

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY
AFFAIRS,

Petitioner,

vs.

Case No. 10-9858GM

CLAY COUNTY,

Respondent,

and

1621 VENTURE LLC, 1621 VENTURE II,
LLC, JEANETTE COWGELL, BEARBAY
TIMBER CO., LLC, HAWK SWAMP, LLC,
WILLIAM MCARTHUR, JACK AND DONNA
HICKEY MILTON, JUSTIN AND KELLEY
MOSLEY, LOUISA PADGETT, MICHAEL
AND JANICE RHODEN, JAMES AND
CAROLYN WEEKS, JAMES AND JOAN
WEEKS, WAYNE AND STACY WEEKS, JOHN
WILLIAMS, AND WILLIAMS AND ROWE
COMPANY,

Intervenors.

_____ /

FINAL ORDER

An Administrative Law Judge of the Division of
Administrative Hearings has entered an Order in this proceeding
relinquishing jurisdiction to the Department of Community
Affairs (Department or DCA) for final action. A copy of the
Order is attached to this Final Order as Exhibit A.

BACKGROUND

On October 25, 2010, the Department filed a Petition for Hearing with the Division of Administrative Hearings (DOAH) alleging the 10-1 Clay County amendment to its comprehensive plan adopted on August 24, 2010, by Ordinance Nos. 2010-34 and 2010-35 not in compliance with state statutes and rules.

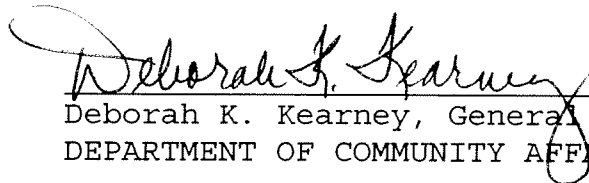
On July 12, 2011, the Department, pursuant to Florida House Bill 7207, Section 74 (effective June 2, 2011), voluntarily dismissed its Petition for Hearing, with Prejudice.

Pursuant to Sections 163.3184(3)(c)4., Florida Statutes (as modified by Chapter 2011-139 LOF, effective June 2, 2011), a final order by the Department finding the amendment in compliance must be entered for the Clay County 10-1 comprehensive plan amendment to be in effect.

ORDER

WHEREFORE, it is ORDERED that the Clay County 10-1 comprehensive plan amendment is in compliance.

DONE AND ORDERED this day in Tallahassee, Florida.


Deborah K. Kearney, 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.

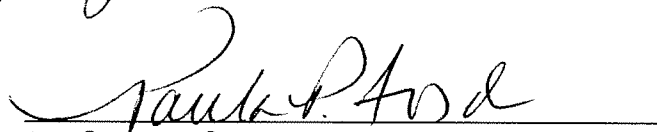
TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED 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 by the manner indicated to each of the persons listed below on this 15th day of July 2011.



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

By U.S. Mail

The Honorable D. R. Alexander
Administrative Law Judge
Division of Administrative Hearings
The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

By Electronic Mail

Mark Scruby, Esquire
Clay County Attorney
Post Office Box 1366
Green Cove Springs, Florida
32043
Mark.Scruby@co.clay.fl.us

Lynette Norr, Esquire
Assistant General Counsel
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
Lynette.Norr@dca.state.fl.us

T.R. Hainline, Jr., Esquire
Paige H. Johnston, Esquire
1301 Riverplace Boulevard,
Suite 1500
Jacksonville, Florida 32207
thainline@rtlaw.com
pjohnston@rtlaw.com