

Board of County Commissioners Leon County, Florida

Policy No. 98-26

Title:	Building, Environmental and Concurrency Management Permit or Application Fee Refunds
Date Adopted:	October 13, 1998
Effective Date:	October 13, 1998
Reference:	n/a
Policy Superseded:	Policy No. 93-24, Building, Environmental and Concurrency Management Permit or Application Fee Refunds, adopted January 12, 1993

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-24, adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Upon written request to the Director of the Department of Community Development, permit or application refunds may be approved by the Director or his designee in accordance with the following.

1. Any person requesting refund must prove to the satisfaction of the Department that the permit or application fee was in fact paid.
2. Where the particular fee has not yet been deposited into an appropriate fund of Leon County, and where substantial review of the application or inspection of the permitted property has not been made, the permit may be cancelled and 100% of the fee may be refunded.
3. Where the written request is received within 90 days from the date of fee payment, and the applicant can prove to the satisfaction of the Department that the applicant applied for a permit or approval at the direction of the Department when such permit or approval was not in fact required, the permit may be cancelled and 100% of the fee may be refunded.
4. Where the written request is received within 90 days from the date of fee payment and substantial review of the application or inspection of the permitted property has not been made, then a partial refund may be granted. Under such circumstances the amount of the refund shall be reduced by 20% of the permit fee, or \$50, whichever is greater.
5. Where written request is made within 90 days and substantial application review or inspection of the permitted property has not occurred, the person paying the fee may request that a credit be issued toward the issuance of a new permit or application at a different location. The applicant for the credit shall state in the written request the justification for the credit being granted.

6. For purposes of this policy, substantial review work refers to staff work of substance on a permit application leading toward the issuance, with or without conditions, or denial of the application. It is work of a technical or professional nature which goes beyond the review of an application for completeness which occurs at the time that an application is accepted and official records are created. It occurs with the active review, and analysis of application information, technical or legal data bases, on-site study or other such substantive review work essential to the evaluation of the application.

7. Any person requesting a refund in accordance with this policy, who disagrees with the decision of the Director or his designee, may appeal the Department's decision. Such an appeal shall be filed with the Director within 15 days of the issuance of the Department's decision. It shall include a statement by the applicant explaining why he or she disagrees with the Department's decision.

An appeal of the Director's decision shall be forwarded to the Board of County Commissioners for consideration at a regularly scheduled Board meeting within 30 days of receipt of the appeal. An appeal of a decision by a designee of the Director must be appealed first to the Director and thereafter may be appealed to the Board in accordance with this policy.