

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

Case No. 10-9997GM

HERNANDO COUNTY,

Respondent

and

BROOKSVILLE QUARRY, LLC,

Intervenor.

FINAL ORDER

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Closing File And Relinquishing Jurisdiction 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 Hernando County ("County") Comprehensive Plan Amendment 10-D1, adopted by Ordinance No. 2010-17 on August 31, 2010, is "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes (the "Act").

The parties to this proceeding entered into a Stipulated Settlement Agreement, the County adopted a Remedial Amendment, the Department published a Cumulative Notice of Intent to find the Remedial Amendment in compliance, and no challenges to the Cumulative Notice of Intent were timely filed. The Department filed a Notice of Voluntary Dismissal, and the ALJ then issued his Order Closing File.

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.



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

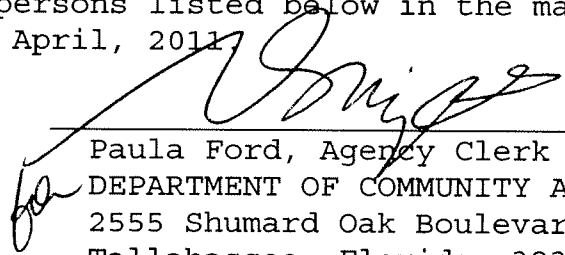
APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

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 15th day of April, 2011.



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

By U.S. Mail and electronic mail:

Garth C. Collier, Esq.
County Attorney
Geoffrey T. Kirk, Esq.
Assist. County Attorney
OFFICE OF THE
HERNANDO COUNTY ATTORNEY
20 North Main Street, Suite 462
Brooksville, FL 34601-2850
cao@co.hernando.fl.us
gkirk@co.hernando.fl.us

Jacob D. Varn, Esq.
Linda Loomis Shelley, Esq.
Karen Brodeen, Esq.
FOWLER WHITE BOGGS, P.A.
Post Office Box 11240
Tallahassee, FL 32302
jvarn@fowlerwhite.com
lshelley@fowlerwhite.com
kbrodeen@fowlerwhite.com

By Hand Delivery:

David L. Jordan,
Deputy General Counsel
DEPARTMENT OF COMMUNITY AFFAIRS
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

By Filing At DOAH:

The Honorable Bram D.E. Canter
Administrative Law Judge
DIVISION OF
ADMINISTRATIVE HEARINGS
1230 Apalachee Parkway
Tallahassee, FL 32399-3060