



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

February 19, 2009

The Honorable Richard T. Crotty
Mayor, Orange County
201 S. Rosalind Ave., 5th Floor
Orlando, FL 32801

Dear Mayor Crotty:

The Department of Community Affairs has completed its review of Orange County's Comprehensive Plan Amendment (DCA Number 08-2) adopted on December 16, 2008 by Ordinance Number 2008-21. The Department has determined that the amendment meets the requirements of Chapter 163, Part II, Florida Statutes (F.S.). The Department is issuing a Notice of Intent to find the amendment "In Compliance." The Notice of Intent has been sent to the Orlando Sentinel (Orange County Edition) for publication on February 20, 2009. Further, be advised that Section 163.3184(8)(c)2, F.S., requires a local government having an internet site to post a copy of the Department's Notice of Intent on the Internet within five (5) days following receipt of the mailed copy of the agency's Notice of Intent.

The Department's Notice of Intent to find a plan amendment "In Compliance" shall be deemed to be a final order if no timely petition challenging the amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the Notice of Intent pursuant to Section 163.3184(9), F.S. No development orders, or permits for a development dependent on the amendment may be issued or commence before the plan amendment takes effect.

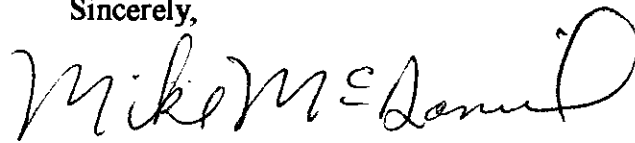
Please note that a copy of the adopted Orange County Comprehensive Plan Amendment 08-2 and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Orange County Planning Division 201 S. Rosalind Ave., 2nd Floor, Orlando, FL 32802-1393; Orange County Public Library Planning and Local Government Department, 2nd Floor, 101 E. Central Blvd., Downtown Orlando, FL 32801; Maitland Public Library, 501 S. Maitland Ave., Maitland, FL 32751; and Winter Park Library, 460 E. New England Ave., Winter Park, FL 32789.

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If an affected person challenges this "In Compliance" determination, you will have the option of mediation pursuant to Subsection 163.3189(3)(a), F.S. If you choose to attempt to resolve this matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation will not affect the right of any party to an administrative hearing.

If you have any questions regarding this letter, please contact James Stansbury, at (850) 922-1818.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive style with a large, looped "D" at the end.

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/mrm

Enclosure: Notice of Intent

cc: Mr. Phil Laurien, Executive Director, East Central Florida Regional Planning Council
Ms. Catherine Howard, Chief Planner, Orange County

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND
THE ORANGE COUNTY
COMPREHENSIVE PLAN AMENDMENT
IN COMPLIANCE
DOCKET NO. 08-2-NOI-4301-(A)-(I)

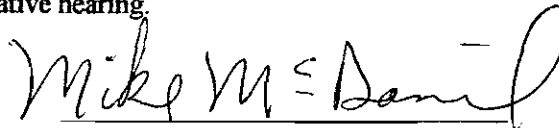
The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Orange County, adopted by Ordinance No. 2008-21 on December 16, 2008, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Orange County Comprehensive Plan Amendment and the Department's Objections, Recommendations and Comments Report (if any) are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Orange County Planning Division, 201 South Rosalind Avenue, 2nd Floor, Orlando, Florida 32802-1393, Orange County Public Library, Planning and Local Government Department, 2nd Floor, 101 East Central Boulevard, Downtown Orlando, Maitland Public Library, 501 South Maitland Avenue and Winter Park Library, 460 East New England Avenue.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Amendment to the Orange County Comprehensive Plan is In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the local government. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.



Mike McDaniel, Chief
Office of Comprehensive Planning
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100