

**Lee County Board of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20041412

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Per Florida Statutes 193.461(3)(a), waive the requirement that an annual application or statement be made for agricultural classification of property within the County after an initial application is made and the classification granted.

**WHY ACTION IS NECESSARY:** Florida Statutes authorize the County to waive the requirement, if requested by the Property Appraiser.

**WHAT ACTION ACCOMPLISHES:** Waives the requirement for annual filing for Agricultural Exemption, if prior application is made and classification granted.

**2. DEPARTMENTAL CATEGORY:  
COMMISSION DISTRICT #**

*A12C*

**3. MEETING DATE:**

*11-09-2004*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:  
(Specify)**

- |   |              |
|---|--------------|
| <input checked="" type="checkbox"/> STATUTE | F.S. Section |
| <input type="checkbox"/> ORDINANCE          | 193.461      |
| <input type="checkbox"/> ADMIN. CODE        |              |
| <input type="checkbox"/> OTHER              |              |

**6. REQUESTOR OF INFORMATION:**

**A. COMMISSIONER**  
**B. DEPARTMENT** County Attorney  
**C. DIVISION** *Robert W. Gray*  
**BY:** Robert W. Gray  
 Deputy County Attorney  
 At the request of the  
 Property Appraiser's Office

**7. BACKGROUND:**

The Property Appraiser's Office has requested, as was done in 2003, that the County waive the Annual Agricultural Application Filing once the initial application is made and classification granted. Florida Statutes 193.461 sets forth the process for the filing for Agricultural Exemption. Florida Statutes 193.461(3)(a) provides that the owner of land that was classified agricultural in the previous year and whose ownership or use has not changed, may reapply on a short form as provide by DOR. The County, at the request of the Property Appraiser's Office, by a majority vote may, as it did in 2003, again waive the annual re-application requirement. Representatives of the Property Appraiser's Office will be available to respond to questions.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>H. Gray</i>	<i>10/26/04</i>	<i>10/26/04</i>	<i>10/26/04</i>	<i>10/26/04</i>	<i>10-27-04</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
*10-26-04*

RECEIVED BY  
COUNTY ADMIN: *PH*  
*10/26/04*  
*11:30am*  
COUNTY ADMIN  
FORWARDED TO: *PH*  
*10/27/04*  
*Jpm*

## **Bob Gray - Renewal of Agricultural Classified Properties**

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**From:** "Dalton, Julie" <DaltonJ@LeePA.Org>  
**To:** <GrayB@leegov.com>  
**Date:** 10/22/2004 10:01 AM  
**Subject:** Renewal of Agricultural Classified Properties  
**CC:** "Wilkinson, Kenneth M" <WilkinsonK@LeePA.Org>, "Croscutt, Dale" <CroscuttD@LeePA.Org>

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Good Morning Mr. Gray:

The 2003 Florida Legislature has enacted Senate Bill 1176, and this bill provides a local opt "out" from the requirement (see attached 193.461(3)(e), Fla. Stat.) requiring all owners of Ag properties to annually certify to the Property Appraiser that neither the ownership nor the use of their land has changed.

This bill provides, in pertinent part, that "the county may, by a majority vote of its governing body, waive the notice and certification requirements of this paragraph."

The Lee County Property Appraisers Office is making a request to the BOCC to waive the requirement that an annual application be made for renewal purposes of agricultural properties.

Thank you for your assistance in this matter.

Julianne Dalton, CFE  
Assessment Administrator  
Lee County Property Appraiser's Office  
Phone (239) 339-6173  
Fax (239) 339-6109  
E-Mail daltonj@leepa.org

**Bob Gray - RE: Renewal of Agricultural Classified Properties**

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**From:** "Wilkinson, Kenneth M" <WilkinsonK@LeePA.Org>  
**To:** "Dalton, Julie" <DaltonJ@LeePA.Org>, <GrayB@leegov.com>  
**Date:** 10/22/2004 11:32 AM  
**Subject:** RE: Renewal of Agricultural Classified Properties  
**CC:** "Croscutt, Dale" <CroscuttD@LeePA.Org>

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Bob, this is a good thing as it really lessens the burden on bone fide ag exemptions which helps our workflow and be assured if a commissioner questions we automatically review all ag parcels in December to assure the use is there. Thanks ken.

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**From:** Dalton, Julie  
**Sent:** Friday, 22 October, 2004 10:00 AM  
**To:** 'GrayB@leegov.com'  
**Cc:** Wilkinson, Kenneth M; Croscutt, Dale  
**Subject:** Renewal of Agricultural Classified Properties

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Thank you for your assistance in this matter.

Julianne Dalton, CFE

Assessment Administrator

Lee County Property Appraiser's Office

Phone (239) 339-6173