

following trades for the referenced project in accordance with the proposal documents to include but not limited to the following:

01B	Final Cleaning & Window Cleaning	09B	Drywall	15B	Plumbing
02C	Fencing & Gate Operators	09C	Porcelain & Ceramic Tile	15C	HVAC
02D	Landscaping & Irrigation	09D	Acoustical Treatment	16A	Electrical
03A	Cast-in-Place Concrete	09F	Carpet & VCT	17A	Security, Fire Alarm & Structured Cabling
04A	Masonry	09G	Painting		
05A	Structural & Miscellaneous Steel Cabinets	10A	Specialties		
06A		11A	Audio-Visual Equipment		
07B	Built-up Roofing	11B	Residential Appliances		
07C	Waterproofing & Joint Sealants	11C	Detention Furnishings		
08A	Doors, Frames, Hardware & Installation	13B	Fuel Storage Tanks/Piping		
08D	Aluminum Storefronts & Glazed Curtain Wall	12A	Window Treatment		
09A	Exterior Plastering (Stucco)	15A	Fire Sprinklers		

A pre-proposal meeting will be held at 10:00 a.m., local time, Tuesday, June 27, 2006, at the following location:

Lee Davis Neighborhood Service Center  
Auditorium  
2402 North 22 Street  
Tampa, FL 33605

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on July 18, 2006. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

Submission of Proposal:

If the proposal is sent by U.S. Mail, the sealed envelope shall be addressed as follows:

Peter R. Brown Construction, Inc.  
Attention: Estimating Department  
Post Office Box 4100  
Clearwater, FL 33758

**SEALED PROPOSAL ENCLOSED**

Tampa Police Department District Three Substation

If the proposal is sent by overnight carrier (i.e. Fed-Ex, UPS, etc) or hand delivered, the sealed envelope shall be addressed as follows:

Peter R. Brown Construction, Inc.  
Attention: Estimating Department  
13830 58 Street, North  
Suite 401  
Clearwater, FL 33758

**SEALED PROPOSAL ENCLOSED**

Tampa Police Department District Three Substation

All trade contractors must be pre-qualified prior to submitting a proposal. A copy of the pre-qualification form can be received by contacting Peter R. Brown Construction, Estimating Department at (727)535-6407, or faxing a letter of interest to (727)539-8485.

City of Tampa and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available June 27, 2006. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

City of Tampa and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda of Supplements. All questions regarding the work should be directed to the Construction Manager, in writing within five (5) calendar days of the proposal due date. The Owner and Architect will not accept calls regarding this project.

## Section XII Miscellaneous

### DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-125

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE  
COUNTY

ORDINANCE NO. 010-2006

### FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005),

approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 6, 2006, the Department received for review Monroe County Ordinance No. 010-2006 (“Ord. 010-2006”).
3. The final order for this Ordinance must be signed by June 2, 2006.
4. The Ordinance implements Goal 105 of the Monroe County Comprehensive Plan; provides criteria for designation of the tier boundaries, excluding Ocean Reef, a vested subdivision; and prioritizes land for public acquisition. The Ordinance also contains a mechanism for property owners to obtain due process by requesting an amendment to the designation based upon specific criteria.
5. Ordinance 010-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 010-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 010-2006 promotes and furthers the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

- (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands, dune ridges and beaches, wildlife, and their habitat).
- (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.

11. Ord. 010-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 010-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER  
 State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE

DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Charles McCoy  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Aref Joulani  
Acting Director  
Planning and Environmental Resources  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-123

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 008-2006

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On April 6, 2006, the Department received for review Monroe County Ordinance No. 008-2006 (“Ord. 008-2006”).

3. The final order for this Ordinance must be signed by June 2, 2006.

4. The Ordinance deletes requirements for the preparation of the Habitat Evaluation Index for properties containing hammock, requires an existing conditions report, vegetation survey, and grants of conservation easements, and limits clearing of native upland vegetation dependent on the tier system designation.

5. The Ordinance proposes the deletion of Section 9-5.342. Section 9-5.342 is based on Monroe County's Comprehensive Plan Policy 101.4.22 and establishes that when twenty percent of the dominant canopy plants are palms, the hammock is classified as a Palm Hammock and limited to ten percent clearing.

6. The criteria that establishes when a Palm Hammock is classified as a Palm Hammock is not found in any other regulation, and therefore, deletion of Section 9-5.342 from Monroe County's land development regulations is not consistent with the 2010 Monroe County Comprehensive Plan.

7. All other elements of the Ordinance 008-2006 are consistent with the 2010 Monroe County Comprehensive Plan.

**CONCLUSIONS OF LAW**

8. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).

9. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

10. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 008-2006 are land development regulations.

11. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

12. Ord. 008-2006 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands, dune ridges and beaches, wildlife, and their habitat).

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

13. Deletion of Section 9-5.342 from Monroe County's land development regulations is not consistent with the 2010 Monroe County Comprehensive Plan.

14. With the exception of the proposed deletion of Section 9-5.342, Ord. 008-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that all elements of Ord. 008-2006, except for the deletion of Section 9-5.342 from Monroe County's land development regulations, are found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and are hereby APPROVED. The deletion of Section 9-5.342 from Monroe County's land development regulations is not consistent with the 2010 Monroe County Comprehensive Plan and is hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER  
 State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO

SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Charles McCoy  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Aref Joulani  
Acting Director  
Planning and Environmental Resources  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-124  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 009-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 6, 2006, the Department received for review Monroe County Ordinance No. 009-2006 (“Ord. 009-2006”).
3. The final order for this Ordinance must be signed by June 2, 2006.
4. The purpose of the Ordinance is to implement Goal 105 of the Monroe County Comprehensive Plan utilizing tier overlay maps as the basis for the competitive point system; providing revised criteria for the building permit allocation system; establishing new allocations for sub areas; allowing the transfer of development exempt from ROGO provided the receiver site is located in Tier 3, is not in a velocity zone, and requires no clearing; and creating an appeal process.
5. Ordinance 009-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 009-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

10. Ord. 009-2006 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands, dune ridges and beaches, wildlife, and their habitat).

(f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.

(i) To limit the adverse impacts of public investments on the environmental resources of the Florida Keys.

(j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

(k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.

11. Ord. 009-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 009-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

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TRACY D. SUBER  
 State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE

PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of June, 2006.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Charles McCoy  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Aref Joulani  
Acting Director  
Planning and Environmental Resources  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-127  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 013-2006

\_\_\_\_\_  
FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005),

approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 6, 2006, the Department received for review Monroe County Ordinance No. 013-2006 (“Ord. 013-2006”).
3. The final order for this Ordinance must be signed by June 2, 2006.
4. The Ordinance implements Goal 105 of the Monroe County Comprehensive Plan utilizing the tier overlay maps for all land in unincorporated Monroe County between Key West and Ocean Reef, and designating the tier boundaries of Tier 1, Tier 2, Tier 3, and Tier 3 Special Protection Areas.
5. Ordinance 013-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 013-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 013-2006 promotes and furthers the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

- (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands, dune ridges and beaches, wildlife, and their habitat).
- (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.
- (i) To limit the adverse impacts of public investments on the environmental resources of the Florida Keys.

11. Ord. 013-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 013-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

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TRACY D. SUBER  
 State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED



REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of June, 2006.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Charles McCoy  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Aref Joulani  
Acting Director  
Planning and Environmental Resources  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-126

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 011-2006

\_\_\_\_\_  
FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On April 6, 2006, the Department received for review Monroe County Ordinance No. 011-2006 (“Ord. 011-2006”).

3. The final order for this Ordinance must be signed by June 2, 2006.

4. The Ordinance implements Goal 105 of the Monroe County Comprehensive Plan utilizing the tier overlay maps for all land in unincorporated Monroe County between Key West and Ocean Reef, and designating the tier boundaries of Tier 1, Tier 2, Tier 3, and Tier 3 Special Protection Areas.

5. Ordinance 011-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).

7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 011-2006 are land development regulations.

9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

10. Ord. 011-2006 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands, dune ridges and beaches, wildlife, and their habitat).

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

11. Ord. 011-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 011-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER

State Planning Administrator  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of June, 2006.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Charles McCoy  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Aref Joulani  
Acting Director  
Planning and Environmental Resources  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM – COMPETITIVE GRANT PROGRAM

The Department of Community Affairs is providing you with notification of its intent to open the State Fiscal Year 2006-2007 cycle for competitive awards from the Residential Construction Mitigation Program. Funding for SFY 2006-2007 is \$3.4 million.

The RCMP provides competitive grants to state or regional agencies, local governments, and private non-profit/for profit (by RFP process) organizations to implement projects that will further the RCMP program objective of enhancing residential wind mitigation. Eligible applicants may submit multiple applications, however, no single application shall seek or receive an award in excess of \$200,000 per state fiscal year. All eligible applicants, with the exception of counties and state agencies shall be limited to no more than three (3) application submissions in an application cycle.

The Department encourages all interested and eligible parties with projects that will enhance wind mitigation capabilities within the State of Florida to apply for awards during this open period in the following six categories.

APPLICATION CATEGORIES:

Applications are accepted in the following six categories:

1. Projects that will promote public education on wind mitigation and wind mitigation areas.
2. Projects that encourage and/or increase integration of wind mitigation into comprehensive planning and local mitigation plans.
3. Projects that will promote market based, non-regulatory approaches to mitigation, including, but not limited to, training in regard to wind mitigation (construction) techniques, products and procedures.
4. Assistance to low and moderate income residents which promotes wind mitigation.

5. Projects which enhance program administration and identification, measurement and attainment of project goals.
6. Other projects that will further wind mitigation/RCMP objectives which have been designated by the Program as priorities as detailed in this Notice of Fund Availability/RFP. Priority points will be awarded only for projects that address the following priority areas.

Priority Areas:

- A. Projects which implement wind mitigation in the State/Local Mitigation Strategy and are clearly identified as projects which can be initiated and completed within the grant contract period. The applicant must provide a copy of the Local Mitigation Strategy priority initiative list reflecting inclusion of their project(s).
- B. Projects which will provide for product testing, measurement or enhancements which will improve wind mitigation in residential structures.
- C. Projects that will address effectiveness of wind mitigation programs and projects.
- D. Projects which promote residential wind mitigation through the code, trade or construction industries, including related or affiliated programs and organizations.

Applications addressing the above (A through D) priorities must be submitted under Project Category #6, "Other projects that will further wind mitigation/RCMP objectives which have been designated by the RCMP program as priorities in this Notice of Fund Availability".

TO DOWNLOAD CHAPTER 215.559, FLORIDA STATUTES APPLICATION PACKET AND related information please visit our website at <http://www.florida-disaster.org/brm/rcmp/index.htm>

Applications must be prepared in conformance with the application packet instructions. Applications must be received at the following address by July 17, 2006, no later than 4:00 p.m., local time:

Department of Community Affairs  
 Division of Emergency Management  
 Attention: RCMP  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

Notice of Funding Availability

The Department of Community Affairs, Division of Emergency Management is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) funds as a result of the recent Presidential Disaster Declarations (FEMA-1609-DR-FL). The HMGP is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act and is designed to assist communities in implementing mitigation measures designed to reduce or eliminate long-term risk to people and property from natural hazards and their effects. DEM is soliciting applications and encourage all

eligible applicants to identify and submit applications that address eligible mitigation activities that are designed to reduce your community's overall risk to hazards. The amount of funding available to the state is based on 7.5% of the total federal disaster assistance for these events. The application period will close September 15, 2006. Therefore, all applications must be postmarked by September 15, 2006. The Department encourages and welcomes the submittal of complete applications at anytime during this cycle.

Application Timeline

Applications are currently being accepted. The deadline for the submission of applications is September 15, 2006 (postmarked). Applications will only be accepted from eligible applicants as defined in the Minimum Program Eligibility section of this notice. Please provide four completed copies of the State of Florida Joint Hazard Mitigation and Flood Mitigation Assistance Application and all appropriate attachments, which may be obtained at the DEM website located at <http://www.floridadisaster.org/brm/hmgp.htm>

Alternatively, you may contact the DEM directly at (850)413-9884. In order to be considered, completed applications must be sent to the following address:

Florida Department of Community Affairs  
 Division of Emergency Management  
 Mitigation Section  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

ATTN: Hazard Mitigation Grant Program

Minimum Program Eligibility

Eligible Applicants: are local governments, state agencies, federally recognized Indian Tribal governments and private non-profit organizations and institutions.

Eligible Activities: include mitigation projects that will result in protection of public or private property from natural hazards. Eligible projects include, but are not limited to:

- Acquisition of hazard prone properties
- Retrofitting of existing buildings and facilities
- Elevation of flood prone structures
- Infrastructure protection measures
- Storm water management improvements
- Minor structural flood control projects
- Relocation of structures from hazard prone areas
- Retrofitting of existing buildings and facilities for shelters

The state will not consider funding request for:

- Generators: Unless they are an integral part of a larger eligible project
- Construction of new facilities: However, the cost associated with above code upgrades can be considered.
- Equipment such as emergency pumps, vehicles and communication devices.
- Tree removal.
- Projects already in progress. (Construction may not begin until the project has met requirements of the National

Environmental Policy Act. In addition, the contract between the State and subgrantee must be executed.)

All projects submitted must meet the following minimum criteria to be considered for funding:

- Conform with the State Mitigation Plan and the respective community's Local Mitigation Strategy;
- Demonstrate cost-effectiveness;
- Is technically feasible;
- Provide a beneficial impact upon the designated disaster area;
- Conform to all applicable environmental laws, and regulations and executive orders;
- Solve a problem independently or constitutes a functional part of a solution;
- Is in an NFIP participating community that is not on probation or have been suspended from NFIP; and
- Meet all applicable state and local codes and standards.

#### Cost-Share Requirements

Under the HMGP, FEMA will contribute up to 75 percent (75%) of the total amount approved under the grant award to implement eligible cost-effective mitigation measures. The applicant must provide the remaining 25 percent (25%) non-federal share. All contributions, cash or in-kind services, are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 Code Federal Regulations, Section 13.24. In-kind contributions must be directly related to the eligible project cost. In-kind resources are those personnel, materials, equipment and supplies owned, controlled and operated by the applicant or a third party contributor. Applicants are encouraged to link HMGP funds with other state, local and private sources.

#### Pre-Award Costs

Prior to receiving a grant award, pre-award costs may be requested. Pre-award costs include items such as engineering, environmental study, permitting and other "soft" costs associated with a construction project. Construction activities are not considered pre-award costs. Pre-award costs must be requested in writing.

#### Technical Assistance

DEM is in the process of scheduling HMGP application development workshops. The dates, times, locations and a short overview of the workshops will be posted on the DEM website [www.floridadisaster.org](http://www.floridadisaster.org). DEM will provide technical assistance throughout the application process. DEM will be available to assist with the application process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance. If there are any questions

regarding the allocation of funds or the project review and selection criteria, please call Bureau staff at one of the following numbers:

(850)922-5269 (Grants/Projects Review Office)

(850)413-9884 (Mitigation Planning Office)

(850)922-5332 (Engineering and Technical Feasibility)

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#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Rybovich Marina Heliport, a private airport, in Palm Beach County, at Latitude 26° 45' 02" and Longitude 80° 03' 05", to be owned and operated by Mr. Alex Muxo, 450 E. Las Olas Blvd., Suite 1500, Ft. Lauderdale, FL 33301.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, [aviation.fdot@dot.state.fl.us](mailto:aviation.fdot@dot.state.fl.us), Website <http://www.dot.state.fl.us/aviation>

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Toyota Motor Sales, USA Inc., intends to allow the establishment of S. Woods Industries, LLC, d/b/a Treasure Coast Lexus, as a dealership for the sale of Lexus automobiles, at 5205 South U.S. Federal Highway 1, Fort Pierce (St. Lucie County), Florida 34982-7365, on or after January 1, 2007.

Legal Description of 5205 South U.S. Federal Highway, Fort Pierce, FL 34982

**LEGAL DESCRIPTION**

COMMENCING AT THE CENTER OF SECTION 3, TOWNSHIP 36 SOUTH RANGE 40 EAST; THENCE S. 89 DEGREES 53' 07" W., ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 3, A DISTANCE OF 331.00 FEET; THENCE S. 00 DEGREES 20' 19" E., PARALLEL TO SAID NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, A DISTANCE OF 544.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 125.50 FEET; THENCE N. 89 DEGREES 53' 07" E., A DISTANCE OF 289.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1 (120.00' WIDE); SAID POINT BEING 42.00 FEET WEST OF, AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE S. 00 DEGREES 20' 19" E., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 487.02 FEET TO A POINT LYING 165.00 FEET NORTH OF, AS MEASURED PERPENDICULAR TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE S. 89 DEGREES 53' 56" W., PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 619.56 FEET TO A POINT LYING 661.55 FEET WEST OF, AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, THENCE S. 00 DEGREES 20' 19" E., PARALLEL WITH SAID NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 165.00 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE S. 89 DEGREES 53' 56" W., ALONG SAID SOUTH LINE, A DISTANCE OF 331.16 FEET TO THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N. 00 DEGREES 16' 42" W., ALONG SAID EAST LINE, A DISTANCE OF 316.80 FEET; THENCE N. 89 DEGREES 53' 07" E., A DISTANCE OF 261.38 FEET TO A POINT THAT IS 731.00 FEET WEST OF,

AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE N. 00 DEGREES 20' 19" W., PARALLEL TO SAID NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 580.00 FEET TO A POINT THAT IS 425.00 FEET SOUTH OF, AS MEASURED PERPENDICULAR TO, THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 3; THENCE N. 89 DEGREES 53' 07" E., PARALLEL WITH SAID EAST-WEST QUARTER SECTION LINE, A DISTANCE OF 200.00 FEET; THENCE S. 00 DEGREES 20' 19" E., A DISTANCE OF 119.50 FEET; THENCE N. 89 DEGREES 53' 07" E., A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. ALL LYING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING 503,927 SQUARE FEET OR 11.57 ACRES,  
MORE OR LESS

**END OF DESCRIPTION**

The name and address of the dealer operator(s) and principal investor(s) of S. Woods Industries, LLC, d/b/a Treasure Coast Lexus, are dealer operator(s): Sandy L. Woods, 9207 Adamo Drive, Tampa, Florida 33619; principal investor(s): Sandy L Woods, 9207 Adamo Drive, Tampa, Florida 33619.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mark Del Rosso, Toyota Motor Sales, USA Inc., Lexus Southern Area, 11540 Great Oaks Way, Alpharetta, Georgia 30022.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Toyota Motor Sales, USA Inc., intends to allow the establishment of S.D.S. Autos, Inc., d/b/a Lexus of Orange Park, as a dealership for the sale of Lexus automobiles, at 7010 Blanding Boulevard, Jacksonville (Duval County), Florida 33186, on or after June 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of S.D.S. Autos, Inc., d/b/a Lexus of Orange Park, are dealer operator(s): A. Dano Davis, 4861 Ortega Boulevard, Jacksonville, Florida 32210, and Robert F. Snodgrass, 10259 Atlantic Boulevard, Jacksonville, Florida 32225; principal investor(s): Robert F. Snodgrass, 10259 Atlantic Boulevard, Jacksonville, Florida 32225.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mark Del Rosso, Toyota Motor Sales, USA Inc., Lexus Southern Area, 11540 Great Oaks Way, Alpharetta, Georgia 30022.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Vento Motorcycles, Inc. ("Vento"), intends to allow the establishment of Ferrara's Garage, Inc., as a dealership for the sale of Vento motorcycles at 670 South Wickham Road, Melbourne (Brevard County), Florida 32904, on or after June 5, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Ferrara's Garage, Inc., are dealer operator(s): Anthony Ferrara, 670 South Wickham Road, Melbourne, Florida 32904; principal investor(s): Anthony Ferrara, 670 South Wickham Road, Melbourne, Florida 32904.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Matthew Scott, Vento North America, 6190 Cornerstone Court, E., Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Power Sports Factory, Inc., intends to allow the establishment of World Ventures Corporation, d/b/a SCOOTER DOMAIN.COM, as a dealership for the sale of Yamati and QianJiang motorcycles at 12388 Southwest 130th Street, Miami (Dade County), Florida 33186, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corporation, d/b/a SCOOTER DOMAIN.COM, are dealer operator(s): Gabriel Azcunce, 12388 Southwest 130th Street, Miami, Florida 33186; principal investor(s): Gabriel Azcunce, 12388 Southwest 130th Street, Miami, Florida 33186.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Rubakh, President, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Power Sports Factory, Inc., intends to allow the establishment of Trance Energy, LLC, d/b/a Hot Ride, as a dealership for the sale of Yamati and QianJiang motorcycles at 5227 East Colonial Drive, Orlando (Orange County), Florida 32807, on or after May 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Trance Energy, LLC, d/b/a Hot Ride, are dealer operator(s): Eugeni Karlov, 5227 East Colonial Drive, Orlando, Florida 32807; principal investor(s): Eugeni Karlov, 5227 East Colonial Drive, Orlando, Florida 32807.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Sports Factory, Inc., intends to allow the establishment of Honda Key West as a dealership for the sale of Yamati and QianJiang motorcycles at 417 Southerd Street, Key West (Monroe County), Florida 33040, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Honda Key West are dealer operator(s): Victor Mills, 417 Southerd Street, Key West, Florida 33040; principal investor(s): Victor Mills, 417 Southerd Street, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, STR Motorsports, Inc., intends to allow the establishment of ALI-J, Inc., d/b/a Sarasota Scooter Company, as a dealership for the sale of KYMCO motorcycles at 1540 Main Street, Sarasota (Sarasota County), Florida 34230, on or after May 25, 2006.



The name and address of the dealer operator(s) and principal investor(s) of ALI-J, Inc., d/b/a Sarasota Scooter Company are dealer operator(s): Jeffrey A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914, and Alison D. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914; principal investor(s): Jeffrey A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914, and Alison D. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kendall Huggins, Regional Sales Manager, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

#### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Volkswagen of America, Inc. ("VWoA"), intends to allow the establishment of Aristocrat Volkswagen East, Inc., as a dealership for the sale of Volkswagen line-make vehicles at 12696 East Colonial Drive, Orlando (Orange County), Florida 32828, on or after May 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Aristocrat Volkswagen East, Inc., are dealer operator(s): William Larry Bishop, 850 Dyson Drive, Winter Springs, Florida 32708; principal investor(s): William Larry Bishop, 850 Dyson Drive, Winter Springs, Florida 32708, and William Lawnie Bishop, 4948 Lake Sharp Drive, Orlando, Florida 32817.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Donald K. Hughes, Regional Director, Southeast Region, Volkswagen of America, Inc., Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

#### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Stock Mild to Wild as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejian Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 2012 Blanding Boulevard, Jacksonville (Duval County), Florida 32210, on or after May 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Stock Mild to Wild are dealer operator(s): Ryan Kallina, 805 Shady Reach Drive, Jacksonville, Florida 32221; principal investor(s): Ryan Kallina, 805 Shady Reach Drive, Jacksonville, Florida 32221.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Santiago Chopper Specialties, LLC, intends to allow the establishment of Autowise Buying Service, Inc., as a dealership for the sale of Santiago Chopper motorcycles at 9875 U.S. Highway 41 South, Gibsonton (Hillsborough County), Florida 33534, on or after June 5, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Autowise Buying Service, Inc., are dealer operator(s): Dan Dhein, 2806 Sharer Road, Tallahassee, Florida 32312; principal investor(s): Dan Dhein, 2806 Sharer Road, Tallahassee, Florida 32312.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Christine Bernard, Santiago Chopper Specialties, LLC, 9879 U.S. Highway 41, South, Gibsonton, Florida 33534.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, LS MotorSports, LLC, intends to allow the establishment of ALI-J, Inc., d/b/a Sarasota Scooter Company, as a dealership for the sale of Diamo motorcycles at 1540 Main Street, Sarasota (Sarasota County), Florida 34236, on or after May 23, 2006.

The name and address of the dealer operator(s) and principal investor(s) of ALI-J, Inc., d/b/a Sarasota Scooter Company, are dealer operator(s): Jeffrey Free, 1540 Main Street, Sarasota, Florida 34236, and Alison Free, 1540 Main Street, Sarasota, Florida 34236; principal investor(s): Jeffrey Free, 1540 Main Street, Sarasota, Florida 34236, and Alison Free, 1540 Main Street, Sarasota, Florida 34236.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mathu Solo, President, LS MotorSports, 12505 Reed Road, Suite 145, Sugar Land, Texas 77478.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**METROPOLITAN PLANNING ORGANIZATIONS**

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FISCAL YEAR 2006/2007**

It is the policy of the Hernando County Metropolitan Planning Organization (MPO) to provide Disadvantaged Business Enterprises (DBEs) the opportunity to participate in contracts for The Hernando Express Bus (THE Bus) that are financed in whole or part with funds from the Federal Transit Administration. For this reason the MPO has established a Fiscal Year 2006/2007 Goal of 4% for the DBE Program. A description of the goal and the process for establishing the goal are available for review during regular business hours by contacting Steve Diez, Transportation Planner, in the Hernando County Metropolitan Planning Organization, 20 North Main Street, Brooksville, Florida 34601, or by calling (352)754-4057. The DBE goal and rationale are also posted on THE Bus website at: [www.hernandobus.com](http://www.hernandobus.com). The address for the Federal Transit Administration, Office of Civil Rights is: 100 Alabama Street, S. W., Suite 17150, Atlanta, Georgia 30303. The DBE goal and the rationale for its adoption will be available for inspection for 45 days following the date of this notice.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
NOTICE OF WITHDRAWAL**

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate of Need applications:

County: Dade Service District: 11  
CON # 9932 Decision Date: 5/31/2006 Decision: W

Facility/Project: Mount Sinai Medical Center  
Applicant: Mount Sinai Medical Center of Florida, Inc.  
Project Description: Establish an adult autologous or allogeneic bone marrow transplantation program.

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**CERTIFICATE OF NEED  
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Broward District: 10  
ID # 0500017 Decision: A Issue Date: 6/5/2006

Facility/Project: Memorial Hospital Miramar  
Applicant: South Broward Hospital District  
Project Description: Establish a 10-bed Level II NICU  
Proposed Project Cost: \$4,600,000

County: Escambia District: 1  
ID # 0500018 Decision: A Issue Date: 6/1/2006

Facility/Project: Baptist Hospital  
Applicant: Baptist Hospital, Inc.  
Project Description: Add 11 adult inpatient psychiatric beds  
Proposed Project Cost: \$1,400,000

County: Broward District: 10  
ID # 0500019 Decision: A Issue Date: 6/5/2006

Facility/Project: Atlantic Shores Hospital  
Applicant: Atlantic Shores Hospital, LLC  
Project Description: Add 16 child/adolescent psychiatric beds  
Proposed Project Cost: \$0

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted a new policy for review and comment on MyFlorida.com at: [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html). (Note that this is a new location on the Department's Website.)

Probation Contract Management and Monitoring (FDJJ 6004, department-wide policy type B) – establishes procedures for Office of Probation and Community Corrections (P&CC) contract management and monitoring to ensure services are delivered in accordance with the terms and conditions of the contract prior to processing invoices for payment. This policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on this policy of July 14, 2006. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

**DEPARTMENT OF HEALTH**

On May 26, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Angel Harden, L.P.N. license number PN 5165623. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Brandi Lynn Smith, R.N. license number RN 3202862. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Rachael Nicole Robinette, R.N. license number RN 9243801. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Menesha Alexandria Jones, L.P.N. license number PN 5162199. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Marcia A. Richards, L.P.N. license number PN 1339921. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Shilo Lunsford, R.N. license number RN 9188149. This Emergency

Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On June 6, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of David Peter Ettus, R.N. license number RN 2832562. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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## FINANCIAL SERVICES COMMISSION

### NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following applications. Comments may be submitted to the: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 7, 2006:

APPLICATION FOR A NEW FINANCIAL INSTITUTION  
Applicant and Proposed Location: USAmeriBank, East Bay Drive, (S. W. Corner of Highland Avenue and East Bay Drive), Largo, Pinellas County, Florida 33740

Correspondent: Gregory C. Yadley, 101 E. Kennedy Boulevard, Suite 2800, Tampa, Florida 33602

Received: May 30, 2006

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