this analysis.

---

---

---

---

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed future land use plan amendment on public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire.

---

---

---

Provide attachment if more space is needed.

Environmental Impacts – the applicant must provide information on the impacts of the proposed future land use plan amendment on environmental resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

---

---

---

Provide attachment if more space is needed.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500’ radius. The applicant must also provide self-addressed envelopes with the Town’s return address for each property owner within that 500’ radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

**\* Provide twelve (12) copies of the completed application and all supporting documentation.**

**Rezoning\***

Justification – Provide a written justification of the proposed rezoning and the need for the change as proposed.

---

---

---

---

Provide attachment if more space is needed.

Effect – Provide a written narrative on the effect of the change, if any, on the particular property and on surrounding properties.

---

---

---

---

Provide attachment if more space is needed.

Undeveloped land – provide information on the amount of undeveloped land in the town having the same classification as that being requested.

---

Purpose and Intent – Provide a written description of the proposed change in relationship to the purpose and intent of the present zoning and zoning requested.

---

---

---

---

Provide attachment if more space is needed.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500’ radius. The applicant must also provide self-addressed envelopes with the Town’s return address for each property owner within that 500’ radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

**\* Provide twelve (12) copies of the completed application and all supporting documentation.**

**Amendment to the Land Development Code\***

General Description of the proposed amendment to the Land Development Code – Provide a written description of the proposed change and explain why the amendment is necessary or appropriate.

---

---

---

---

Provide attachment if more space is needed.

The specific code section to be amended or adopted – Provide the specific wording of the proposed change.

---

---

---

---

Provide attachment if more space is needed.

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed amendment to the Land Development Code is consistent with the Comprehensive Plan.

---

---

---

---

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed amendment to the Land Development Code on the Town’s ability to provide adequate public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire and maintain the existing level of service as identified in the Comprehensive Pan, if the amendment is grated.

---

---

---

Provide attachment if more space is needed.

Environmental/Natural/Historical Impacts – the applicant must provide information on the impacts of the proposed amendment to the Land Development Code on environmental/natural/historical resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

---

---

---

Provide attachment if more space is needed.

Public notification – Payment for all appropriate processing fees and charges will be made at the time of the application and at any other time as set forth by the Town Commission or Resolution.

Payment by the applicant shall include all costs necessary for giving of any public notice as required by state or local law.

**\* Provide twelve (12) copies of the completed application and all supporting documentation.**

**Special Exception\***

Site and architectural plans elevations of all faces of a building and an overhead view shall be submitted with all special exception applications that include a **new building(s), facade renovations, or substantial improvements to an existing building**. The drawings shall be submitted in color and at the minimum shall include:

- Sealed and signed survey of existing improvements. All elevations should be NGVD/NAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage Percentage)
- Architectural elevations showing:
  - Proposed architectural style.
  - Exterior construction material specifications.
  - Color charts.
- A site plan pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Refuse service area location.
- Mechanical outdoor equipment location.
- Master outdoor lighting plan.
- Screening devices.
- Master signage plan.
- Master landscaping and irrigation plan.
- Wall or fence details.
- Stormwater Management

Narrative – the applicant shall provide a narrative that explains how the use and the development will be compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, building size and setbacks, its relationship to land values and other factors that may be used to measure compatibility.

---

---

---

---

---

Provide attachment if more space is needed.

Special Exception Applications for space in an **existing building** must provide the following information:

- Survey of existing improvements.
- Architectural elevations showing:
  - Existing/proposed architectural style.
  - Existing/proposed exterior construction material specifications.
  - Existing/proposed exterior color.
- A site plan showing any proposed site improvements as described pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Existing/proposed refuse service area location.
- Existing/proposed mechanical outdoor equipment location.

- Existing/proposed outdoor lighting layout.
- Existing/proposed screening and buffering.
- Existing/proposed signage.
- Existing/proposed landscaping and irrigation.
- Existing/proposed Wall or fence details.
- Stormwater Management

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500’ radius. The applicant must also provide self-addressed envelopes with the Town’s return address for each property owner within that 500’ radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

**\* Provide twelve (12) copies of the completed application and twelve (12) 11X17 copies of all supporting documentation.**

**Variations\***

Variations are allowed only for area, size of structure, size of yards, and open spaces. All applications shall provide a written Justification Statement describing the existing conditions, the proposed improvements necessitating a variance, and shall address the following specific criteria:

Describe the special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district

---

---

---

---

Provide attachment if more space is needed.

Describe why the literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Land Development Code

---

---

---

---

Provide attachment if more space is needed.

Document that the special conditions and circumstances referred to above, do not result from the actions of the applicant.

---

---

---

---

Provide attachment if more space is needed.

NOTE: Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. Variations to maximum building heights are not authorized. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500’ radius. The applicant must also provide self-addressed envelopes with the Town’s return address for each property owner within that 500’ radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

**\* Provide twelve (12) copies of the completed application and all supporting documentation.**

## A. Variance to Coastal Construction Line Restrictions\*

Applications for variance to the Coastal Construction restrictions shall provide a statement describing the proposed work, activity, and construction seaward of the coastal setback line.

---

Provide attachment if more space is needed.

Applications shall also include a topographic survey of the subject property with the following specific information:

- The location of the contour line corresponding to elevation zero feet NGVD;
- The location of any existing vegetation line on the subject property;
- The location of the established State Department of Environmental Protection Coastal Construction Control Line and the mean high water line, for the full width of the subject property, including the location and number of the two nearest State Department of Environmental Protection's baseline monuments;
- The location of all proposed development to be constructed as a result of the proposed variance;
- The location of all existing development to remain on-site as a part of the development or redevelopment of the site;
- The location seaward of the coastal construction control line of all portions of all existing, and planned development, depicting the number of feet seaward of the coastal construction control line of the development;
- The location for the full width of the subject property of: the line of continuous construction; the top of the coastal dune system; the toe of the coastal dune system on or adjacent to the property at the time of application to the point at the dune, as it existed in September, 1972; and the location of the East side of the A-1-A right-of-way; the location of any principal structure to the North and South of the proposed project property and located within 100 feet of the proposed project property. As used in this subsection, the term ***LINE OF CONTINUOUS CONSTRUCTION*** is a line drawn from the most seaward edge of any principal structure to the North, and within 100 feet of the proposed project to the most seaward edge of any principal structure to the South, and within 100 feet, of the proposed project; and
- A certification as to the maximum number of feet seaward of the coastal construction control line for which the variance is requested for the full width of the subject property.

The applicant shall also provide detailed final construction plans and specifications for all structures proposed to be constructed seaward of the coastal setback line. These documents shall be signed and sealed by a professional engineer or architect, as appropriate, who must be registered in the state.

The Applicant must provide documentation and narrative demonstrating the following:

That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time of application to the point at the dune as it existed in September, 1972, which corresponds to the same elevation as the toe of the dune as it exists at the time of application;

---

---

---

Provide attachment if more space is needed.

That the granting of the variance will not be injurious to adjacent properties, nor contrary to the public interest

---

---

---

Provide attachment if more space is needed.

That the granting of the variance will not jeopardize the stability of the beach-dune system. In granting any variance, the Board of Adjustment will when reasonable to do so require that new development on the property subject to the variance be no further seaward than existing development to the North or South of the subject property.

---

---

---

Provide attachment if more space is needed.

A notice containing the aforementioned information shall be posted by the applicant on the affected property at least 15 days prior to the public hearing. If the property abuts a public road right-of-way, the notice shall be posted in such a manner as to be visible from the road right-of-way. An affidavit signed by the owner or applicant evidencing posting of the affected real property shall be received by the Town Board of Adjustment, prior to the public hearing.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500’ radius. The applicant must also provide self-addressed envelopes with the Town’s return address for each property owner within that 500’ radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

**\* Provide twelve (12) copies of the completed application and all supporting documentation.**



### Site Plan for Single Family Development

A site plan must be reviewed and evaluated **by the Town Engineer**, Building Official and or Zoning Official **and** Planning and Zoning Board and approved by the Town Commission. The applicant shall provide the following in support of their application for site plan approval of a single family home:

1. Narrative description of proposed improvements and demolitions.
2. **Two (2) Sealed Surveys of the existing conditions prepared by a professional surveyor. All elevations should be NGVD/DAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage Percentage)**
  - a. All existing structures (including but not limited to outbuildings, sheds, pools, etc), major features, trees and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines.
3. **Two (2) Professionally prepared plans in compliance with Ordinance 2019-06 showing the following:**
  - a. Name, location, owner, and designer of the proposed development and the intended use
  - b. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties
  - c. Date, north arrow, and graphic scale (not less than one inch equals 20 feet)
  - d. Location of all property lines, existing streets adjacent to the subject property, easements, as well as proposed driveways and general lot layout
  - e. All existing and/or proposed structures, major features, and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines
  - f. Site data providing all information needed to confirm compliance with zoning regulations including “required” and “provided” information:
    - i. Proposed principal use and/or any proposed accessory uses
    - ii. Lot size and dimensions
    - iii. Lot coverage
    - iv. Proposed living area square footage (e.g., square footage under air), and square footage of any other spaces including garage, covered entries, covered porches, screen rooms, etc.
    - v. Number of enclosed parking spaces
    - vi. Setbacks from all property lines
    - vii. Number of stories
    - viii. Height of structure
    - ix. Floor plan – a fully dimensioned floor plan shall be provided depicting all existing and/or proposed spaces corresponding to the square footages on the site data breakdown above.
    - x. Architectural elevations of each building façade professionally prepared plan drawn to scale and depicting the height dimension of the proposed structure, construction, or expansion or redevelopment thereof.
    - xi. Landscaping & irrigation plan
4. **Drainage Site Plan showing flow paths and retention areas to meet certification requirements. (3A-80 & 7A-51.1)**
5. **Ten (10) 11X17 Complete sets of plans (all information as outlined in item 3 above) including a copy of the survey both existing and proposed and the Drainage Site Plan.**

## Site Plan for duplex, multi-family, and/or commercial

A site plan must be reviewed and evaluated **by the Town Engineer**, Building Official and or Zoning Official **and** Planning and Zoning Board and approved by the Town Commission. The applicant shall provide the following in support of their application for site plan approval of a single family home:

1. Narrative description of proposed improvements and demolitions.
2. Survey of the existing conditions prepared by a professional surveyor. All elevations should be NGVD/NAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage)
  - a. All existing structures (including but not limited to outbuildings, sheds, pools, etc), major features, trees and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines.
3. **Two (2) Professionally prepared plans in compliance with Ordinance 2019-06 showing the following:**
  - a. Name, location, owner, and designer of the proposed development and the intended use
  - b. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties
  - c. Date, north arrow, and graphic scale (not less than one inch equals 20 feet)
  - d. Location of all property lines, existing streets adjacent to the subject property, easements, as well as proposed driveways and general lot layout
  - e. All existing and/or proposed structures, major features, and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines
  - f. Site data providing all information needed to confirm compliance with zoning regulations including “required” and “provided” information:
    - i. Proposed principal use and/or any proposed accessory uses
    - ii. Lot size and dimensions
    - iii. Lot coverage
    - iv. Proposed living area square footage (e.g., square footage under air), and square footage of any other spaces including garage, covered entries, covered porches, screen rooms, etc.
    - v. Number of enclosed parking spaces
    - vi. Setbacks from all property lines
    - vii. Number of stories
    - viii. Height of structure
    - ix. Floor plan – a fully dimensioned floor plan shall be provided depicting all existing and/or proposed spaces corresponding to the square footages on the site data breakdown above.
    - x. Architectural elevations of each building façade professionally prepared plan drawn to scale and depicting the height dimension of the proposed structure, construction, or expansion or redevelopment thereof.
    - xi. Landscaping and irrigation plan
4. **Drainage Site Plan showing flow paths and retention areas to meet certification requirements. (3A-80 & 7A-51.1)**
5. **Ten (10) 11X17 Complete sets of plans (all information as outlined in item 3 above) including a copy of the survey both existing and proposed and the Drainage Site Plan.**