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County extends lot fee deadline

Commissioners stretch by two years the time to pay impact fees on vacant lots at the current rate, rather than a higher one approved earlier.

By DAN DeWITT, Times Staff Writer

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BROOKSVILLE - To the landowners who have already paid the old, lower impact fees on vacant lots, the County Commission lived up to a promise on Tuesday.

The Commission voted to extend from one to three years the time those property owners have to start construction without paying the new, increased fees.

"I don't think it's going to be that onerous now," said Len Tria, a consultant representing the Hernando County Builders Association; many of the prepayments came from builders.

"I think they did the right thing and the building community was happy with that."

Builders were not happy in June when the county raised impact fees from \$4,799 to \$9,211, effective July 5. Along with this increase, the commission decided to quit accepting impact fees until the higher fees went into effect.

It also required the people who had already paid at the lower rate to obtain a building permit in the next year or be subject to the higher fees.

This caused a near rebellion because the people who had paid those fees - both builders and individual homeowners - had been assured the fees would cover them indefinitely, they said. They said the county's action amounted to a breach of contract.

"It's a gross injustice," Tria said at the time.

Residents who had paid the lower rates previously had until June 2 of next year to receive a building permit. With the change to the impact fee ordinance approved on Tuesday, residents now have until June 2008.

"It produces a greater amount of equity for those who prepaid their impact fees earlier," said Commissioner Nancy Robinson.

Opponents of the county's decision at the time said the commission was using the one-year time limit to stop the flood of prepayments. The building department had collected 1,069 prepaid impact fees on unbuilt properties by early June, including 619 in the two weeks before the new ordinance passed.

But County Attorney Garth Collier said that Hernando had to stop accepting the advance fees because its accountants would no longer allow it to spend the collected money.

The cause of that, he said, was a judge's order that required an agency in Monroe County to refund prepaid impact fees to a development that was denied the right to build.

Diane Rowden was the only commissioner who voted against changing the ordinance.

"First of all, I think it sends the wrong message when the board makes a decision then comes back two weeks later and changes that decision," Rowden said after the vote.

"I think the majority of the people they're pleasing are builders," Rowden said.

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