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- Society
- Schools
- Business

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Weekend

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Obituaries

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- Headlines
- Business
- Sports
- Entertainment



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Local News

Builders' protest against new impact fees irks commissioner

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by [By John Johnston](#)

It was the number of phone calls received, and that callers "were completely misinformed" which angered Palm Beach County Commissioner Burt Aaronson.

A phone call lobbying campaign by the Gold Coast Builder's Association to protest new impact fees in fact blew up in the builder association's face Tuesday.

Impact fees are assessed against all new construction to offset the cost of infrastructure development to accommodate that new construction, i.e., schools, roads, parks, fire rescue, police, public buildings and libraries. Paid at the time a building permit is issued, impact fees are designed to deal with the about 30,000 new persons who move into Palm Beach County each year.

Not everyone agrees with the fees — or in the case of the GCBA, "we don't agree with methodology of assessment," GCBA Executive Vice President Brenda Talbert said.

The GCBA has argued that there is a better way to calculate school impact fees and that the fees should be "more broad based" and not charged only on new homes. Talbert also criticized the timing of the impact fee hike, a year after voters approved a half-cent sales tax expected to produce \$93 million in 2005 alone, she said.

Beyond that, "we still have issues with the methodology used to determine the proposed fee increase," she told commissioners. "We have expressed these concerns to the county and school district staff and have received rebuttals from Dr. James Nicholas which we still believe to be unacceptable." Nicholas is a Florida State University professor, recognized around the state as an impact fee expert.

Angers commissioners

Orchestrated by the GCBA to lobby against the proposed new fees, the phone call lobbying was preceded by a GCBA letter to commissioners Monday that said, in part:

"Another significant increase in the cost of housing, which is already skyrocketing, will make developing affordable and workforce housing just that much more difficult."

Angering commissioners about the impact fee hike wasn't the intent or purpose of the phone call lobbying effort, Talbert said.

Commissioners didn't care about purpose or intent, but spent several tense minutes Tuesday being even less concerned about public niceties when confronting GCBA about the phone calls.

"It was a slap in the face," Aaronson fumed. He explained that the callers were "completely misinformed." Aaronson said the callers uniformly protested the impact fee hike, "and didn't know that it didn't affect them."

Commission Chairman Tony Masilotti didn't attempt to hide his sarcasm. "Thirty two of my constituents do not live in the same house with the same 800 number," he said.

"You don't have the right to misinform people," Masilotti said. "It's immoral to make up lies. The impact fees have no impact whatsoever" on current residents.

Just a fee-setting minute, according to GCBA's Talbert.

"I want to emphasize that our association phone called only our membership, which is our prerogative and our responsibility," she said. "Where do the commissioners get off on accusing us of calling the general public and misleading them? That's just as much misinformation and misleading as what they are accusing us of."

\$1,000 Hike

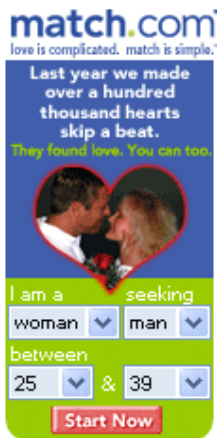
Under the new fee schedule, all new homeowners will pay, at minimum, almost \$1,000 more than now.

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Total combined fees will exceed \$10,000 for all new homes larger than 1,400 square feet. Fees vary, depending on the county services received in each municipality.

Of primary concern to the GCBA is the school impact fee, the largest of those to be increased. It will go up by as much as \$1,000 for the largest homes.

At the same time, road impact fees are the largest revenue source for road construction, providing for almost 40 percent of the \$549 million in projects planned for the next five years, according to the county engineer's office.

Some concerned about the fee hikes say that it will further price affordable housing out of the market. Robert A Jones, self-identified as a builder of workforce housing in Riviera Beach, told commissioners that his recent construction of a 1,000-square foot house found him paying a total of \$13,000 in impact fees. "And the house sold for \$110,000," he said.

'Robin Hood'

Masilotti speculated that "maybe we need a (lower) impact fee schedule for homes under 1,000 square feet."

GCBA's Talbert said that her organization's concern was not that fees were being increased, but that rather builders were sharing a disproportionate portion of the load, "and consumers pay."

The county is working on "middle class" housing subsidy plan, Masilotti said, and in the meantime Aaronson offered:

"If you want to call me Robin Hood, call me Robin Hood but maybe we can find another way to extend impact fees to homes of greater size. And then find ways to subsidize impact fees to facilitate workforce housing."

The new impact fee schedule goes into effect January 12, 2006.

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