

**STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS**

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

Case No. 09-3700GM

CITY OF WILDWOOD,

Respondent,

and

WILDWOOD SPRINGS, LLC, and
LANDSTONE-WRIGHT, LLC,

Intervenors.

RECEIVED
DIVISION OF
ADMINISTRATIVE
HEARINGS
MAY 19 12 39

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 City of Wildwood Comprehensive Plan Amendment 09-1 (Plan Amendment) adopted by Ordinance 615 on May 4, 2009, as modified by Comprehensive Plan Amendment 10-R1 (Remedial Amendment) adopted by Ordinance 2010-02 on March 8, 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 complied with and completed all general and specific statutory prerequisites and conditions required by § 163.3184, Florida Statutes, and found the Plan Amendment to be not in compliance as set forth in its Statement of Intent dated June 24, 2009.

The Department, City, and Intervenors Wildwood Springs, LLC, and Landstone-Wright, LLC, entered into a Stipulated Settlement Agreement which required the City to adopt certain remedial amendments. The City adopted the Remedial Amendment and the Department subsequently 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 other party has filed a petition regarding the Cumulative Notice, 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.



Shaw P. Stiller, General Counsel
DEPARTMENT OF COMMUNITY AFFAIRS

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.

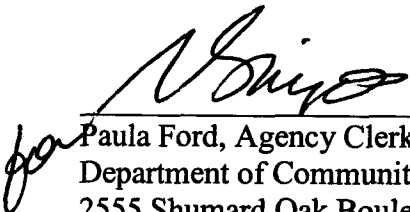
TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399 2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED 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 in the manner shown below to each of the persons listed below on this 18th day of May, 2010.



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By Filing with DOAH:

The Honorable J. Lawrence Johnston
Administrative Law Judge
Division of Administrative Hearings
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