

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY
AFFAIRS,

Petitioners,

and

FLORIDA WILDLIFE FEDERATION
and COLLIER COUNTY AUDUBON
SOCIETY

Petitioners-in-Intervention

v.

DOAH Case No. 07-2317GM

COLLIER COUNTY

Respondent

and

BUCKLEY ENTERPRISES, HIDEOUT
GOLF CLUB, LTD, JOHN L. COWAN
and JANE ANN COWAN, TRUSTEES,

Respondents-in-Intervention.

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FINAL ORDER

An Administrative Law Judge of the Division of
Administrative Hearings has entered an Order Closing File in
this proceeding. A copy of the Order is attached to this Final
Order as Exhibit A.

BACKGROUND

This is a proceeding to determine whether Collier County Comprehensive Plan Amendment 07-1ER, adopted by Ordinance No. 07-07, which was remediated by amendment 08-R1 adopted by Ordinance No. 08-04 on January 29, 2008, and by Ordinance No. 07-18, which was remediated by amendment 10-R1 adopted by Ordinance No. 10-49 on December 14, 2010, is "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes (the "Act").

The Department, the County, the Florida Wildlife Federation, and Collier County Audubon Society entered into a Stipulated Settlement Agreement for Ordinance No. 07-07 on December 20, 2007, and all parties entered into a Stipulated Settlement Agreement for Ordinance No. 07-18 on October 18, 2010. Both agreements required the County to adopt certain remedial amendments. The County adopted the necessary remedial amendments and the Department subsequently published its Cumulative Notices of Intent on March 10, 2008, for Ordinance No. 07-07, and on March 21, 2011, for Ordinance No. 07-18, to find the Plan Amendment and the Remedial Amendments to be "in compliance" with Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code.

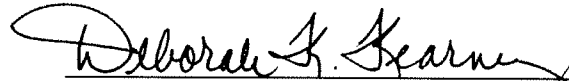
FINAL ORDER NO. DCA 11-GM-067

No affected person, as defined by Section 163.3184(1)(a), Florida Statutes, filed a petition challenging either Cumulative Notice of Intent, and the time for doing so has expired.

ORDER

WHEREFORE, it is ORDERED that the above-captioned proceeding is DISMISSED, and the Agency Clerk is directed to close the file.

DONE AND ORDERED this day in Tallahassee, Florida.



Deborah K. Kearney, General Counsel
DEPARTMENT OF COMMUNITY AFFAIRS
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF RIGHTS

EACH PARTY IS HEREBY ADVISED OF ITS RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

YOU **WAIVE** YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

MEDIATION UNDER SECTION 120.573, FLA. STAT., IS NOT AVAILABLE WITH RESPECT TO THE ISSUES RESOLVED BY THIS ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished by the manner indicated to each of the persons listed below on this 15th day of April, 2011.



Paula Ford
Agency Clerk

By Inter-Agency Mail

The Honorable Bram D. E. Canter
Administrative Law Judge
Division of Administrative Hearings
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