



Lake County, Florida  
Department of Growth Management  
Development Processing  
352/343-9451 Fax: 352/343-9595

**School Impact Fee Exemption for Older Person Housing  
Rentals, Condominiums, and Cooperatives  
Submittal Checklist  
Section 22.14, Lake County Code**

The County shall approve an exemption from school impact fees for housing for older persons if an Applicant satisfies all the requirements set forth in Section 22.14, Lake County Code.

**Submittal Requirements**

The County shall consider a proposed School Impact Fee Exemption upon the submittal of the following materials:

- Completed application.
- Copies of all recorded Deed Restrictions for the subject property.
- Opinion of Title showing all persons with interests in the subject property.
- Executed School Impact Fee Agreement.

**Review Procedure**

After submittal of a complete application, the County Attorney's Office will review the application for school impact fee exemption. A signed "School Impact Fee Agreement" executed by the Applicant and County. The Applicant is responsible for drafting a "School Impact Fee Agreement" which satisfies the requirements of Section 22-14(8) of the Lake County Code. The Applicant will be issued a letter from the County Attorney's Office approving or denying an exemption for the subject property.

**Suggested Language for School Impact Fee Agreement**

- Owner shall not pay the School Impact Fees set forth in Section 22-22 of the County Code for all Units as long as every person who lives on the premises is an adult. "Adult" shall mean 55 years of age or older, or other person at least 40 years of age sharing a residence with a resident 55 years of age or older.
- Owner shall at all times during this Agreement rent/ lease/ sell/ the Units to persons who are eighteen (18) years of age or older in compliance with all applicable provisions or Part II of Chapter 760, Florida Statutes, the Federal Fair Housing Act, Title VIII of the Civil Rights Acts of 1968, as amended by the Fair Housing Amendments Act of 1988, and the Housing for Older Persons Act of 1995m 42 U.S.C. §§3601-19, or its statutory successor in function.
- If any Unit in the project is occupied by any person or persons under the age of eighteen (18), then the School Impact Fee shall be immediately due for all Units at the then current rate as set forth by the Lake County Code. "Occupied" shall mean any person who stays overnight in a Unit more than 21 days in any 60 day period or more than 30 days in any 12 month period. The School Impact Fee shall become due and payable as of the date that the disqualified Unit that the Unit no longer qualified as housing for older persons.
- In the event that School Impact Fees become due and payable, County shall provide written notice to Owner. Upon failure of Owner to pay the School Impact Fee within thirty (30) days of the date of notice, a notice of lien shall be served advising Owner that the County shall file a claim of lien. Once recorded, the claim of lien may be foreclosed as provided for in Chapter 170, Florida Statutes, Chapter 173, Florida Statutes, or any other applicable law. Upon recordation, the lien for unpaid impact fees shall be coequal with a lien for state, county, special district, and municipal taxes and is superior in dignity to any subsequently file liens.
- All rights and obligations arising as described herein are intended to be appurtenances and covenants running with the Property and shall be binding upon and inure to the benefit of the parties, their respective assigns or successors in interest or title.



Lake County, Florida
Department of Growth Management
Development Processing

SCHOOL IMPACT FEE EXEMPTION APPLICATION

DATE \_\_\_\_\_

File # \_\_\_\_\_

Owner(s) of Property \_\_\_\_\_

Name \_\_\_\_\_ Signature of Owner(s) \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Name \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Representative Name \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Property information:

Please provide a complete legal description of the property for which you are requesting an exemption and attach a copy of the current Warranty Deed.

Multiple horizontal lines for property description.

Is the property platted? If so, please provide Official Records/ Plat Book & Page. Recorded in Official Records/ Plat Book \_\_\_\_\_ Page \_\_\_\_\_

Please attach copies of all recorded Deed Restrictions and provide Official Records Book & Page.

Recorded in Official Records Book \_\_\_\_\_ Page \_\_\_\_\_

Recorded in Official Records Book \_\_\_\_\_ Page \_\_\_\_\_

Recorded in Official Records Book \_\_\_\_\_ Page \_\_\_\_\_

How many dwelling units will be located on the property? \_\_\_\_\_

Please give a brief description of the proposed development.

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Are any structures currently in place? If so, please describe.

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**APPLICANT'S AFFIDAVIT**

STATE OF FLORIDA)  
:  
COUNTY OF LAKE)

BEFORE ME, the undersigned authority personally appeared \_\_\_\_\_,  
who being by me first duly sworn on oath, deposes and says:

That he/she affirms and Certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of Lake County, Florida, and that all statements, drawings, and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of Lake County, Florida, and are NOT RETURNABLE.

\_\_\_\_\_  
(Applicant's Signature)

Sworn to and Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
( ) Personally known to me.  
( ) Produced \_\_\_\_\_  
(Type of Identification)  
( ) Did or ( ) Did not take an Oath.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
(Seal)  
Revised

**OWNER'S AFFIDAVIT**

STATE OF FLORIDA)  
:  
COUNTY OF LAKE)

BEFORE ME, the undersigned authority personally appeared \_\_\_\_\_,  
who being by me first duly sworn on oath, deposes and says:

- 1. That he/she is fee-simple owner of the property legally described on page 1 of this application, AND
- 2. That he/she desires a School Impact Fee Exemption Determination, AND
- 3. That he/she has appointed \_\_\_\_\_ to act as agent in his/her behalf to accomplish the above.

\_\_\_\_\_  
(Owner's Signature)

Sworn to and Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Personally known to me.

Produced \_\_\_\_\_ for Identification.

(Type of Identification)

Did or  Did not take and oath.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
(Seal)

**NOTE:** All applications shall be signed by the owner or owners of the property, or some person duly authorized by the owner or owners to sign. The authority authorizing a person, other than the owner, must be attached.