

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

Case No. 10-9942GM

HILLSBOROUGH COUNTY,

Respondent.

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 Hillsborough County (County) Comprehensive Plan Amendment 10-1, adopted by Ordinance Nos. 10-14 and 10-16, on September 2, 2010, is "in compliance" with the Community Planning Act, Ch. 163, Part II, Florida Statutes (as amended by Chapter 2011-139, Laws of Florida) (the "Act").

The parties entered into a Stipulated Settlement Agreement which required the County to adopt a certain remedial amendment. The County adopted Remedial Amendment 11-R1 by Ordinance No. 11-3 on April 19, 2011, and the Department's Cumulative Notice of Intent was published on May 23, 2011. The Remedial Amendment was not challenged by a timely petition.

Final Order No. DCA11-GM-118

The Department subsequently filed a Motion For Order Relinquishing Jurisdiction. The Administrative Law Judge issued his Order Closing File And Relinquishing Jurisdiction (copy attached hereto), and relinquished jurisdiction to the Department.

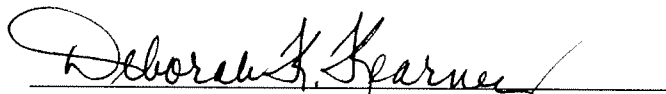
ORDER

WHEREFORE, it is ORDERED that:

A. Hillsborough County Comprehensive Plan Amendment 10-1, adopted by Ordinance Nos. 10-14 and 10-16, on September 2, 2010, as modified by Remedial Amendment 11-R1, adopted by Ordinance No. 11-3 on April 19, 2011, is determined to be in compliance with the Act, and

B. The above-captioned proceeding is DISMISSED.

DONE AND ORDERED 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 to the persons listed below in the manner described, on this 20th day of June 2011.


Paula Ford, Agency Clerk
DEPARTMENT OF COMMUNITY AFFAIRS
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

By U.S. Mail and Electronic Mail:

Adam Gormly, Esq.
Assistant County Attorney
HILLSBOROUGH COUNTY
601 East Kennedy Boulevard
Floor 27
Tampa, FL 33602-4932
gormlya@hillsboroughcounty.org

By Hand Delivery:

David L. Jordan, Deputy General Counsel
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399

By Filing with DOAH:

The Honorable J. Lawrence Johnston
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-1550