

ADMINISTRATION COMMISSION AGENDA

January 26, 2010

Attachments to the items below can be viewed at the following link:
http://www.myflorida.com/myflorida/cabinet/adcom/20100126_index.html

1. **Approval of the minutes of the November 17, 2009, meeting.**
2. **Approval of the minutes of the December 8, 2009, meeting.**
3. **Consideration of a Recommended Order issued by the Division of Administrative Hearings in the proceeding of Ronald J. Fagan vs. Citrus County and Katherine's Bay, LLC (AC Case No. ACC-09-005, DOAH Case No. 09-3487GM).**

On May 26, 2009, Citrus County adopted small-scale development amendment CPA-09-16 (Ordinance No. 2009-A07) modifying the future land use designation for a 9.9-acre parcel in Citrus County owned by Katherine's Bay, LLC ("Amendment"). The Amendment would change the classification of the parcel from Low Intensity Coastal and Lakes District ("CL") to Recreational Vehicle Park District ("RVP"). The change in land use was requested to allow placement of a recreational vehicle (RV) park on the 9.9-acre parcel.

On June 24, 2009, Ronald J. Fagan ("Petitioner") filed a petition at the Division of Administrative Hearings ("DOAH") challenging the Amendment as not in compliance with the County's Comprehensive Plan. On July 16, 2009, Katherine's Bay, LLC ("Intervenor") successfully petitioned to intervene in the proceeding.

On August 28, 2009, a final hearing was conducted in Inverness, Florida before a DOAH Administrative Law Judge. On October 9, 2009, Judge Donald R. Alexander entered a Recommended Order recommending that the Administration Commission enter a final order determining the Amendment to be not in compliance. Intervenor filed exceptions to the Recommended Order through a Notice of Refiling on December 1, 2009. The Notice of Refiling was not filed within the timeframe provided in Administration Commission Rule 28-106.217(1), FAC.

Staff Recommendation:

To be distributed separately.

Back-Up:

DOAH's Recommended Order issued on October 9, 2009.

Notice of Refiling received December 1, 2009.

Draft Final Order. (To be distributed separately.)