



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

MEMORANDUM

TO: Sarasota County

Date: November 23, 2009

Subject: Notices of Intent Filed by DCA

Enclosed are copies of Notices of Intent published by the Department of Community Affairs regarding the adopted comprehensive plan amendments submitted by the following local governments:

Sarasota County 09-CIE1

These copies are provided for your information and agency files. No further action is required on your part, as the publication of these notices completes the review process directed by Chapter 163, Florida Statutes. Your assistance during the review process is very much appreciated.

Should you have any procedural questions on this matter, please contact Mr. Ray Eubanks at Suncom 278-4925 or (850) 488-4925.

/dre

Enclosure

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) ♦



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Secretary

November 19, 2009

The Honorable Jon Thaxton, Chairperson
Sarasota County Board of County Commissioners
1660 Ringling Boulevard, Second Floor
Sarasota, Florida 34236

Dear Commissioner Thaxton:

The Department of Community Affairs (Department) has completed its review of Sarasota County Comprehensive Plan Amendment, DCA No. 09-CIE1, adopted by Ordinance Numbers Number 2009-047, on September 28, 2009. The Department has determined that the Comprehensive Plan Amendment meets the requirements of Chapter 163, Part II, Florida Statutes, for compliance, as defined in Subsection 163.3184(1)(b), Florida Statutes.

One concern that was identified during the review of the adopted Five-year Schedule of Capital Improvements is the removal of capital projects related to water supply planning. The County is currently processing the Comprehensive Plan update associated with the required Ten-year Water Supply Work Plan, due for adoption by May 30, 2008. The Ten-year Water Supply Work Plan should identify the regional and county projects that are necessary to ensure adequate potable water supplies, and the projects should be included in the Schedule of Capital Improvements.

The Department is therefore issuing a Notice of Intent to find the Comprehensive Plan Amendment "In Compliance." The Notice of Intent has been sent to the Sarasota Herald Tribune newspaper for publication on November 20, 2009. 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 five (5) days after receipt of the mailed copy of the agency's Notice of Intent.

Please note that a copy of the adopted Sarasota 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 Sarasota County Planning and Development Services Business Center, 1660 Ringling Boulevard, First Floor, Sarasota, Florida.

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

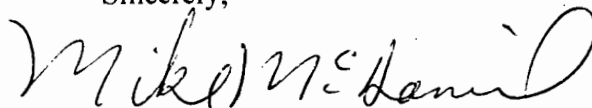
The Honorable Jon Thaxton, Chairperson
November 19, 2009
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The Department's Notice of Intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed. Any affected person may 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 development, dependent on the amendment, may be issued or construction commence before the plan amendment takes effect.

If this in compliance determination is challenged by an affected person, 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 Hearing. The choice of mediation will not affect the right of any party to an administrative hearing.

Should you have any questions, please contact Brenda Winningham, Regional Planning Administrator at (850) 922-1800, or Suzanne K. Lex, Community Planner, at (850) 922-0047.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is fluid and cursive, with the first name "Mike" and last name "McDaniel" clearly legible.

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/skl

Enclosure: Notice of Intent

cc: Mr. Tom Pope, Director of Planning, Sarasota County
Mr. David Hutchinson, Planning Director, Southwest Florida Regional Planning Council

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND
SARASOTA COUNTY
COMPREHENSIVE PLAN AMENDMENT
IN COMPLIANCE
DOCKET NO. 09-CIE1-NOI-5801-(A)-(I)

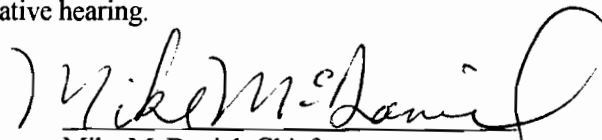
The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Sarasota County, adopted by Ordinance No. 2009-047 on September 28, 2009, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Sarasota 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 Sarasota County Planning and Development Services Business Center, 1660 Ringling Boulevard, 1st Floor, Sarasota, Florida 34236.

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 Sarasota 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