

Section XII  
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-115

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND  
DEVELOPMENT REGULATIONS  
ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 001-2006

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 February 21, 2006, the Department received for review Monroe County Ordinance No. 001-2006 ("Ord. 001-2006").

3. The final order for this Ordinance must be signed by April 21, 2006.

4. The Ordinance creates and revises definitions under Section 9.5-4 of the Monroe County Code and deletes Section 9.5-235(a)(8) of the Monroe County Code, which allows storage areas, under specific criteria, within "Sub Urban Commercial." Thus, the adopted Ordinance no longer provides for storage areas in the Sub Urban Commercial land use district.

5. Ordinance 001-2006 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 The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern.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. 001-2006 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 All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla.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. 001-2006 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.

11. Ord. 001-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 001-2006 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 25th day of April, 2006.

\_\_\_\_\_  
Miriam Snipes, Deputy 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

#### DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES TAX ADDRESS/JURISDICTION DATABASE  
Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns customer service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the database, as posted on April 5, 2006, becomes effective on July 1, 2006. The situsing database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2007, and is required to be posted 90 days

in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2007, update no later than September 3, 2006.

Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Communications Services Tax Local Government Unit by telephone at (850)921-9181, Suncom 291-9181 or by e-mail [cs-tax@dor.state.fl.us](mailto:cs-tax@dor.state.fl.us). Persons with hearing or speech impairments may call the TDD line at (800)367-8331 or (850)922-1115, Suncom 292-1115.

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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 Malaguti USA, Inc., intends to allow the establishment of Honda Key West, Inc., as a dealership for the sale of Malaguti motorcycles, at 417 Southard Street, Key West (Monroe County), Florida 33040, on or after April 11, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Honda Key West, Inc., are dealer operator(s): Viktor Mills, 417 Southard Street, Key West, Florida 33040; principal investor(s): Viktor Mills, 417 Southard 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: Joel Martin, President, Malaguti USA, Inc., 8350 Northwest 70th Street, Miami, Florida 33166.

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 Global Electric Motorcars, LLC, intends to allow the establishment of Beck Auto Sales, d/b/a Beck Chrysler Dodge Jeep, as a dealership for the sale of GEM vehicles, at 256 Highway 17 North, Palatka (Putnam County), Florida 32177, on or after April 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Beck Auto Sales, d/b/a Beck Chrysler Dodge Jeep, are dealer operator(s): Preston B. Sloan, 256 Highway 17 North, Palatka, Florida 32177; principal investor(s): Preston B. Sloan, 256 Highway 17, North, Palatka, Florida 32177; Carl C. Beck, 256 Highway 17, North, Palatka, Florida 32177; and Daryl R. Yonker, 256 Highway 17, North, Palatka, Florida 32177.

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: Russell J. Kiefer, Director of Sales and Marketing, Global Electric Motorcars, LLC, 1301 39th Street Northwest, Suite 2, Fargo, North Dakota 58102.

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, QLINK, L.P., intends to allow the establishment of Trance Energy, LLC, d/b/a Hot Ride, as a dealership for the sale of Zongshen motorcycles at 5227 East Colonial Drive, Orlando (Orange County), Florida 32807, on or after April 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 Karlou, 5227 East Colonial Drive, Orlando, Florida 32807; principal investor(s): Eugeni Karlou, 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: Johnny Tai, Manager, QLINK, L.P., 756 Port America Place, Suite 200, Grapevine, Texas 76051.

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, Mitsubishi Fuso Truck of America, Inc., intends to allow the establishment of Raney's Truck Parts, Inc., d/b/a Raney's Mitsubishi Fuso, as a dealership for the sale of Mitsubishi Fuso vehicles at 1604 Northwest 38th Avenue, Ocala (Marion County), Florida 34482, on or after April 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Raney's Truck Parts, Inc., d/b/a Raney's Mitsubishi Fuso are dealer operator(s): Mark S. Raney, 1850 Southeast 59th Street, Ocala, Florida 34480; principal investor(s): Mark S. Raney, 1850 Southeast 59th Street, Ocala, Florida 34480.

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: Debbie DiFranco, Administrator, Dealer Operations, Mitsubishi Fuso Truck of America, Inc., 2015 Center Square Road, Logan Township, New Jersey 08085.

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, Piaggio USA, Inc., intends to allow the establishment of Interlake Gulf Corporation, d/b/a Vespa Naples, as a dealership for the sale of Piaggio and Vespa motorcycles at 938 4th Avenue, North, Naples (Collier County), Florida 34102, on or after April 6, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Interlake Gulf Corporation, d/b/a Vespa Naples are dealer operator(s): John Nocera, 938 4th Avenue, North, Naples, Florida 34102; principal investor(s): John Nocera, 938 4th Avenue, North, Naples, Florida 34102, J.R. Nocera, 938 4th Avenue, North, Naples, Florida 34102, and Chet Singh, 938 4th Avenue, North, Naples, Florida 34102.

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: Angellina Frasesr-Lubin, Paralegal/Assistant Administrator, Piaggio USA, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

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, U.S. Custom Cycles, d/b/a Rucker Performance Motorcycle Company, intends to allow the establishment of Roadhouse, LLC, d/b/a Hollywood Choppers, as a dealership for the sale of Rucker Performance motorcycles at 5749 Seminole Way, Hollywood (Broward County), Florida 33314, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Roadhouse, LLC, d/b/a Hollywood Choppers are dealer operator(s): Max Osceola, Jr., 3301 North 63rd Avenue, Hollywood, Florida 33024; principal investor(s): Bruce Rossmeyer, 421 Ocean Shore Boulevard, Ormond Beach, Florida 32174.

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: William Rucker, President, U.S. Custom Cycles, d/b/a Rucker Performance Motorcycle Company, 5518 East Belknap Street, Fort Worth, Texas 76116.

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, Piaggio USA, Inc., intends to allow the establishment of Vespa of Central Florida, LLC, d/b/a Vespa Tampa, as a dealership for the sale of Piaggio and Vespa motorcycles at 4506 West Spruce Street, Tampa (Hillsborough County), Florida 33609, on or after April 6, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Vespa of Central Florida, LLC, d/b/a Vespa Tampa, are dealer operator(s): Edward Englander, 930 Orange Avenue, Winter Park, Florida 32789; principal investor(s): Edward Englander, 930 Orange Avenue, Winter Park, Florida 32789.

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: Angellina Fraser-Lubin, Paralegal/Assistant Administrator, Piaggio USA, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

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 Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America intends to allow the establishment of MotoMania Powersports, LLC, 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 3264 Southeast Dixie Highway, Stuart (Martin County), Florida 34997, on or after April 12, 2006.

The name and address of the dealer operator(s) and principal investor(s) of MotoMania Powersports, LLC, are dealer operator(s): William Talero, 5910 Loxahatchee Pines Drive, Jupiter, Florida 33458; principal investor(s): Jorge A. Calvo, 2236 Southwest 156 Court, Miami, Florida 33185, and Camilo Zambrano, 11291 Southwest 26th Street, Miami, Florida 33165.

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: 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, MOD Cycles Corporation intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of Yumbo and Baccio motorcycles at 853 US Highway 41 Bypass, Venice (Sarasota County), Florida 34285, on or after March 16, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc., are dealer operator(s): Douglas Fleming, 5009 Pocatella Avenue, North Port, Florida 34287; principal investor(s): Douglas Fleming, 5009 Pocatella Avenue, North Port, Florida 34287.

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: Luz Gimenez, MOD Cycles Corporation, 7547 Northwest 52nd Street, Miami, Florida 33166.

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, Harley-Davidson Motor Company intends to allow the establishment of Adamec Cycle Sales Co., Inc., d/b/a Adamec Harley-Davidson of Jacksonville, d/b/a Adamec Buell of Jacksonville, as a dealership for the sale of Harley-Davidson and Buell motorcycles at 8909 Baymeadows Road, Jacksonville (Duval County), Florida 32207, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Adamec Cycle Sales Co., Inc., d/b/a Adamec Harley-Davidson of Jacksonville, d/b/a Adamec Buell of Jacksonville, are dealer operator(s): Mark Adamec, 136 Oceanforest Drive, North, Atlantic Beach, Florida 32207; principal investor(s): Chris Adamec, 2316 Beachcomber Trail, Atlantic Beach, Florida 32233, and Helen Adamec, 3446 Palm Island, Jacksonville, Florida 32250.

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: Ed Yagodinski, Regional Dealer Development Representative, Harley-Davidson Motor Company, P. O. Box 653, Milwaukee, Wisconsin 53201.

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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the May 24, 2006 application filing date for Other Beds and Programs batching cycle:

County: Hernando District: 3  
 Date Filed: 4/21/2006 LOI #: N0604001  
 Facility/Project: Hernando Pasco Hospice, Inc.  
 Applicant: Hernando Pasco Hospice, Inc.  
 Project Description: Establish a freestanding inpatient hospice facility of up to 24 beds

County: Nassau District: 4  
 Date Filed: 4/21/2006 LOI #: N0604002  
 Facility/Project: GF/Amelia Island Properties, Inc.  
 Applicant: GF/Amelia Island Properties, Inc.  
 Project Description: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center

County: Nassau District: 4  
 Date Filed: 4/21/2006 LOI #: N0604003  
 Facility/Project: GF/Amelia Island Properties, Inc.  
 Applicant: GF/Amelia Island Properties, Inc.  
 Project Description: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center

County: Nassau District: 4  
 Date Filed: 4/21/2006 LOI #: N0604004  
 Facility/Project: GF/Amelia Island Properties, Inc.  
 Applicant: GF/Amelia Island Properties, Inc.

Project Description: Establish a 24-bed ICF/DD through the delicensure of 22 ICF/DD beds at Amelia Island and the addition of two new ICF/DD beds  
 County: Pinellas District: 5  
 Date Filed: 4/21/2006 LOI #: N0604005  
 Facility/Project: Helen Ellis Memorial Hospital  
 Applicant: Tarpon Springs Hospital Foundation  
 Project Description: Establish an adult open heart surgery program  
 County: Desoto District: 8  
 Date Filed: 4/24/2006 LOI #: N0604006  
 Facility/Project: Tidewell Hospice and Palliative Care, Inc.  
 Applicant: Tidewell Hospice and Palliative Care, Inc.  
 Project Description: Establish a freestanding inpatient hospice facility of up to 12 beds  
 County: Palm Beach District: 9  
 Date Filed: 4/21/2006 LOI #: N0604007  
 Facility/Project: Chatsworth at PGA National  
 Applicant: Devonshire Associates, Ltd.  
 Project Description: Add 40 community skilled nursing beds through the delicensure of 40 beds at Palm Beach Shores Rehab and Sub-Acute Center  
 County: Broward District: 10  
 Date Filed: 4/24/2006 LOI #: N0604008  
 Facility/Project: Catholic Hospice, Inc.  
 Applicant: Catholic Hospice, Inc.  
 Project Description: Establish a hospice program  
 County: Broward District: 10  
 Date Filed: 4/24/2006 LOI #: N0604009  
 Facility/Project: Heartland Services of Florida, Inc.  
 Applicant: Heartland Services of Florida, Inc.  
 Project Description: Establish a hospice program  
 County: Broward District: 10  
 Date Filed: 4/24/2006 LOI #: N0604010  
 Facility/Project: Hospice of Palm Beach County, Inc.  
 Applicant: Hospice of Palm Beach County, Inc.  
 Project Description: Establish a hospice program  
 County: Broward District: 10  
 Date Filed: 4/20/2006 LOI #: N0604011  
 Facility/Project: Hospice of the Palm Coast, Inc.  
 Applicant: Hospice of the Palm Coast, Inc.  
 Project Description: Establish a hospice program  
 County: Dade District: 11  
 Date Filed: 4/24/2006 LOI #: N0604012  
 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  
 County: Dade District: 11  
 Date Filed: 4/21/2006 LOI #: N0604013

Facility/Project: New Riviera Nursing & Rehabilitation Center, LLC

Applicant: New Riviera Nursing & Rehabilitation Center, LLC

Project Description: Establish a skilled nursing facility of up to 234 community beds through the delicensure of up to 234 beds from Greynolds Park Manor Rehab. Center

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after June 28, 2006, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on June 9, 2006.

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#### 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."

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#### DEPARTMENT OF HEALTH

On April 20, 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 Federico T. Labrador- Quintero, P.A. license number PA 9100417. 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 April 20, 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 Harold Smith, M.D. license number ME 77300. 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 April 21, 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 Michael A. Rosin, M.D. license number ME 31899. 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 April 24, 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 Catherine Ann O'Neill-Sassani, R.N., license number RN 2789302. 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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The Department of Health will be submitting a new application to receive federal funds under the Title V Maternal Child Health Block Grant. If you wish to make any suggestions or provide input for the Federal Fiscal Year 2007 application and report, please call Bob Peck, (850)245-4444, ext. 2965, by May 31, 2006, or by e-mail at [Bob\\_Peck@doh.state.fl.us](mailto:Bob_Peck@doh.state.fl.us).

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#### FINANCIAL SERVICE COMMISSION

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>. 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, 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., May 26, 2006):

Name and Address of Applicant: BrightStar Credit Union, Post Office Box 8966, Fort Lauderdale, Florida 33310

Expansion Includes: Select employee group

Received: April 17, 2006

Name and Address of Applicant: Seaboard Credit Union, Post Office Box 2377, Jacksonville, Florida 32203

Expansion Includes: Geographic Area

Received: April 26, 2006

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**BROWARD COUNTY MEDICAL EXAMINER AND TRAUMA SERVICES**

Notice of Destruction of Autopsy Specimens

The Toxicology Laboratory of the Broward County Medical Examiner's Office announces the destruction of laboratory specimens collected prior to 2004 from autopsies as part of death investigation cases and specimens obtained prior to 2001 from law enforcement agencies as part of driving under the influence (DUI) cases and drug facilitated sexual assault cases. The destruction of these specimens shall begin on or about August 1, 2006.

If you require any specimens be retained for retesting or possible evidentiary purposes, please send a written request for preservation citing:

1. Name of the individual or agency responsible for initiating the request;
2. Date the request is initiated;
3. Name of the decedent, defendant or victim;

4. Approximate date of specimen collection;
5. Medical examiner laboratory case number (if known);
6. Reason for extending the retention period; and,
7. Terms of the specimen preservation, including the length of additional time the requested specimen is to be held.

All written requests must be received by July 15, 2006. If necessary, hearings will be arranged to explore these matters.

Send written requests to:

Toxicology Laboratory  
District 17, Medical Examiner and Trauma Services  
5301 S. W. 31st Avenue  
Ft. Lauderdale, FL 33312

Or fax written requests to: (954)327-6582

If you have any questions, please call Toxicology at (954)327-6525.

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