

Right of Way FAQs

What is the application procedure?

Right of Way Occupancy permits are issued for a broad range of encroachments and uses - everything from beautification to highway bridges. Due to the broad range of complexity of the requests, review times will vary. Here are some suggestions if your proposal involves a bridge or pile-supported utility crossing or a subaqueous crossing:

Applicants proposing pile-supported installations over District canals or utility crossing under District canals should contact the District, in writing, requesting design information. Recent cross sections of the canal will also be required. Staff should be consulted as to the location and number of cross sections that will be needed.

After compiling all information, request a pre-application meeting with District staff. While this meeting is not required, it is strongly recommended. During the meeting, District staff can advise you and can identify potential problems or conflicts with the proposal and/or additional information that is needed.

After the pre-application meeting, submit your completed permit application with associated processing fee and required drawings. The District has 30 days to review the package and ask for any necessary additional information. You, in turn, have a maximum of 90 days to supply the requested information.

In some instances, a second round of gathering information may be needed; in those cases the same 30/90-day time clock for both parties is in effect. (The prompt submittal of information when requested by the District, creates a faster over-all review process of the project).

If you do not meet these deadlines, the application may be denied due to lack of response, unless you request, in writing, a waiver of the 90-day review period. (A request for waiver provides the applicant more time which may be needed to provide the information the District is requesting or to resolve issues with other federal, state, or local agencies.)

Once all additional information is received by the District, rendering the application file complete, the District has 90 days to prepare a recommendation and present the application to its Governing Board (or, in the case of Notice General Permits, to the Deputy Executive Director) for their formal review and final agency action.

What information will I need to provide?

District staff members will ask you to provide information that will help them evaluate your application and its potential impacts on the District's ability to access, operate and maintain the canal or levee involved. The information requested varies according to the type and complexity of the project, but what follows are general guidelines, along with a short explanation of the criteria used by the District to assess your application.

For a Right of Way Occupancy Permit, you will be asked to provide a completed application form containing the following information:

- Applicant's name, address, and phone number, including zip and area codes
- Owner's name and complete address (if different from applicant)
- Project location relative to county, section, township and range; lot and block number and subdivision name; or a metes and bounds description
- Whether the proposal is a modification of an existing use, an existing unauthorized use or a new use
- Description of the proposed use of, or encroachment on, District rights of way
- Description of what portion of the right of way is to be utilized
- Application processing fee in the specified amount for the proposed use
- Drawings: utilize English units of measure or a combination of English/metric
- Three copies of a legible, scaled or fully-dimensioned 8.5" x 11" drawing, reflecting the proposed use in plan and profile (elevation) views, showing the location of the proposed use tied to a well-known reference point
- Recent property survey, indicating District's right of way line

NOTE: drawings for bridge crossings must be signed and sealed by a Florida registered professional engineer.