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STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND

PALM BEACH COUNTY

COMPREHENSIVE PLAN AMENDMENT NOT IN COMPLIANCE

DOCKET NO. 04-2EDP-NOI-5001-(A)-(N)

The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Palm Beach County, adopted by Ordinance Nos. 2004-034 thru 2004-039 on October 13, 2004, NOT

IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Palm Beach County Comprehensive Plan Amendment, the Department's Objections, Recommendations, and Comments Report, (if any), and the Department's Statement of Intent to Find the Comprehensive Plan Amendment Not In Compliance will be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Palm Beach County Planning, Zoning and Building Department, 100 Australian Avenue, West Palm Beach, Florida 33406.

This Notice of Intent and the Statement of Intent will be forwarded by petition to the Division of Administrative Hearings (DOAH) of the Department of Management Services for the scheduling of an administrative hearing pursuant to Sections 120.569 and 120.57, F.S. The purpose of the administrative hearing will be to present evidence and testimony on the noncompliance issues alleged by the Department in its Statement of Intent in order to secure a recommended order for forwarding to the Administration Commission.

Affected persons may file petitions to contest whether the Amendment is in compliance. These petitions must be filed within 21 days of publication of this notice, and may raise compliance issues in addition to those set forth in the Department's statement of intent. These petitions shall be filed with the Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

All timely and sufficient petitions shall be referred to DOAH along with the Department's petition.

Affected persons may also petition to intervene in this proceeding after expiration of the 21-day period. 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. The petition for intervention shall be filed at DOAH, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and a copy mailed or delivered to the local government and the Department. No new issues may be raised by petition or intervention filed more than 21 days after publication of this notice unless the petitioner establishes good cause. Failure to petition or intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing pursuant to 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.

Valerie J. Hubbard, AICP

Director, Division of Community Planning

Department of Community Affairs

2555 Shumard Oak Boulevard

Tallahassee, Florida 32399-2100