STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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2008 SEP 11 P 4:18
PLANNING & ZONING
METROPOLITAN PLANNING SECT

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

September 9, 2008

Honorable Carlos Alvarez, Mayor
Miami-Dade County
111 N.W. 1st Street, Suite 1210
Miami, Florida 33128

Dear Mayor Alvarez:

The Department of Community Affairs has completed its review of the Miami-Dade County Comprehensive Plan Amendment (DCA Number 08D2), adopted by Ordinance Number 08-88 on July 3, 2008, and determined that it meets the requirements of Chapter 163, Part II, Florida Statutes, for compliance, as defined in Section 163.3184(1)(b), Florida Statutes. The Department is issuing a Notice of Intent to find the Comprehensive Plan Amendment in compliance. The Notice of Intent has been sent to the *Miami Herald* for publication on September 10, 2008.

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), Florida Statutes. No development orders, or permits for a development, dependent on the amendment, may be issued or commence before the plan amendment takes effect. Please be advised that Section 163.3184(8)(c)2, Florida Statutes requires a local government that has an Internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the agency's Notice of Intent.

Please note that a copy of the adopted Miami-Dade County Comprehensive Plan Amendment and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours at the Miami-Dade County, Department of Planning and Zoning, 111 N.W. 1st Street, Suite 1210, Miami, Florida 33128.

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us
♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

If this in compliance determination is challenged by an affected person, you will have the option of mediation pursuant to Section 163.3189(3)(a), Florida Statutes. 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, please contact Denise Papajorgji, Planner, at (850) 922-1827.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/dp

Enclosure: Notice of Intent

cc: Mr. Patrick F. Moore, CDMP Administrator, Miami-Dade County
Mr. George M. Burgess, County Manager, Miami-Dade County
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

IN COMPLIANCE

DOCKET NO. 08D2-NOI-1301-(A)-(I)

The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Miami-Dade County, adopted by Ordinance No. 08-88 on July 3, 2008, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Miami-Dade 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 Miami-Dade County, Department of Planning and Zoning, 111 N.W. 1st Street, Suite 1210, Miami, Florida 33128-1902.

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 Miami-Dade 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 32399-1550. 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

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