

R-87-351

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA ADOPTING AN AMENDMENT TO RESOLUTION R-86-154 WHICH ADOPTED INTERIM PROCEDURES FOR IMPACT FEE ADMINISTRATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Manatee County, Florida, has adopted Ordinance 86-09, and has adopted Section 120 of the Manatee County Comprehensive Zoning and Land Development Code creating impact fees for transportation, parks and recreation, solid waste and emergency medical services; and

WHEREAS, Ordinance 86-09, Section 2 requires the County Administrator to promulgate administrative procedures which the Board shall adopt to implement the ordinance; and

WHEREAS, a set of interim procedures for impact fee administration (the Interim Manual) was adopted through Resolution R-86-154 on July 10, 1986; and

WHEREAS, Section 4 of the Interim Manual was amended prior to adoption to delete references to an impact fee hearing officer and direct appeals under this set of provisions to the Board of Zoning Appeals, but Section 10.7 was not amended to delete references to an impact fee hearing officer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

1. Section 10.7 of the Interim Manual adopted in Resolution R-86-154, is hereby amended to read as follows:

10.7 Rejection of Independent Impact Analysis:

If both the County and the Developer reject an Independent Impact Analysis, the Developer or the County, whichever originally required the Independent Impact Analysis, shall have the option of having a new Independent Impact Analysis prepared, or of paying or receiving (as appropriate) the impact fee due pursuant to Schedule A of the Manatee County Impact Fee Ordinance.

Form 10-5 shall be used to confirm the rejection of an Independent Impact Analysis by both parties, and to require either the preparation of a new analysis or the payment of impact fees according to Schedule A of the Manatee County Impact Fee Ordinance.

In the event that both the County Administrator, or his designee, and the Developer reject the Impact Fee Analysis or cannot agree on either payment of fees pursuant to Schedule A of the Ordinance or requiring a new independent Impact Fee Analysis, the dispute shall be referred to the Board of Zoning Appeals for review. In such referral, the Developer shall be considered to be the appellant. Section 4 of the Administrative Procedures Manual shall govern the review by the Board of Zoning Appeals.

ADOPTED in open session with a quorum present and voting this 22<sup>nd</sup> day of December, 1987.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: Edward W. Chance  
Chairman

ATTEST R. M. B. SHORE  
Clerk of the Circuit Court

R. M. B. Shore Deputy Clerk  
MANATEE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS