

DIVISION OF ADMINISTRATIVE HEARINGS  
2020 JAN -9 PM 1:26  
FILED

**STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY**

TOWN OF JUPITER ISLAND, FLORIDA

Petitioner,

vs.

MARTIN COUNTY, FLORIDA,

Respondent.

DOAH CASE NO.: 19-5160GM  
DEO CASE NO.: 19-248  
MARTIN COUNTY AMENDMENT  
NO. 19-01ESR

**FINAL ORDER**

This matter was considered by the Division of Community Development within the Florida Department of Economic Opportunity (“Department”) following a Second Amended Order Closing File and Relinquishing Jurisdiction (“Closing Order”), a copy being attached as Exhibit “A”, issued by an Administrative Law Judge (“ALJ”) assigned to the matter by the Division of Administrative Hearings (“DOAH”).

**Background**

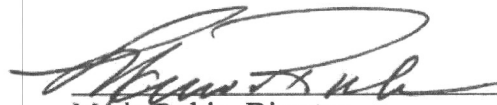
On September 16, 2019, Town of Jupiter Island, Florida, (“Petitioner”) timely filed a petition with DOAH to challenge whether the Martin County Comprehensive Plan Amendment adopted by Ordinance No. 1107 on August 27, 2019, is in compliance, as defined in section 163.3184(1)(b), Florida Statutes. Martin County was listed as the Respondent.

On November 15, 2019, the parties filed a Joint Stipulation of Settlement and Dismissal, notifying DOAH that a dispute of material facts no longer exists. On December 9, 2019, because the parties resolved the issue by settlement agreement, the ALJ filed the Second Amended Order Closing File and relinquished jurisdiction to the Department to issue a final order.

**Order**

Based on the foregoing, the Martin County Comprehensive Plan Amendment adopted by Ordinance No. 1107 on August 27, 2019, is in compliance pursuant to section 163.3184, Florida Statutes.

Dated this 8 day of January, 2020.



Mario Rubio, Director  
Division of Community Development  
Florida Department of Economic Opportunity

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNDER CHAPTER 120, FLORIDA STATUTES. A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030 (b)(1)(C) AND 9.110.

TO INITIATE JUDICIAL REVIEW OF THIS FINAL AGENCY ACTION, A NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DATE THE FINAL AGENCY ACTION WAS FILED BY THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22, FLORIDA STATUTES. A COPY OF THE NOTICE OF APPEAL MUST ALSO BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 107 EAST MADISON STREET, CALDWELL BUILDING, MSC 110, TALLAHASSEE, FLORIDA 32399-4128, AGENCY.CLERK@DEO.MYFLORIDA.COM. A DOCUMENT IS FILED WHEN IT IS RECEIVED. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(A).

AN ADVERSELY AFFECTED PARTY WAIVES THE RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH BOTH THE DEPARTMENT'S AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 8th day of January, 2020.



Agency Clerk  
Florida Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

**By U.S. Mail**

The Honorable Francine M. Ffolkes  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

**By U.S. Mail:**

Thomas J. Baird, Esquire  
Jones, Foster, P.A.  
4741 Military Trail, Suite 200  
Jupiter, Florida 33458

Sarah Wood, Esquire  
Martin County  
2401 Southeast Monterey Road  
Stuart, Florida 34996

Daniel L. Abbott, Esquire  
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200 East Broward Boulevard, Suite 1900  
Fort Lauderdale, Florida 33301

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

TOWN OF JUPITER ISLAND, FLORIDA,

Petitioner,

vs.

Case No. 19-5160GM

MARTIN COUNTY, FLORIDA,

\*AMENDED AS TO COPIES  
FURNISHED

Respondent.

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\*SECOND AMENDED ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause came before the undersigned on the parties' Joint Stipulation of Settlement and Dismissal, filed November 15, 2019, and the undersigned being fully advised, it is, therefore,

ORDERED that the file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the Department of Economic Opportunity for issuance of a final order.

DONE AND ORDERED this 9th day of December, 2019, in Tallahassee, Leon County, Florida.



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FRANCINE M. FOLKES  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675  
Fax Filing (850) 921-6847  
www.doah.state.fl.us

Filed with the Clerk of the  
Division of Administrative Hearings  
this 9th day of December, 2019.

**EXHIBIT "A"**

COPIES FURNISHED:

Thomas J. Baird, Esquire  
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