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OSCEOLA IN BRIEF

Builders take impact-fee battle back to court

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Lawyers for a home-builders association have filed a motion seeking a rehearing after an Osceola circuit judge earlier this month struck down their attempt to overturn a hefty 2004 increase in the county's school-impact fee.

On Sept. 23, the Home Builders Association of Metro Orlando's lawyers will try to convince Circuit Judge R. James Stroker that he should hear another round of arguments in the battle between the home builders and Osceola County.

If the judge rules against a rehearing, the home builders may appeal Stroker's ruling that the methodology used to determine the impact fee increase was justified.

Last year, the association sued after county commissioners increased the fee, which helps build new schools, more than 240 percent -- raising it from \$2,828 to \$9,708 for single-family homes.

The difference in the two fees is earning interest in an escrow account, which was created right after the lawsuit was filed in April 2004. The account now totals more than \$34 million. There are no plans to tap into the account until the lawsuit is resolved or the county is advised otherwise, officials said.

Elaine Aradillas and Susan Jacobson of the Sentinel staff contributed to this report.

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