

October 31, 2001

Facilities Planning and Construction
Suzanne A. Marshall, Chief Facilities Officer (Construction)

SUBJECT: AUTHORIZATION FOR CREDIT OF EDUCATIONAL FACILITIES IMPACT FEES FOR LENNAR HOMES, INC.

In 1991, Lennar Homes, Inc. (Lennar), a developer, proffered a Declaration of Restrictions (Declaration) to Miami-Dade County, in connection with an application for a zoning change. This Declaration provided for a contribution to the School Board (Board) to mitigate the impact of the proposed residential development. Pursuant to the terms of the Declaration, Lennar was to pay a monetary contribution equal to the fair market value of a hypothetical 4.04 net acres of land, as determined by the County's property appraiser. The contribution was to be paid in two installments. The first payment in the amount of \$200,000 was paid to the School District (District) on May 11, 1992. The final payment in the amount of \$210,400 was received by the District on October 28, 1999.

Pursuant to the terms of the Educational Facilities Impact Fee Ordinance (Ordinance), a developer may apply for impact fee credit for contributions made to the District pursuant to a Declaration accepted prior to Ordinance enactment (October 1, 1995). Lennar has filed such an application for the final payment of \$210,400. Pursuant to the Ordinance and established procedures, the Board must authorize an impact fee credit in an amount equal to the actual funds received by the District.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize a credit of Educational Facilities Impact Fees for Lennar Homes, Inc., in the amount of \$210,400.

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ITEM WITHDRAWN
(11-14-01)