

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

FILED  
2009 OCT -7 A 10:50  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

EL EL SI, LLC, A FLORIDA LIMITED  
LIABILITY COMPANY, and MONROE  
COUNTY,

Petitioners,

DOAH CASE NO. 08-1601GM

vs.

DEPARTMENT OF COMMUNITY  
AFFAIRS,

Respondent.

\_\_\_\_\_ /

**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 the Monroe County (County) Land Development Regulation adopted by Ordinance No. 043-2007 on November 14, 2007, is consistent with the Principles for Guiding Development, Section 380.0552(7), Florida Statutes.

On February 15, 2008, the Department of Community Affairs (Department) issued Order No. DCA08-OR-044 rejecting Ordinance No. 043-2007 as inconsistent with the Principles for Guiding Development, Section 380.0552(7), Florida Statutes. Thereafter, the Department and Petitioners commenced settlement negotiations.

**FINAL ORDER NO. DCA 09-GM-336**

The parties subsequently reached agreement to settle the issues in the instant case without the need for an administrative hearing. On March 9, 2009, the Department filed a Joint Motion to Cancel Final Hearing and Relinquish Jurisdiction. On March 10, 2009, the Administrative Law Judge issued an Order Closing File and relinquished jurisdiction to the Department. No Exceptions to the Administrative Law Judge's Order were filed.

On June 15, 2009, the Department issued Amended Final Order No. DCA 08-OR-044A approving Ordinance No. 043-2007 as consistent with the Principles for Guiding Development, Section 380.0552(7), Florida Statutes. A copy of this Amended Order is attached to this Final Order as Exhibit B. No party challenged the Amended Final Order 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 in Tallahassee, Florida.



Shaw P. Stiller  
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

**FINAL ORDER NO. DCA 09-GM-336**

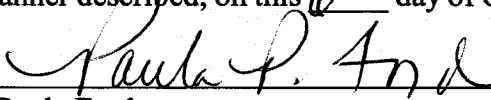
APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

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 6<sup>th</sup> day of October, 2009.

  
\_\_\_\_\_  
Paula Ford  
Agency Clerk

Interagency Mail:

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