NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHN P. McCARTHY, KATHERINE A. McCARTHY, RODNEY C. WADE, SALLY M. WADE, JAMES SWETLAND, ELIZABETH SWETLAND, and BRUCE WILKINSON,		
Petitioners,		
v.	Case No.	2D06-724
HILLSBOROUGH COUNTY, a political subdivision of the State of Florida, by and through its BOARD OF COUNTY COMMISSIONERS, and HIGHLANDER DEVELOPMENT, INC.,		
Respondents.		

Opinion filed September 29, 2006.

Petition for Writ of Certiorari to the Circuit Court for the Thirteenth Judicial Circuit for Hillsborough County; sitting in its appellate capacity.

Ralf G. Brookes, Cape Coral, for Petitioners.

Deborah C. Blews, Assistant County Attorney, for Respondent Hillsborough County. Scott I Steady and R. Marshall Rainey of Williams Schifino Mangione & Steady, P.A., Tampa, for Respondent Highlander Development, Inc.

PER CURIAM.

We deny the petition for writ of certiorari without prejudice to the petitioners seeking declaratory relief in the circuit court.

ALTENBERND, SALCINES, and KELLY, JJ., Concur.