

July 27, 2011, at 8:32 a.m.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS, THE STATE LAND PLANNING AGENCY
CUMULATIVE NOTICE OF INTENT TO FIND
HIGHLANDS COUNTY COMPREHENSIVE PLAN AMENDMENT 10-1ER
ADOPTED BY ORDINANCE NOS. 09-10-24, 09-10-25, 09-10-26 and 09-10-27 ON
SEPTEMBER 7, 2010, AND PLAN AMENDMENT 10-D1
ADOPTED BY ORDINANCE NO. 09-10-28 ON SEPTEMBER 7, 2010, AS MODIFIED BY
REMEDIAL COMPREHENSIVE PLAN AMENDMENT 11-R1, ADOPTED BY
ORDINANCE NO. 10-11-05 ON JUNE 21, 2011, IN COMPLIANCE
DOCKET NO. 11-R1-NOI-2801-(A)-(I)

The Department issues this cumulative notice of intent to find Highlands County Comprehensive Plan Amendment 10-1ER adopted by Ordinance Nos. 09-10-24, 09-10-25, 09-10-26 and 09-10-27 on September 7, 2010, and Plan Amendment 10-D1 adopted by Ordinance No. 09-10-28 on September 7, 2010 as amended by Remedial Amendment 11-R1 adopted by Ordinance No. 10-11-05 on June 21, 2011, IN COMPLIANCE, pursuant to Sections 163.3184(4) and (6), F.S.

Any affected person, as defined in Section 163.3184(1)(a), F.S., has a right to petition for an administrative hearing to challenge the Remedial Amendment as not being In Compliance, as defined in Subsection 163.3184(1)(b), F.S. The petition must be filed within thirty (30) days after adoption of the Remedial Amendment, or within twenty-one (21) days after posting 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 Division of Administrative Hearings, Department of Administration, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and copies mailed or delivered to the local government and to the Department. 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 Department will forward the petition to the Division of Administrative Hearings for consolidation with a pending administrative proceeding. The purpose of the administrative proceeding will be to present evidence and testimony on the noncompliance issues in order to secure a recommended order from an Administrative Law Judge.

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 Administration, 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 163.3184(7)(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.

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

