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**CALENDAR**

March						
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**Builders asked to drop suit over fees**

10 Mar 2005

By Marvin G. Cortner News-Gazette Staff Writer

The Kissimmee/Osceola County Chamber of Commerce Board of Directors is urging the Home Builders Association of Metro Orlando to drop its lawsuit seeking to strike down an increase in school impact fees in Osceola County.

Explosive growth has made Osceola County the fastest growing school district in Florida and created a desperate need for classroom space to accommodate the new students, said Mike Horner, chamber president. Horner said the chamber has supported the policy that new growth should pay for itself.

"Studies conducted by the Osceola County School Facilities Task Force show that new home construction accounts for the majority (65 percent) of the additional students in our public schools," said Horner. "It is only fair that these new homes help pay for the additional classrooms that they will require."

The chamber also has urged the home builders group, which is affiliated with the Florida Home Builders Association, to allow the release of impact fee funds if it chooses not to drop the lawsuit. The impact fees collected since the increase have been held in escrow and cannot be used for new school construction.

A representative of the home builders could not be reached for comment in time for deadline. However, representatives of the group in the past have said the latest impact fees imposed by the county were not legitimately calculated and based on flawed data from a consultant hired by the Osceola County School District. The same representatives also have said impact fees are inevitable in high growth areas.

The home builders group, while contesting the higher fees, has never publicly stated what an appropriate school impact fee would be.

"If the Florida Home Builders Association will not drop the lawsuit, we urge that it stipulate that the difference in the original fee and a fee agreed to by the association be immediately released for use in constructing schools required to accommodate the growth caused by new development," said Horner.

Horner added that home builders, when the county was talking about imposing the higher impact fees, said the increase would ruin the industry.

"But we all know that hasn't happened," he said. "In fact, homebuilding is accelerating."

Horner added that association representatives were invited to a chamber executive board meeting where the issue was discussed but did not attend.

When the county on May 1, 2004, raised the school impact fee on a single-family home to \$9,708 from \$2,828, it did so based on a study by Henderson, Young & Co., a Redmond, Wash.-based consulting firm. The County Commission approved only what the school district requested, which

was 60 percent of the amount recommended by consultants.

The county raised the fee in 1999 to \$2,828 from \$1,022 for each single-family home. A study at that time suggested a \$4,200 impact fee for single-family homes.



**Florida Living Spring 2005**



Home Improvement, Real Estate, Decorating Tips

**A little dental work**



News-Gazette Photo/Sam Roberts Tommy Holloway, center, operates a jackhammer as Robert Manning watches at Gatorland March 1. Holloway and Manning work for the facilities department at Gatorland and are resurfacing one of

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- 03/19 [Battle of Narcoosee Mill](#)
- 04/02 [Cracker Day](#)
- 04/24 [JazzFest](#)
- 05/07 [Symphony in the Park](#)

School impact fees are \$6,346 for a multifamily dwelling unit and \$4,657 for a mobile home.

Orange County on Tuesday adopted impact fees of \$7,000 for new single-family homes and \$3,807 for a new, multifamily unit. It was the first increase there since 1998.

Bill Silliman, the president of the Home Builders Association of Metro Orlando, was reported to have opposed the increase but in the end said he would no longer fight the fee increases, which go into effect May 1. The Orange County Commission voted 6-1 for the fees, which were lower than the amount consultants had recommended.

The chamber, which has eight members that are home builders and many others representing other industries related to new home construction, held a press conference Wednesday afternoon at Ross Jeffries Elementary School in St. Cloud to further publicize its stand on the lawsuit.

Contact Marvin G. Cortner at 407-846-7600, Ext. 205. E-mail at [mcortner@osceolanewsgazette.com](mailto:mcortner@osceolanewsgazette.com)

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Central Florida's most recognized landmarks, the gaping gators mouth entrance at the Gatorland theme park.

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