



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

June 25, 2009

RECEIVED

JUN 29 2009

The Honorable Welton Cadwell, Chairman  
Lake County Board of County Commissioners  
Post Office Box 7800  
Tavares, Florida 32778-7800

Planning & Community Design

Dear Chairman Cadwell:

The Department of Community Affairs has completed its review of Comprehensive Plan Amendment, DCA Number 09-WSA1 (previously 07-WSA1), adopted on April 28, 2009 by Ordinance Number 2009-22. 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 plan amendment "in compliance". The Notice of Intent has been sent to the Orlando Sentinel (Lake Sentinel Edition) newspaper for publication on June 26, 2009.

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. 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 5 days following receipt of the mailed copy of the agency's Notice of Intent.

Please note that a copy of the County's adopted Comprehensive Plan Amendment 09-WSA1 and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours at the Lake County Department of Growth Management, Division of Planning and Community Design, (Administration Building, Fifth Floor), 315 West Main Street, Tavares, Florida 3277-7800.

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.

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100  
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

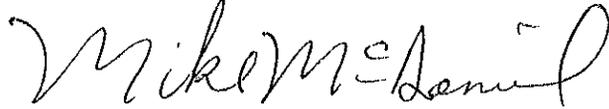
♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦  
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

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The Honorable Welton Cadwell  
June 25, 2009  
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If you have any questions regarding this letter, please contact Caroline Knight, Principal Planner, at (850) 922-1773, or by e-mail: [caroline.knight@dca.state.fl.us](mailto:caroline.knight@dca.state.fl.us).

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive style with a large, sweeping "M" and a distinct "D".

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/ck

Enclosure: Notice of Intent

cc: Mr. Brian Sheahan, Director, Planning & Community Design, Lake County  
Mr. Phil Laurien, Executive Director, East Central Florida Regional Planning Council

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
NOTICE OF INTENT TO FIND  
THE LAKE COUNTY  
COMPREHENSIVE PLAN AMENDMENT  
IN COMPLIANCE  
DOCKET NO. 09-WSA1-NOI-3501-(A)-(I)

The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Lake County, adopted by Ordinance No. 2009-22 on April 28, 2009, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Lake 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 Lake County Department of Growth Management, Division of Planning and Community Design, 315 West Main Street, Administration Building, Tavares, Florida 32778-7800.

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 Lake 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