
Terrell K. Arline's Resume.

Work Experience:

Terrell K. Arline, Attorney at Law. Statewide focus on local government, land use, administrative, and environmental law. Of counsel with Ansbacher, Law.

Theriaque & Spain. Tallahassee, Florida. Focus on land use, administrative, and environmental law. 2016-2018.

Bay County Attorney. Panama City, Florida. Represent the Bay County Board of County Commissioners in all aspects of local government law. Supervised 2 attorneys and staff. 2006-2016.

Mediator. Concentration in local government, land use, utilities, environmental, and administrative law. 2013-present.

Terrell K. Arline, Attorney at Law. Tallahassee, Florida. Operated a statewide solo practice with concentration in land use, environmental, and administrative law. Represented private and governmental clients. Appeared before all trial and appellate courts, various state and local agencies, the Division of Administrative Hearings, and local governments. 2000-2006.

1000 Friends of Florida, Inc. Tallahassee, Florida. General Counsel. Represented 1000 Friends of Florida on land use, environmental, and administrative law matters before state trial and appellate courts and the Division of Administrative Hearings. Assisted local governments and private clients on a variety of land use and environmental issues. Occasional lobbying. 1996-2000.

Department of Community Affairs. Tallahassee, Florida. Represented the Department of Community Affairs and the Administration Commission on issues regarding planning, developments of regional impact and the areas of critical state concern program. 1992-1996.

Terrell K. Arline, P.A. Palm Beach County, Florida. Represented private clients on a variety of matters, including environmental permitting, land use, zoning, professional regulation, elections, consumer, real property, construction defects, mechanics' lien, contracts and general commercial practice. 1983-1992.

Adjunct Professor. Florida State University, Urban & Regional Planning Department. Taught graduate level courses on property rights, environmental law, private property rights, and land use law. 1996 -2006. Guest lecturer, University of Florida, Urban and Regional Planning Department, and Center for Governmental Responsibility.

Education:

Legal Education: University of Florida, Holland Law Center, Gainesville, Florida. Juris Doctor. 6/80. Dean's list, Environmental Law Society, First Graduate of the Joint Degree Program in Law and Urban and Regional Planning.

Graduate Education: University of Florida, Department of Urban and Regional Planning, Gainesville, Florida. Masters of Arts in Urban and Regional Planning. 12/80. Dean's list.

Undergraduate Education. University of Georgia, Athens, Georgia (72-76). Florida Atlantic University, Boca Raton, Florida. Bachelors of Arts in History. 6/76. Dean's list, Member Historical Society

Bar Membership:

Environmental and Land Use Law Section; Local Government Law Section; Federal Trial Bar, Southern District Florida and Northern District of Florida; United States Supreme Court.

Organizations:

Board Member, Center for Governmental Responsibility, University of Florida, Levin College of Law.

Awards:

Professionalism for Local Government Attorneys, Florida Association of County Attorneys (2016).

Florida Legal Elite: Government & Non-Profit Lawyers, Florida Trend (2014).

America's Best Lawyers, U.S. News & World Report (2020).

Publications:

Energy Conservation Through Regulation: A Manual For Local Governments, Center for Governmental Responsibility (1980). Energy Law in Florida, Center for Governmental Responsibility (1980). "The consistency mandate of the Local Government Comprehensive Planning Act," Florida Bar Journal, (10/81). "Zoning for Energy Conservation," Florida Environmental and Urban Issues, FAU-FIU, Joint Center (1982). "Zoning for Energy Conservation: The Legal Issues," Florida Environmental and Urban Issues, FAU-FIU, Joint Center (1982). "A Citizen's Standing to Sue in Environmental and Land Use Cases," Florida Bar Journal (1981). "Local Government Plan Consistency and Citizen Standing," Journal of Land Use and Environmental Law, Florida State University, Vol.1, No.2 (1985). "Exceptions to Recommended Orders," Florida Bar Journal (10/94). Contributing author to Community Planning, Department of Community Affairs and the Environmental and Land Use Law Reporter, The Florida Bar. "A New Type of Leadership: Empowering Citizens to Shape Their Own Communities," 1000 Friends of Florida (1997). "The Link Between Comprehensive Planning and Environmental Permitting," The Florida Bar. (1998). "Land Use Law Case Update," The Florida Bar (2000). "Standing, Comprehensive Planning and DRIs," The Florida Bar (2000). "Legislative Update," The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section (8/01). "Legislative Update," The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section (8/02). "Judicial Review of Land Use Decisions," Florida Environmental and Land Use Law Treatise (2002-2003). "Environmental and Land Use Considerations in Real Estate Transactions," The Florida Bar Continuing Legal Education and Real Estate, Wills and Probate Section (1/07 and 1/08). "The Dissolution of the Town of Cedar Grove," Florida Bar Journal, (05/2013).

Guest Lecturer:

Environmental Enforcement Litigation, State Statutory Private Remedies: The use of Section 120.69. The Florida Bar Continuing Legal Education Committee and Environmental and Land Use Law Section, (12/85). Land Use: Boom or Bust, The Florida Bar Continuing Legal Education Committee and Environmental and Land Use Law Section, (4/88). Handling Cases Before Local Governments: A Formula for Success, Hybrid Decisions: Developer Agreements, Annexation, DRIs, Governmental Projects, The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section, (3/91). Florida's

Environmental Problems in a Conch Shell, Florida Bar Continuing Legal Education and Environmental and Land Use Law Section, (5/93). Program coordinator. Ecosystem Management in Florida: New Directions for Planning and Regulation, The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section, (3/94). The Interrelationship of Chapters 380 and 163 in the Green Swamp Area of Critical State Concern, University of Florida, College of Law, Professor Jon Mills, (11/94). Living Within Our Means: The Process and Substance of Sustainable Development, The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section, (3/96). Public Interest Group Representation in Administrative Law Cases, The Florida Bar Continuing Legal Education and Administrative Law Section, (4/96). Integrating Local Land Use, Water Management, and Environmental Protection, 1996 FLERA Annual Conference, June 20, 1996. Legal Update, 1996 Florida Planning & Zoning Association Annual Conference, November 14, 1996. Workshop on Florida Bay, Center for Governmental Responsibility, October 2-3, 1996. Florida 2020: New Directions for Environmental and Land Use Law, The Florida Bar Environmental and Land Use Law Section, (3/97). Nuts and Bolts of Citizen Enforcement of Growth Management Act. The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section, (3/98). Land Use Law Update, The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section (4/97). Urban Sprawl: Is Smart Growth the Answer? Urban Land Institute. (11/99). A Potpourri of Legal Issues for the Local Government Attorney: Special Exceptions, Conditional Uses, Use Variances and Contract Zoning. The Florida Bar Continuing Legal Education and Environmental and Land Use Law (5/02). Legislative Update. Florida Bar Continuing Legal Education and Environmental and Land Use Law Section (8/01). 7th Annual Public Interest Environmental Conference, Environmental and Land Use Law Section, The Florida Bar (3/01). 8th Annual Public Interest Environmental Conference, Environmental and Land Use Law Section, The Florida Bar (2/02). 9th Annual Public Interest Environmental Conference, Environmental and Land Use Law Section, The Florida Bar (2/02). Legislative Update, The Florida Bar Continuing Legal Education and Environmental and Land Use Law Section (8/02). Environmental and Land Use Considerations in Real Estate Transactions. Environmental and Land Use Law Section and Real Estate Section, The Florida Bar. (1/07 and 1/08), West Bay Area Sector Plan, Florida's Largest Sector Planning Effort (04/08). Local Governments and Energy. Law and Sustainability Symposium (02/10). The Deep Horizon Oil Spill: The State's Response and the Impacts to Florida's Environment (6/11). Large Scale Planning with Sector Plans and Hybrids (07/11). Medicaid Cost Shift: Legislative, Judicial, and

Administrative Issues, FACA (06/12). Municipal Dissolution and Impact on Counties. FACA (06/13). Advanced Topics in Administrative, Environmental and Governmental Law Seminar (04/15). Risks and Solutions in Planning for Sea Level Rise: The Local Government Perspective; Background Legal Issues, CLE International (8/16). The Fable of the Blind Men and the Elephant: Substantive Due Process at the Local Level. CLE International (8/17). Planning in the Courts, FAPA (2/18). Did the 2023 Legislature Resolve the Conflict in the District Courts on the Consistency Mandate? CLE International (8/23).

References:

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Major Reported Cases Appearing as Council of Record

Comprehensive Planning:

Martin County v. Yusem, 690 So. 2d 1288 (Fla. 1997). Core issues: denial of a comprehensive plan amendment was legislative action subject to the fairly debatable standard of review.

Minnaugh v. Broward County, 783 So. 2d 1054 (Fla. 2001). Core issues: denial of a small scale plan amendment was legislative action subject to fairly debatable standard of review.

Pinecrest Lakes, Inc. v. Shidel, 795 So. 2d 191 (Fla. 4th DCA 2001). Core issues: injunction properly issued where development order found to be inconsistent with comprehensive plan. Affirmed by Florida Supreme Court

Buck Lake Alliance v. Leon County, 765 So. 2d 124 (Fla. 1st DCA 2000). Core issues: comprehensive plan controlled over land development regulations.

Putnam County Environmental Council v. Putnam County, 757 So. 2d 590 (Fla. 5th DCA 2000). Core issues: group had standing to challenge development order for school.

Martin County v. Department of Community Affairs, 771 So. 2d 1268 (Fla. 4th DCA 2000). Core issues: annexation, data and analysis lacking for Future Area Annexation Map.

Polous v. Martin County, 700 So. 2d 163 (Fla. 4th DCA 1997). Core issues: citizens challenging development order were entitled to de novo review.

Imhof v. Walton County, 328 So. 3d 32 (Fla. 1st DCA 2022). Core issues: Development orders must be consistent with all portions of the comprehensive plan, expressing conflict with *Heine v. Lee County*, 221 So. 3d 1254 (Fla. 2^d DCA 2017). Chapter 163 liberalizes standing requirements for actions under it and establishes a broad legislative grant of standing which the courts are not at liberty to reject.

1000 Friends of Florida, Inc. v. Department of Community Affairs, et al., DOAH Case No. 00-3041GM, January 11, 2001, Recommended Order. Core issues: annexation, intergovernmental coordination.

Department of Community Affairs, et al., v. Hamilton County, DOAH CASE NO. 91-6038GM, April 21, 1995, Recommended Order. Core issues: bio-medical waste incineration.

Environmental Permitting:

Florida Bay Initiative Inc., et al., v. Department of Transportation, et al., DOAH CASE NO: 95-5525; April 11, 1997, Recommended Order. Core issues: wetlands, secondary impacts.

Barringer, et al., v. E. Speer and Associates, Inc. et al., DOAH CASE NO. 91-2900, July 27, 1992, Agency Final Order. Core issues: marina, manatees, dredging, water quality.

Florida Wildlife Federation et al., v. Department of Environmental Regulation, et al., DOAH CASE NO. 82-1602; February 11, 1983, Agency Final Order. Core issues: dredge and fill, hydrology, estuaries.

Developments of Regional Impact:

Grand Dunes, Ltd. v. Walton County, 714 So. 2d 473 (Fla. 1st DCA 1998). Core issue: whether homeowners association had standing to object to DRI development order.

Resolution Trust Corp. v. South Miami, 633 So. 2d 1119 (Fla. 1st DCA 1994). Core issues: build-out dates, notice of proposed change, substantial deviation.

Areas of Critical State Concern:

Abbott et al., v. Administration Commission, et al., DOAH CASE NO. 96-2027RGM, final order May 21, 1997. Core issues: Florida Keys, surface water, secondary and cumulative impacts, endangered species.

Department of Community Affairs, v. Crowder, DOAH CASE NO. 92-2959DRI, March 10, 1993, Recommended Order. Core issues: Green Swamp development order and flood protection.

Power Plant Siting:

In Re: Palm Beach County Resource Recovery Project, etc., DOAH CASE NO. 85-2032; April 25, 1986, Agency Final Order. Core issues: resource recovery system, land use, power plant, air pollution.

City of Riviera Beach, et al., v. Department of Environmental Regulation, 502 So. 2d 1337 (Fla. 1st DCA 1987). Core issues: proposed resource recovery facility was a utility and not inconsistent with County's comprehensive plan.

Takings Issue:

Advisory Opinion to the Attorney General, 699 So. 2d 1304 (Fla. 1997). Core issues: Initiatives requiring that compensation for restricting real property use rejected for violating the single-subject requirement.

Palm Beach County v. Wright, 641 So. 2d 50 (Fla. 1994). Core issues: future traffic planning map was not a taking.

Martin County v. Section 28 Partnership, 772 So. 2d 616 (Fla. 4th DCA 2000). Core issues: denial of plan amendment to contain urban sprawl was not a taking.

Teitelbaum v. South Florida Water Management District, 40 Fla. L. Weekly D 1484 (June 24, 2015). Core issue: condemnation blight is not actionable under the takings clause.

Administrative Proceedings:

Royal Palm Beach Colony, L.P., v. South Florida Water Management District, et al., DOAH Case No. 98-4163RX, March 9, 1999, Agency Final Order. Core issues: secondary impacts rule was valid.

St. Johns River Water Management District v. Consolidated Tomoka Co. 717 So. 2d 72 (Fla. 1st DCA 1998). Core issues: whether rule was valid exercise of legislative authority.

City of Sarasota et al., v. Department of Transportation, 783 So. 2d 1186 (Fla. 1st DCA 2001). Core issues: PDE decision for fixed span bridge was agency action. City had standing.

Palm Beach et al., v. Department of Natural Resources, et al., 577 So. 2d 1383 (Fla. 4th DCA 1991). Core issues: agency decision that activity was exempt from permitting was agency action under Chapter 120.

Okaloosa County v. Department of Juvenile Justice, 131 So. 3d 818 (1st DCA 2014). Core issue: agency rules are invalid.

Declaratory Statements:

1000 Friends of Florida, et al., v. Department of Community Affairs, et al., 760 So. 2d 154 (Fla. 1st DCA 2000). Core issues: petitioners entitled to seek declaratory statement from agency on issue of whether water and sewer facilities need to be addressed in comprehensive plan.

Tampa Electric Company v. Department of Community Affairs, 654 So. 2d 998 (Fla. 1st DCA 1995). Core issues: whether local government could regulate location of power lines, declaratory statement not available to test this issue.

Local Government:

Bay County v. Cedar Grove, Parker v. Bay County, 992 So. 2d 171 (Fla. 2008). Core issues: issue before the Supreme Court of Florida: whether tax increment financing was constitutional.