

**PERMIT CRITERIA MANUAL**

**FOR PROJECTS WITHIN THE  
CORAL BAY COMMUNITY DEVELOPMENT DISTRICT**

**JULY 2003**

**Revised OCTOBER 12, 2023**

**Revised DECEMBER 14, 2023**

## TABLE OF CONTENTS

	<u>PAGE</u>
INTRODUCTION	1
POLICY OF THE DISTRICT IN CONSIDERING AND ISSUING PERMITS	2
PERMITS	3-5
EXHIBIT 1: CORAL BAY COMMUNITY DEVELOPMENT DISTRICT PERMIT APPLICATION	

## INTRODUCTION

The purpose of this document is to set forth the information, procedure, and requirements of preparing an application and obtaining permits granting permission to construct or place structures in or across or make use of lands of the Coral Bay Community Development District, (hereafter referred to as "District").

All permit applications are reviewed by the District Engineer and must be approved by the Board of Supervisors of the District. The approval is granted in the form of a permit with special conditions.

The permit authorizes work within the District's rights-of-way or easements.

Issuance of a District permit does not relieve the permittee from any obligation to obtain appropriate Village Association/HOA and Local governmental agency approvals/permits. Village Association/HOA approval shall be obtained prior to applying for a District permit and any request for District Engineer and Board review. Each permit does not convey any property rights or privileges other than those specified in the permit; it does not authorize any injury to private property or invasion of private rights, nor does it waive the governing requirements of any other agency or authority. It simply expresses the assent of the District insofar as concerns the public's interest and protection under the District's Stormwater Management Permit.

Any work within a District-owned property or property interest that is not constructed, reconstructed, installed, or maintained in strict accordance with the requirements and specifications of this Manual or the Amended and Restated Rules Governing the Use of the Recreational and Other District Facilities of the Coral Bay Community Development District, as amended from time to time, shall be removed or repaired or restored in accordance herewith at the sole cost and expense of the responsible property owner and within ninety (90) days of the District's issuance of a notice of violation to said property owner. Property owner shall further be required to file a completed permit application with the District in accordance herewith within thirty (30) days of the District's issuance of a notice of violation to the property owner. After the ninety (90) days referenced above has expired or at any time when the work poses an immediate hazard to the District's facilities or the public, the District, at its discretion, may proceed to remove the work at the expense of the property owner. Any work constructed prior to the enactment of these provisions without any permit or written approval from the District shall be subject to removal at the responsible property owner's cost and expense pursuant to this subsection. Any fines or penalties imposed by the City of Margate pursuant to its powers of code enforcement as authorized in Chapter 162, Florida Statutes, arising out of the construction, reconstruction, installation, or maintenance of any work, improvement, or structure within District-owned property or property interests shall be the sole responsibility of the property owner responsible for constructing, reconstructing, installing, or maintaining the subject work, improvement, or structure. Any costs incurred by the District to enforce the provisions of or undertake the actions provided for in this section shall be the responsibility of the responsible property owner.

**POLICY OF THE DISTRICT  
IN  
CONSIDERING AND ISSUING PERMITS**

1. No Right-of-Way (R/W) permits will be granted for any use of the District's property that will adversely affect such property; or interfere with or impose hardships upon the District's operations, maintenance or construction activities; or degrade the quality of District property.
2. No R/W permit will be granted for any use of District's property when granting such would be inconsistent with the Stormwater Management Permit of the District.
3. The District reserves the right to amend or change any of its policies, practices, procedures or regulations, and such action shall not constitute any claim for damages nor become the basis of a legal suit by any permittee.

## PERMITS

A PERMIT, as issued by the District, is simply an acknowledgement that the specific use of Public land, as requested by the Applicant, is proper and conforms to the requirements and standards of the District. Permits convey no property rights nor any other rights or privileges other than those specified in the permit.

The issuance of permits can be expedited if contact with the District is made prior to the submission of a formal application. The design water surface elevations and other pertinent data will be furnished upon request for any desired location. Applications which are based on the correct design data from the District are processed with a minimum of delay.

Permits become effective upon the date of approval by the District and are valid for the period of time stated on the permit, unless cancelled by the District. A permit may be cancelled upon thirty (30) days written notice to the permittee.

In the event that the requirements or interest of the District indicate that the removal or alteration of any structure or works installed by the permittee is necessary, sixty (60) days written notice must be given. Should the permittee fail or refuse to alter, repair or remove the structure or work when so notified, the District may alter, repair or remove the structure or work and the costs incident thereto must be paid by the permittee. This notification by the District does not constitute a cancellation of the permit but simply advises the permittee of the required alterations to or relocation of works or structures under District permit.

Both the 30 day notice of cancellation, and the 60 day notice of removal or alteration of works, which the District may give a permittee, are further subject to immediate cancellation, removal or alteration by the District in emergency situations where the continued exercise of a permit might endanger lives or property. In such emergency situations the District will notify permittees (if possible) of the action required. Failure of permittees to carry out such emergency action will be considered cause for immediate cancellation of permit, or removal or alterations to structures or works for which the permit was issued.

### Modifications or Relocations of Works Under Permit

Modifications to existing works under permit can be made after submitting to the District a letter of request to amend the existing permit accompanied by adequate drawings, if applicable. Approval of the requested change will be granted in the form of a letter of acceptance.

### Transfer of a Permit

By separate agreement, the holder of a District permit, may allow a third party the use of his permitted facility, but such agreement should be made known to the District. Permits are not assignable without the specific consent of this District. A valid permit, upon request, can be transferred from one owner to a new owner. The request must be made in letter form by the new owner with the consent of the previous owner shown therein.

### As a Permittee You Agree

1. To abide by the terms and conditions of the permit issued to you.
2. To Maintain any works or structures, title to which remain with you in a good and safe condition.
3. To hold and save the District and its successors harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of the work or structure involved in the permit.
4. To allow inspection at any time by the District of any works or structure established upon permit.
5. To prevent the discharge of debris into any District property or waterways via your permitted facility.
6. To conform with any alterations of or amendments to this manual that may be deemed necessary by the District.
7. To make any changes or repairs required by District personnel to insure the safe operation of the District's waterways during storm events.

### Requesting an Application for Permit

Requests for a District Permit Application can be made in person, by letter, by email, or by telephone directly to the District's office, c/o GMSSF, 5385 N. Nob Hill Road, Sunrise, FL 33351, Phone: (954) 721-8681 ext. 213, Fax: (954) 721-9202. A blank District Permit Application can also be found in both in Exhibit 1 of this Permit Criteria Manual (Exhibit 1) and on the Forms page of the District's website ([www.coralbaycdd.com](http://www.coralbaycdd.com)).

### Special Conditions

All permits issued will contain the following special conditions:

1. In the event the District wishes to obtain ingress or egress to its easement and/or right-of-way for the purposes of maintenance of the lake or canal, the removal and reinstallation of any construction permitted hereunder shall be at owner's expense.
2. PERMITTEE, by acceptance of this permit, covenants and agrees that the District shall be promptly indemnified, defended, protected, exonerated, and saved harmless by the PERMITTEE from and against all expenses, attorney's fees, liabilities, claims, demands, and proceedings incurred by or imposed upon said District in connection with any claim, proceeding, demand, administrative hearing, suit appellate proceeding, or other activity; including unfounded or "nuisance" claims, in which the District may become involved, or any settlement thereof, arising out of any operations under this permit, including use of canal or lake water for automobiles, buildings or other structures, and any property damage or personal injuries, fatal or non-fatal, of any kind of character.

3. PERMITTEE agrees that during the course of construction, prior to obtaining Certificate of Occupancy on any structure constructed thereon, no builder debris will be placed into the waterways of the District.

For this purpose PERMITTEE has submitted a check in the amount \_\_\_\_\_ (\$0,000.00) which PERMITTEE agrees to forfeit if debris is found to have been placed into the District's waterways; said determination to be at the sole discretion of the District and is acknowledged by PERMITTEE to represent both actual and punitive damages for violating the provisions of this permit and, further, the provisions of Chapter 298, Florida Statutes.

If construction of the facilities called for in this permit have not been completed, an additional \_\_\_\_\_ (\$0,000.00) will be submitted by PERMITTEE to cover future occurrences of discharging builder debris into the District's waterways.

Additional special conditions will be added when applicable, including but not limited to District Engineering fees for application reviews, inspections, etc.

# **EXHIBIT 1**

## **CORAL BAY COMMUNITY DEVELOPMENT DISTRICT PERMIT APPLICATION**





# Coral Bay Community Development District Permit Application

## Instructions:

Coral Bay Community Development District maintains most of the amenities in the Coral Bay community, including roadways, rights-of-way, sidewalks, fencing, pools, parks, landscaping, and waterways. While the District owns much of what it maintains, some of its responsibilities co-exist with owners of homes in the District. Many property owners seek to make improvements such as docks, patios, landscaping, and fencing, to their property. Many times, these improvements occur on or affect the maintenance of easements or property owned by the District.

Please return the completed application to the District Offices at:

Coral Bay Community Development District  
 c/o Governmental Management Services - South Florida  
 5385 N Nob Hill Road  
 Sunrise, Florida 33351

If you need assistance in completing the application, please call us at 954-721-8681 x 208.

Other entities may also need to review your proposed improvement for compliance with deed restrictions and building codes. You are strongly encouraged to contact your Homeowner's Association, which may require an architectural review or have other rules that govern improvements to your property and the City of Margate Building Department, which may require a separate building and/or engineering permit.

If you fail to get the proper approvals before you begin your proposed improvement, you may be required to restore your property to its prior condition at your expense.

The District has available for your use prototypical design plans for docks and erosion control that you are encouraged to follow. Please contact the District office for copies of these design prototypes.

## Applicant Information:

Name of Property Owner: \_\_\_\_\_

Street Address of Property: \_\_\_\_\_

Mailing Address of Owner: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Date Application Submitted: \_\_\_\_\_

District Use Only	
Date Application Received: _____	By: _____
Engineering Approval/Denial: _____	By: _____
Board Approval: _____	
Permit Issuance Date: _____	By: _____



# Coral Bay Community Development District Permit Application

## Project Information:

### A. Proposed Use Of District Facilities:

_____ Dock	_____ Fencing	_____ Other (Describe):
_____ Landscape	_____ Anchorage	_____
_____ Structures	_____ Erosion Control	_____
_____ Irrigation		_____

### B. Project Description:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

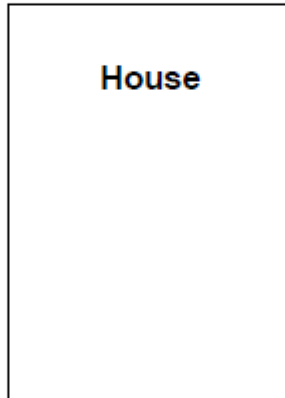
### C. District Property or Easement Affected:

_____ 20' Lakeshore Easement	_____ Roadway
_____ Lake	_____ Swale
_____ Fence	_____ Other: _____



# Coral Bay Community Development District Permit Application

## D. Project Location Sketch:





## Coral Bay Community Development District Permit Application

### E. Applicant Acknowledgements

1. This application, including sketches, drawings, and plans and specifications, contains a full and complete description of the proposed project and the District facilities affected. It shall be part of any permit issued by the District. All work or use of the District's facilities will be in accordance with the permit granted and with any General And Specific Criteria that may be required by the District as a condition of the permit issued.
2. The District may enter and leave your property by way of the maintenance easement and may remove any improvement or alteration, permitted or not permitted. The cost of removal and/or reinstallation shall be at the property owner's expense and the District will not be liable for any cost to remove or reinstall the improvement or alteration.
3. By accepting the approved permit, I agree that Coral Bay Community Development District shall be promptly indemnified, defended, protected, exonerated, and saved harmless from and against all expenses, attorney's fees, liabilities, claims, demands, and proceedings incurred by or imposed upon the District in connection with any claim, proceeding, demand, administrative hearing, suit, attorney's fees, appellate proceeding, or other activity, including unfounded or "nuisance" claims, in which the District may become involved, or any settlement thereof, arising out of any operations under this permit.
4. The District may at any time inspect the improvement or alteration.
5. The District may at any time require the removal, at my expense, the improvement or alteration.
6. I will maintain at all times, at my expense, the approved improvement or alteration.
7. I have obtained or will obtain the permission of the Homeowner's Association responsible for enforcing the affected property's Restrictive Covenants.
8. I have obtained or will obtain all required building and engineering permits from the City of Margate.

---

Signature of Property Owner / Applicant

---

Date

---

Signature of Co-Property Owner / Applicant

---

Date