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School impact fee update in the making

If you thought the school referendum drew heated discussion, just wait until the school impact fee issue heats up.

Sarasota County School Board approved a contract Tuesday with the same consultant that helped establish school impact fee amounts in 2004, the Henderson Young and Company out of Washington. Their charge is to review current school impact fees, suggest any methodology changes and then come up with a new fee amount.

The contract between the school board and Henderson Young calls for the update to be completed by June 30. Henderson Young's fee is \$68,000, plus \$4,200 per meeting for at least three school board meetings and reimbursement of expenses.

A Sarasota County ordinance that went into effect January 2004 requires annual review of the school impact fee. Sarasota County School District provided the Board of County Commissioners with a review of the impact fees in December 2005, but didn't recommend an increase.

"From the school district's perspective, all elements (in the methodology) ... are working fine. There are no recommended amendments at this time," states the December 2005 report.

School impact fees were established in 2004 at \$2,032 for a single-family dwelling, \$474 for multifamily dwelling and \$138 for a mobile home, with exemptions for affordable housing and housing for older persons.

Impact fees for schools can only be used for construction of facilities required to serve new growth. A fee is paid by the builder prior to receiving a certificate of occupancy for every new dwelling or condo unit, except in adult-only communities where children don't permanently reside and affordable housing units.

Anxiously awaiting

Dan Lobeck, president of Control Growth Now, is not happy about the delay in updating school impact fees. His interpretation of the interlocal agreement between the county and school board is that fees are required to be updated annually. District officials say that isn't the case -- it simply calls for a review of impact fee methodology.

Lobeck claims the school district put off a bonafide analysis on purpose until after the referendum. That means builders and developers, who were some of Citizens for Better

Schools biggest financial contributors during the referendum campaign, won't have to pay higher impact fees until the school board completes its analysis and passes on its recommendation to Board of County Commissioners who sign off on the update, he said.

"Why are we paying higher taxes and passing a school referendum when builders and developers could pay their fair share," Lobeck asked.

He says it's another example of developers trying to minimize impact fees.

"Builders will tell you they don't pay the impact fee and have nothing to gain because they simply build the fee into the price of a new home and pass it on to the consumer. But it is the builder, not the homeowner, who writes the check," Lobeck said.

County Administrator Jim Ley said the county, too, has been patiently waiting for an update of impact fees.

"We're anxious to receive the school board's update," Ley said.

Controversy

School impact fees have a history of controversy.

" 'Fiscal neutrality' is an emerging trend statewide and nationally that supports impact fees. There are a lot of folks who believe strongly growth should pay its own way," Associate Superintendent Bob Early said.

"Others do not," he said, referring to homebuilders associations and developers who have criticized some school impact fees as too high.

Sarasota County School Board voted 3-2 to create the fees back in October 2002 and asked county commissioners to create the needed ordinance. BOCC did so by a 3-2 vote in 2003.

That's when the district hired Henderson Young and Company to update its numbers. A second study was presented to the board in January 2004 and shortly thereafter the board adopted the current school impact fees, which remain in place today.

According to Lobeck, the school consultant's updated figure supported a \$2,675 fee back in 2004. He thinks the school impact fee should be twice as high or higher. Manatee County recently raised its single family dwelling school impact fee from \$4,080 to \$5,886. Charlotte County raised its fee from \$2,510 per single-family dwelling to around \$8,000, depending on its size. St. Lucie and Lee County both charge a school impact fee of \$4,800 per dwelling.

The consequence of maintaining what Lobeck considers a low impact fee "is that growth is falling further and further behind in paying its fair share of the schools," he said.

"The result is more inadequacy of school facilities, more subsidies of growth by the taxpayers, or both," Lobeck said.


For the fiscal year ending June 30, 2005, the school impact fee brought in nearly \$3.7 million. The district allocated \$882,153 into three projects, including \$874,833 to purchase property for the fifth elementary school in North Port. The district is carrying

forward the balance of nearly \$2.8 million, which, by law must be spent within five years.

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