

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY  
AFFAIRS,

Petitioner,

vs.

DOAH Case No. 08-5971GM

TAYLOR COUNTY,

Respondent,

and

SECRET PROMISE, LTD. and  
KENNETH B. HUTCHINS,

Intervenors.

---

**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 Comprehensive Plan Amendment 2008-10, adopted by Taylor County ("County") on September 22, 2008, is "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes (the "Act").

The parties entered into a Stipulated Settlement Agreement which required the County to adopt certain remedial amendments. The County adopted the remedial amendments by

2009 OCT -1 A 10:51  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS  
FILED

**FINAL ORDER NO. DCA09-GM-333**

Ordinance No. 2009-07 on April 21, 2009. On May 27, 2009, the Department published its Cumulative Notice of Intent to find the Plan Amendment and the remedial amendment to be "in compliance" with Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code. No party filed a challenge to the remedial amendments adopted by Ordinance No. 2009-07 within the 21-day challenge period.

The Department subsequently filed with the Division of Administrative Hearings a Notice of Filing Cumulative Notice of Intent and Request to Relinquish Jurisdiction on June 30, 2009. On July 2, 2009, the Administrative Law Judge issued his Order Closing File. No Exceptions to the Administrative Law Judge's Order were filed.

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 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 *30th* day of September, 2009.



*Paula Ford*  
Paula Ford  
Agency Clerk  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**U. S. Mail:**

The Honorable Bram D. E. Canter  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060

Conrad C. Bishop, Jr., Esq.  
The Bishop Law Firm, P.A.  
P.O. Box 167  
Perry, Florida 32348

Brenna M. Durden, Esq.  
Lewis, Longman & Walker, P.A.  
245 Riverside Avenue, Suite 150  
Jacksonville, Florida 32202

Kenneth B. Hutchins  
22645 Fishcreek Highway  
Perry, Florida 32384

**Hand Delivery:**

Matthew Davis, Esquire  
Assistant General Counsel  
Department of Community Affairs  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399