

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY  
AFFAIRS,

Petitioner,

and

THE HIGHLANDS COUNTY AUDUBON  
SOCIETY, INC., SAVE OUR CREEKS, INC.,  
SIERRA CLUB, INC., WOODROW AND CATHY  
KIRK, JACQUELINE AND JONATHAN  
FARBMAN, ELTON GISSENDANNER,  
HELEN OBENCHAIN, LILLIAN HORSLEY  
HANCE, AND DALE GILLIS,

Intervenors,

vs.

Case No. 10-9860GM

HIGHLANDS COUNTY,

Respondent,

and

7L LAKE PLACID, LLC,

Intervenor.

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DEPARTMENT OF COMMUNITY  
AFFAIRS,

Petitioner,

and

FLORIDA WILDLIFE FEDERATION,  
HIGHLANDS COUNTY AUDUBON SOCIETY,

INC., SAVE OUR CREEKS, INC., SIERRA  
CLUB, INC., WOODROW AND CATHY KIRK,  
JACQUELINE AND JONATHAN  
FARBMAN, ELTON GISSENDANNER,  
HELEN OBENCHAIN, LILLIAN HORSLEY  
HANCE, AND DALE GILLIS,

Intervenors,

vs.

Case No. 10-9861GM

HIGHLANDS COUNTY,

Respondent,

and

LAKE PLACID GROVES, LLC,  
7L LAKE PLACID, LLC, BLUE  
HEAD RANCH, LLC, AND NORTH  
LAKE PLACID PROPERTY OWNERS,

Intervenors.

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**FINAL ORDER**

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Relinquishing Jurisdiction and 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 Highlands County Comprehensive Plan Amendments 10-D1 and 10-1ER adopted by Ordinance Numbers 09-10-28 and 09-10-24, 09-10-25, 09-10-26, and 09-10-27, respectively, on September 7, 2010, are “in compliance” with the Community Planning Act, Ch. 163, Part II, Florida Statutes.

**FINAL ORDER NO. DCA 11-GM-170**

All parties, with the exception of Lillian Horsley Hance, entered into a Stipulated Settlement Agreement which required the County to adopt certain remedial amendments for the 10-D1 and 10-1ER amendments. The County adopted its 11-R1 remedial amendments on June 21, 2011 by Ordinance Number 10-11-05. The Department reviewed those amendments in accordance with the state coordinated review process, and on July 27, 2011, posted its cumulative notice of intent on the Department's web site finding the 10-D1 and 10-1ER amendments, as remediated, in compliance. No party has challenged the cumulative notice of intent, and the time for doing so has now passed.

Lillian Horsley Hance, through her attorney, has dismissed her petitions challenging the amendments.

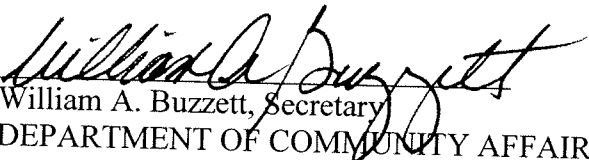
The issues raised in these case have been fully resolved. By Order in these consolidated cases dated August 18, 2011, jurisdiction was relinquished to the Department and the DOAH file was closed.

**FINAL ORDER NO. DCA 11-GM-170**

ORDER

WHEREFORE, it is ORDERED that the Highlands County Plan Amendments 10-D1 and 10-1ER, as adopted by Ordinance Numbers 09-10-28 and 09-10-24, 09-10-25, 09-10-26, and 09-10-27, respectively, on September 7, 2010, and as remediated by amendment 11-R1, adopted by Ordinance Number 10-11-05 on June 21, 2011, are “in compliance” with the Community Planning Act, Ch. 163, Part II, Florida Statutes.

DONE AND ORDERED this day in Tallahassee, Florida.

  
William A. Buzzett, Secretary  
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

23 day of Aug, 2011.



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

**By Interagency Mail**

The Honorable David M. Maloney  
Administrative Law Judge  
Division of Administrative Hearings  
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**By Electronic Mail**

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STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF COMMUNITY )  
AFFAIRS, )  
 )  
Petitioner, )  
 )  
and )  
 )  
THE HIGHLANDS COUNTY AUDUBON )  
SOCIETY, INC.; SAVE OUR CREEKS, )  
INC.; SIERRA CLUB, INC.; )  
WOODROW AND CATHY KIRK; )  
JACQUELINE AND JONATHAN )  
FARBMAN; ELTON GISSENDANNER; )  
HELEN OBENCHAIN; LILLIAN )  
HORSLEY HANCE; AND DALE GILLIS, )  
 )  
Intervenors, )  
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vs. )  
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HIGHLANDS COUNTY, )  
 )  
Respondent, )  
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and )  
 )  
7L LAKE PLACID, LLC, )  
 )  
Intervenor. )  
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Case No. 10-9860GM





DEPARTMENT OF COMMUNITY	)	
AFFAIRS,	)	
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Petitioner,	)	
	)	
and	)	
	)	
FLORIDA WILDLIFE FEDERATION,	)	
	)	
Intervenor,	)	
	)	
vs.	)	Case No. 10-9861GM
	)	
HIGHLANDS COUNTY,	)	
	)	
Respondent,	)	
	)	
and	)	
	)	
LAKE PLACID GROVES, LLC; 7L	)	
LAKE PLACID, LLC; BLUE HEAD	)	
RANCH, LLC; AND NORTH LAKE	)	
PLACID PROPERTY OWNERS,	)	
	)	
Intervenors.	)	
	)	

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ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

On August 18, 2011, the Department filed its "Motion for Order Relinquishing Jurisdiction for Case Nos. 10-9860GM and 10-9861GM to the Department of Community Affairs."

The motion seeks also to have Case No. 10-10614DRI severed from the other two cases in this proceeding.

The motion indicates that all parties have either signed a settlement agreement or dismissed their petitions.

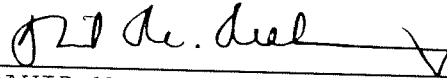
It is, therefore, ordered:

1. Case No. 10-10614DRI is severed from Case Nos. 10-9860GM and 10-9861GM;
2. The file in Case No. 10-10614DRI shall remain open with a status report due by October 17, 2011, unless, in the meantime, the Florida Land and Water Adjudicatory Commission issues a final order pursuant to the Notice of Dismissal the Department intends to file, in which case the Department shall promptly notify DOAH;

3. Jurisdiction of Case Nos. 10-9860GM and 10-9861GM is relinquished to the Department for entry of a final order; and,

4. The files in Case Nos. 10-9860GM and 10-9861GM are hereby closed.

DONE AND ORDERED this 18th day of August, 2011, in Tallahassee, Leon County, Florida.



DAVID M. MALONEY  
Administrative Law Judge  
Division of Administrative Hearings  
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1230 Apalachee Parkway  
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(850) 488-9675  
Fax Filing (850) 921-6847  
www.doah.state.fl.us

Filed with the Clerk of the  
Division of Administrative Hearings  
this 18th day of August, 2011.

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