

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

TRIPLE H. RANCH PROPERTY, LTD.;
DEBUYS PROPERTY INVESTMENT
GROUP, LTD.; and CITY OF
PARKLAND,

Petitioners,

vs.

DOAH Case No. 07-5238GM

PALM BEACH COUNTY and
DEPARTMENT OF COMMUNITY
AFFAIRS,

Respondents,

_____ /

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 Palm Beach County's Comprehensive Plan Amendment adopted by Ordinance No. 2007-008 on August 27, 2007 ("Amendment"), is "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes. The Department reviewed the Amendment and issued a Notice and Statement of Intent to find it not in compliance.

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DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED

FINAL ORDER NO. DCA09-GM-265

The City of Coral Springs, the City of Tamarac, the City of Coconut Creek, Triple H. Property, Ltd., Debuys Property Investment Group, Ltd., and the City of Parkland were granted leave to intervene in this proceeding.

On April 21, 2009, the County, the Department, Triple H. Property, Ltd., and Debuys Property Investment Group, Ltd. entered into a Stipulated Settlement Agreement. Although the City of Parkland fully supports the Stipulated Settlement Agreement, it did not sign such agreement. On June 25, 2009, the City of Coral Springs, the City of Tamarac, and the City of Coconut Creek filed a Joint Dismissal of Petitions and the Administrative Law Judge issued an Order of Dismissal dismissing their petitions.

On May 19, 2009, the County adopted a remedial comprehensive plan amendment pursuant to the Stipulated Settlement Agreement. The Department reviewed the remedial amendment, determined that it fully addressed the compliance issues raised in this matter, and issued a Cumulative Notice of Intent to find the Amendment, as remediated, in compliance. On June 24, 2009, the Cumulative Notice of Intent was published in the Palm Beach Post.

No party filed a petition for administrative hearing or intervened with respect to the remedial amendment. Accordingly, the Department filed with the Division of Administrative Hearings a Motion to Close File and Relinquish Jurisdiction. On July 17, 2009, the Administrative Law Judge issued his Order Closing File.

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 in Tallahassee, Florida.



Shaw P. Stiller
General Counsel

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 to the persons listed below in the manner described, on this 17th day of July, 2009. *284*


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Agency Clerk

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