

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

LEFFLER COMPANY, INC.,

Petitioner,

vs.

Case No. 09-1214GM

VOLUSIA 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. A copy of the Order is attached to this Final Order as Exhibit A.

BACKGROUND

This is a proceeding to determine whether Volusia County's ("County") comprehensive plan amendments authorizing the conservation overlay of the Environmental Core Overlay Map adopted by Ordinance Numbers 2008-27 and 2008-28 on December 4, 2008, are "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes (the "Act").

After review, the Department issued its Notice of Intent on February 3, 2009, finding the plan amendments adopted by Ordinance Nos. 2008-27 and 2008-28 "in compliance." Leffler Company filed a Petition with the Department challenging the Department's compliance determination.

Following the referral to the Division, the parties requested that the matter be placed in

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abeyance for settlement negotiations. After the purchase of the Leffler property by the County, Leffler filed a notice voluntarily dismissing the Petition with prejudice on December 15, 2010. On December 16, 2010, the Administrative Law Judge issued the 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.

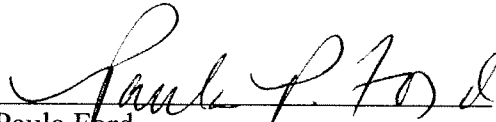
TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED 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 designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below in the manner described, on this 20th day of December, 2010.


Paula Ford
Agency Clerk

U. S. Mail:

The Honorable J. L. Johnston
Administrative Law Judge
Division of Administrative Hearings
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Hand Delivery

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Assistant General Counsel
Department of Community Affairs