

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Please contact the following person to obtain information or documents about the pre-qualification requirements for this project:

Joe Ostrowski, Senior Estimator

Phone: (727)535-6407 – Fax: (727)529-8485

St. Petersburg College 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 for HVAC and Electric will be available February 5, 2008. Drawings for all other trades will be available prior to May 2, 2008. Preproposal Meeting 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.

St. Petersburg College 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 or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing by HVAC & Electric by March 3, 2008 and all other trades by May 7, 2008. The Owner and Architect will not accept calls regarding this project.

Section XII
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIVR-11-2007-006
DATE RECEIVED: January 25, 2008
DEVELOPMENT NAME: LAUDERHILL MALL
DEVELOPER/AGENT: /J. Michael Marshall
DEVELOPMENT TYPE: 28-24.031, F.A.C.
LOCAL GOVERNMENT: City of Lauderhill

DCA Order No. DCA08-OR-35

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 07-29

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On December 4, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-29 ("Ord. No. 07-29") adopted by the Village on November 29, 2007.
3. Ord. No. 07-29 amends Chapter 30 Land Development Regulations, Article IV Administrative Procedures, Division 11 Building Permit Allocation System regarding the Nonresidential and Residential Unit Allocation. The purpose of Ord. No. 07-29 is to adjust the existing ratio of building allocations from 50% market rate housing and 50% affordable housing to 80% market rate housing and 20% affordable housing authorizing an annual allocation of 22 units to market rate development and a minimum of 6 units to affordable housing per year. Ordinance No. 07-29 also amends the Village code to reflect a previously approved comprehensive plan amendment re-establishing the 102.4 square foot ratio resulting in a commercial space square foot allocation of 2,868 square feet (28 units x 102.4 sq/ft) per year.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes(2007).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 07-29 are land development regulations.
7. 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. (2007). 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.
8. Ord. 07-29 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.
  - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
9. Ord. 07-29 is not inconsistent with the remaining Principles. Ord. 07-29 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-29 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.

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.

/s/ \_\_\_\_\_  
CHARLES GAUTHIER, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 25th day of January, 2008.

/s/ \_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Dave Boerner, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Nina Boniske, Esq.  
James White, Esq.  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
3107 Stirling Drive, Suite 300  
Fort Lauderdale, FL 33312-8500

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, ACSC Administrator  
Richard E. Shine, Assistant General Counsel

DCA Order No. DCA08-OR-36  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS  
ORDINANCE NO. 07-30

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On December 4, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-30 ("Ord. No. 07-30") adopted by the Village on November 29, 2007.
3. Ord. No. 07-30 amends Chapter 30 Land Development Regulations, Article II Rules of Construction and Definitions, Section 30-32 Specific Definitions, of the Village Code of Ordinances; Article V Schedule of District Use and Development Standards, Division 3 Nonconformities, Section 30-32 Definitions; and Section 30-738 Nonconforming Characteristic of a Conforming Use. The purpose of Ord. No. 07-30 is to amend the Village Code to clarify that height is a characteristic of a "structure" rather than a characteristic of a "use."

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 07-30 are land development regulations.
7. 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), Florida Statutes(2007). 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.
8. Ord. 07-30 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.
  - (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.
9. Ord. 07-30 is not inconsistent with the remaining Principles. Ord. 07-30 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-30 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.

#### 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.

/s/ \_\_\_\_\_  
CHARLES GAUTHIER, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 25th day of January, 2008.

/s/ \_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Dave Boerner, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Nina Boniske, Esq.  
James White, Esq.  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
3107 Stirling Drive, Suite 300  
Fort Lauderdale, FL 33312-8500

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, ACSC Administrator  
Richard E. Shine, Assistant General Counsel

DCA Order No. 08-OR-37

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 07-32

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On December 4, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-32 ("Ord. No. 07-32") adopted by the Village on November 29, 2007.
3. Ord. No. 07-32 amends Chapter 30 Land Development Regulations, Article II Rules of Construction and Definitions, Section 30-32 Specific Definitions; and establishing Chapter 30 Land Development Regulations, Article IV Administrative Procedures, Division 12 Transfer of Development Rights of the Village Code of Ordinances. The purpose of Ord. No. 07-32 is to establish a method for transferring development rights, both residential and non-residential, between proprietries within the Village.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 07-32 are land development regulations.
7. 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), Florida Statutes (2007). 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.
8. Ord. 07-32 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.
  - (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds wetlands, fish and wildlife and their habitat.
  - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, dune ridges and beaches, wildlife, and their habitat.
9. Ord. 07-32 is not inconsistent with the remaining Principles. Ord. 07-32 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 07-32 is consistent with Policy 1-3.1.4: Institute a Program for Transfer of Development Rights; and Policy 1-4.2.1 Implement Comprehensive Plan Through Land Development Regulations, of the Islamorada, Village of Islands Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 07-32 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.

NOTICE OF ADMINISTRATIVE RIGHTS

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CHARLES GAUTHIER, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 29th day of January, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Dave Boerner, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Nina Boniest, Esq.  
James White, Esq.  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
3107 Stirling Drive, Suite 300  
Fort Lauderdale, FL 33312-8500

DCA Order No. DCA08-OR-38

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 07-35

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On December 4, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-29 ("Ord. No. 07-29") adopted by the Village on November 29, 2007.
3. Ord. No. 07-29 amends Chapter 30 Land Development Regulations, Article IV Administrative Procedures, Division 11 Building Permit Allocation System regarding the Nonresidential and Residential Unit Allocation. The purpose of Ord. No. 07-29 is to adjust the existing ratio of building allocations from 50% market rate housing and 50% affordable housing to 80% market rate housing and 20% affordable housing authorizing an annual allocation of 22 units to market rate development and a minimum of 6 units to affordable housing per year. Ordinance No. 07-29 also amends the Village code to reflect a previously approved comprehensive plan amendment re-establishing the 102.4 square foot ratio resulting in a commercial space square foot allocation of 2,868 square feet (28 units x 102.4 sq/ft) per year.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 07-29 are land development regulations.
7. 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), Florida Statutes (2007). 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.
8. Ord. 07-29 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.
  - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
9. Ord. 07-29 is not inconsistent with the remaining Principles. Ord. 07-29 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-29 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.

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.

/s/ \_\_\_\_\_  
CHARLES GAUTHIER, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 25th day of January, 2008.

/s/ \_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Dave Boerner, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Nina Boniske, Esq.  
James White, Esq.  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
3107 Stirling Drive, Suite 300  
Fort Lauderdale, FL 33312-8500

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, ACSC Administrator  
Richard E. Shine, Assistant General Counsel

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:

Doctors Memorial Hospital, a private airport, in Holmes County, at Latitude 30° 45' 40.67" and Longitude 85° 40' 56.96", to be owned and operated by Mrs. Joann Baker, 2600 Hospital Drive, Bonifay, FL 32425.

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. 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 Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the 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.

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### 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, notice is given that Zongshen, Inc., intends to allow the establishment of Cruz-Zin Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 5703 Southwest 17th Street, Miami (Dade County), Florida 33155-2118, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cruz-Zin Motors, Inc. are dealer operator(s): Raphael Cruz, 5703 Southwest 17th Street, Miami, Florida 33155-2118 and Elsa Cruz, 5703 Southwest 17th Street, Miami, Florida 33155-2118; principal investor(s): Raphael Cruz, 5703 Southwest 17th Street, Miami, Florida 33155-2118 and Elsa Cruz, 5703 Southwest 17th Street, Miami, Florida 33155-2118.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

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, notice is given that Pacific Cycle, Inc., intends to allow the establishment of Dorsch, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan

Motors Group Co. Ltd. (GUNG) at 1845 East Memorial Boulevard, Lakeland (Polk County), Florida 33801, on or after January 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Dorsch, Inc. are dealer operator(s): David Dorsch, 5452 Highland Vista Circle, Lakeland, Florida 33813; principal investor(s): David Dorsch, 5452 Highland Vista Circle, Lakeland, Florida 33813.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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, notice is given that Gradall Industries, Inc., intends to allow the establishment of GS Equipment, Inc., as a dealership for the sale of Gradall hydraulic excavators (GRAD) at 4501 Oakes Road, Davie (Broward County), Florida 33314, on or after January 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of GS Equipment, Inc. are dealer operator(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629; principal investor(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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 D. Allison, Gradall Industries, Inc., 177 East Arrowhead Court, Troutville, Virginia 24175.

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, notice is given that Gradall Industries, Inc., intends to allow the establishment of GS Equipment, Inc., as a dealership for the sale of Gradall hydraulic excavators (GRAD) at 4555 Laredo Avenue, Fort Myers (Lee County), Florida 33905, on or after January 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of GS Equipment, Inc. are dealer operator(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629; principal investor(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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 D. Allison, Gradall Industries, Inc., 177 East Arrowhead Court, Troutville, Virginia 24175.

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, notice is given that Gradall Industries, Inc., intends to allow the establishment of GS Equipment, Inc., as a dealership for the sale of Gradall hydraulic excavators (GRAD) at 1023 South 50th Street, Tampa (Hillsborough County), Florida 33619, on or after January 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of GS Equipment, Inc. are dealer operator(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629; principal investor(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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 D. Allison, Gradall Industries, Inc., 177 East Arrowhead Court, Troutville, Virginia 24175.

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, notice is given that Gradall Industries, Inc., intends to allow the establishment of GSX, Inc. d/b/a Great Southern Construction Equipment Co., as a dealership for the sale of Gradall hydraulic excavators (GRAD) at 1301 Central Florida Parkway, Orlando (Orange County), Florida 32837, on or after January 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of GS Equipment, Inc. are dealer operator(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629; principal investor(s): Raymond K. Ferwerda, 5001 A Pilgrims Pathway, Tampa, Florida 33611 and Raymond K. Ferwerda, Jr., 1207 Druid Lane, Tampa, Florida 33629.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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 D. Allison, Gradall Industries, Inc., 177 East Arrowhead Court, Troutville, Virginia 24175.

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, notice is given that Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of HD American Road, LLC d/b/a East Orlando Harley Davidson, as a dealership for the sale of motorcycles manufactured by Thunder Mountain Custom Cycles (THMT) at 11898 Lake Underhill Road, Orlando (Orange County), Florida 32825, on or after January 21, 2008.

The name and address of the dealer operator(s) and principal investor(s) of HD American Road, LLC d/b/a East Orlando Harley Davidson are dealer operator(s): Steven F. Deli, 11898 Lake Underhill Road, Orlando, Florida 32825; principal investor(s): Steven F. Deli, 322 East Central Boulevard, Apartment 2201, Orlando, Florida 32801 and Michael Bozic, 1 Trimont Lane, # 1000A, Pittsburgh, Pennsylvania 15211.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Colleen Breneman, Thunder Mountain Custom Cycles, Inc., 760 Southeast Frontage Road, Fort Collins, Colorado 80524.

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 Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of HD American Road, LLC d/b/a Orlando Harley Davidson South, as a dealership for the sale of motorcycles manufactured by Thunder Mountain Custom Cycles (THMT) at 5881 West Irlo Bronson Highway, Kissimmee, (Osceola County), Florida 34746, on or after January 21, 2008.

The name and address of the dealer operator(s) and principal investor(s) of HD American Road, LLC d/b/a Orlando Harley Davidson South are dealer operator(s): Steven F. Deli, 5881 West Irlo Bronson Highway, Kissimmee, Florida 34746; principal investor(s): Steven F. Deli, 322 East Central Boulevard, Apartment 2201, Orlando, Florida 32801 and Michael Bozic, 1 Trimont Lane, #1000A, Pittsburgh, Pennsylvania 15211.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Colleen Breneman, Thunder Mountain Custom Cycles, Inc., 760 Southeast Frontage Road, Fort Collins, Colorado 80524.

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, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Manufacture Co. Ltd. (BASH) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after February 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc., are dealer operator(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480 and Pam Martin, 6191 South Pine Avenue, 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Lily Ji, Peace Industry Group, Inc., 6600-B Jimmy Carter Boulevard, Norcross, Georgia 30071.

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 WITHDRAWAL

Notice is hereby given that the publication of RML Automotive, Inc., as a new point for Vento (VENO) motorcycle franchise dealership in Volusia County by Vento Motorcycles, Inc., published in Vol. 34, No. 4, pp. 583 of the F.A.W., on January 25, 2008, has been withdrawn.

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 Piaggio Group Americas, Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Moto Guzzi motorcycles (MOGU) at 1705 Northeast 16th Avenue, Gainesville (Alachua County), Florida 32601, on or after January 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601; principal investor(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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, Piaggio Group Americas, 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 Piaggio Group Americas, Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Piaggio motorcycles (PIAG) at 1705 Northeast 16th Avenue, Gainesville (Alachua County), Florida 32601, on or after January 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601; principal investor(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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, Piaggio Group Americas, 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 Piaggio Group Americas, Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vespa motorcycles (VESP) at 1705 Northeast 16th Avenue, Gainesville (Alachua County), Florida 32601, on or after January 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601; principal investor(s): Peter Warrick, 1705 Northeast 16th Avenue, Gainesville, Florida 32601.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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, Piaggio Group Americas, 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.

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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, notice is given that World Ventures Corp. d/b/a Scooterdomain.com, intends to allow the establishment of World Ventures Corp. d/b/a Scooterdomain.com, as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 13031 Southwest 123 Avenue, Unit 1, Miami (Dade County), Florida 33186, on or after January 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corp. d/b/a Scooterdomain.com are dealer operator(s): Gabriel R. Azcunce, 13031 Southwest 123 Avenue, Unit 1, Miami, Florida 33186; principal investor(s): Gabriel R. Azcunce, 13031 Southwest 123 Avenue, Unit 1, 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, 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: Gabriel R. Azcunce, World Ventures Corp. d/b/a Scooterdomain.com, 13031 Southwest 123 Avenue, Unit 1, Miami, Florida 33186.

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

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**LAND AND WATER ADJUDICATORY COMMISSION**

On March 16, 2007, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition to adopt an amendment to rule Chapter 42H-1, F.A.C., to amend the boundary of the Crossings at Fleming Island Community Development District (the "District") pursuant to Chapter 190, F.S. (The Petition was supplemented at the request of the Secretary of the Commission.) Petitioner asserts a copy of the Petition was filed with Clay County. The Commission will follow the requirements of Chapter 190, F.S., and Chapter 42-1, F.A.C., in ruling on this Petition, as supplemented.

**SUMMARY OF CONTENTS OF PETITION:** The Petition, as supplemented, was filed by the Crossings at Fleming Island Community Development District with its registered office located at 1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 20.7 acres to the District located within Clay County, Florida. The District currently covers approximately 2,848 acres of land and after amendment the District will consist of approximately 2,868.7 acres. The District is generally located northwest, southwest and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. There are no parcels within the expansion parcels or the proposed amended boundaries of the District that are to be excluded from the District. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcels. The District intends to provide the following improvements or provide the following facilities or services for the expansion parcels: master surface water management and drainage system; internal roadways; potable water distribution; wastewater collection system; and reclaimed water system.

**SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS:** In association with the Petition, as supplemented, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "9" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule

are the District, the State of Florida, and Clay County. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, assessments and fees will be imposed on the individuals who may ultimately reside on or own property within the expansion parcels of the District. Finally, the SERC concludes that the amendment of the District's boundary will have only incidental or a positive impact on small businesses and should not have a negative impact on small counties. Clay County is not a small county as defined by Section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory and input was received from professionals associated with the District.

**A LOCAL HEARING WILL BE HELD AT THE DATE, TIME, AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Thursday, February 28, 2008, 11:00 a.m.

**PLACE:** Eagle Harbor Golf Club  
 The Florida Room  
 2217 Eagle Harbor Parkway  
 Orange Park, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Michael C. Eckert, telephone (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

**COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING:** Michael C. Eckert, Hopping Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32301, telephone (850)222-7500 or Barbara Leighty, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration has received an application for service exemption from Lake Butler Hospital Hand Surgery Center pursuant to Section 395.1041 (3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The service category requested is Hyperbaric Services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.



Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS # 31, Tallahassee, Florida 32308, (850)414-6940 or by e-mail at [youngj@ahca.myflorida.com](mailto:youngj@ahca.myflorida.com).

The Agency for Health Care Administration has received an application for service exemption from Winter Haven Hospital, 200 Avenue "F" Northeast, Winter Haven, FL 33881, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The service category requested is Orthopedic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Sherry Ledbetter, 2727 Mahan Drive, MS #31, Tallahassee Florida 32308, (850)921-6621 or by e-mail at [ledbetts@ahca.myflorida.com](mailto:ledbetts@ahca.myflorida.com).

**CERTIFICATE OF NEED  
EXEMPTIONS**

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

County: Orange                      District: 7  
 ID # E0700007                      Decision: A                      Issue Date: 1/15/2008  
 Facility/Project: Dr. P. Phillips Hospital  
 Applicant: Orlando Regional Healthcare System, Inc.  
 Project Description: Provide adult emergency PCI without an approved open heart surgery program.  
 Proposed Project Cost: \$0

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Department of Environmental Protection announces the receipt of the below listed applications for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, (850)523-1449. Any

comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received January 16, 2008 – January 23, 2008

1. Clay County – FLR04E045
2. City of Melbourne – FLR04E027
3. Florida Department of Transportation (FDOT) District 3 – FLR04E023
4. City of Gainesville – FLR04E006
5. Indian River County – FLR04E068
6. City of Lynn Haven – FLR04E008
7. City of Stuart – FLR04E031
8. City of Port Orange – FLR04E014

Comments may be mailed to the following address:

Steven Kelly  
 NPDES Stormwater Section  
 2600 Blair Stone Road, MS #2500  
 Tallahassee, Florida 32399-2400

**NOTICE OF RECEIPT OF LAND USE DETERMINATION**

On January 24, 2008 the Department of Environmental Protection received a determination from St. Lucie County that the Florida Power & Light Co., St. Lucie Unit 1 and 2 Uprate Project, Power Plant Siting Application No. 74-02A2, OGC Case No. 07-2624, DOAH Case No. 07-005683EPP, is consistent with existing local land use plans and zoning ordinances in St. Lucie County pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, F.S. A copy of the determination of compliance is available for review in the office of: Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.50665(4), F.S., if any substantially affected person wishes to dispute St. Lucie County's determination that the proposed St. Lucie Unit, Unit 1 and 2 Uprate Project is consistent with St. Lucie County's existing land use plans and zoning ordinances, he or she must file a petition with the Department within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of Section 403.508(1), F.S., shall apply. Should a land use hearing be held, the notice of land use hearing will be published as per the provisions of Section 403.5115, F.S. Pursuant to Section 403.508(1), F.S., the sole issue for determination at a land use hearing shall be

whether or not the proposed site is consistent and in compliance with existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order, any changes to or approvals or variances under the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances. A person whose substantial interests are affected by the proposed determination of consistency may petition for an administrative hearing in accordance with Section 403.5066(4), F.S. The petition must be filed with the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, (850)245-2241, Fax (850)245-2303. The petition should contain: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact; If there are none, the petitioner shall so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the proposed action; and (g) A statement of the relief sought by the petitioner. A petition that does not dispute the material facts shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

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#### FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for

providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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The Department of Environmental Protection, Office of Greenways and Trails, will accept proposals for land acquisition funding under the Florida Greenways and Trails Program between February 18 and April 17, 2008. Applicants must apply for and receive a "Certificate of Eligibility" prior to submittal of an application. Once eligible, an applicant must submit an original "Application for Acquisition of Land" and twenty-four (24) first-generation copies of the application and supporting documentation to the Office of Greenways and Trails at the address listed below by 5:00 p.m., April 17, 2008. Faxes cannot be accepted.

The Florida Greenways and Trails Program receives approximately \$4.5 million annually, funded through the sale of bonds authorized under the Florida Forever Act. For an application or copy of the rule containing detailed program requirements, call (850)245-2052 or our toll free number at 1(877)822-5208 or visit our web site at [www.floridagreenwaysandtrails.com](http://www.floridagreenwaysandtrails.com) or write: Department of Environmental Protection, Office of Greenways and Trails, 3900 Commonwealth Blvd., MS 795, Tallahassee, FL 32399-3000.

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#### DEPARTMENT OF HEALTH

On January 29, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Christine Mary Blum, L.P.N., license number PN 1227671. 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 January 29, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Bibi Fazia Khan, L.P.N., license number PN 1338821. 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 January 25, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Tammi Lynn Rebhan, L.P.N., license number PN 1321021. 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 January 29, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Melany Dolores Sommer, R.N., license number RN 9175322. 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 January 29, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Mary Elizabeth Wiley, R.N., license number RN 2151302. 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.

**DEPARTMENT OF FINANCIAL SERVICES**

**LIST OF APPROVED SPARKLERS ADDED TO  
FEBRUARY 1, 2008 TO JANUARY 31, 2009**

The Department of Financial Services, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2008 to January 31, 2009. The products are listed by ITEM (the name of the product, and any major words or numbers on the product); BRAND (means by the name or logo of the manufacturer); and DESCRIPTION (a specific physical description of the product, size should be accurate to within one (1) inch). ALL ASSORTMENT PACKAGES OR CONTAINERS MUST CONTAIN APPROVED SPARKLERS.

PLEASE NOTE: This list contains only the sparklers which were provided to the Department on or after January 31, 2007 through September 1, 2007 and approved for use from February 1, 2008 through January 31, 2009.

A complete list of all approved sparklers which are approved for use from February 1, 2008 through January 31, 2009 are available at [www.fldfs.com](http://www.fldfs.com) or to obtain a printed copy, please write or fax your request to the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)410-2467 or email [www.fldfs.com](http://www.fldfs.com).

PRODUCT NAME	38 SPECIAL FOUNTAIN CP1419
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	8" X 3 1/2" CYLINDER WITH PLASTIC TOP
PRODUCT NAME	DIRT DOBBER CP1544
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	6" X 2 1/2" X 3 1/2" EYE SHAPED
PRODUCT NAME	EN FUEGO CP1523
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	6" X 2 1/2" X 3 1/2" EYE SHAPED
PRODUCT NAME	GIRLS BEST FRIEND CP1308
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	6 3/4" X 4" X 4" DIAMOND
PRODUCT NAME	MAGIC MUSHROOMS FOUNTAIN CP1492D
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4 1/2" X 2 1/4" CYLINDER WITH CAP
PRODUCT NAME	MAGIC MUSHROOMS FOUNTAIN CP1492C
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4 1/2" X 2 1/4" CYLINDER WITH CAP
PRODUCT NAME	MAGIC MUSHROOMS FOUNTAIN CP1492B
BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4 1/2" X 2 1/4" CYLINDER WITH CAP

PRODUCT NAME	MAGIC MUSHROOMS FOUNTAIN CP1492A	PRODUCT NAME	PINK ICE CP1327
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4 1/2" X 2 1/4" CYLINDER WITH CAP	PHYSICAL DESCRIPTION	9" X 4" CYLINDER
PRODUCT NAME	MINI CALIFORNIA ROCKET FOUNTAIN CP1413D	PRODUCT NAME	ROCK-IT CP1546
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4" X 1/2" ROCKET SHAPE CYLINDER WITH 9 1/2" STICK	PHYSICAL DESCRIPTION	5 1/2" X 4 1/2" CONE WITH ROUNDED BASE
PRODUCT NAME	MINI CALIFORNIA ROCKET FOUNTAIN CP1413A	PRODUCT NAME	SUPER CALIFORNIA ROCKET FOUNTAIN CP1414D
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4" X 1/2" ROCKET SHAPE CYLINDER WITH 9 1/2" STICK	PHYSICAL DESCRIPTION	1/2" X 7" ROCKET SHAPE CYLINDER WITH 27 1/2" STICK
PRODUCT NAME	MINI CALIFORNIA ROCKET FOUNTAIN CP1413B	PRODUCT NAME	SUPER CALIFORNIA ROCKET FOUNTAIN CP1414A
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4" X 1/2" ROCKET SHAPE CYLINDER WITH 9 1/2" STICK	PHYSICAL DESCRIPTION	1/2" X 7" ROCKET SHAPE CYLINDER WITH 27 1/2" STICK
PRODUCT NAME	MINI CALIFORNIA ROCKET FOUNTAIN CP1413C	PRODUCT NAME	SUPER CALIFORNIA ROCKET FOUNTAIN CP1414C
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	4" X 1/2" ROCKET SHAPE CYLINDER WITH 9 1/2" STICK	PHYSICAL DESCRIPTION	1/2" X 7" ROCKET SHAPE CYLINDER WITH 27 1/2" STICK
PRODUCT NAME	OLD GLORY CP908	PRODUCT NAME	SUPER CALIFORNIA ROCKET FOUNTAIN CP1414B
BRAND	TNT FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	6" MULTI-TUBE TRIANGLE	PHYSICAL DESCRIPTION	1/2" X 7" ROCKET SHAPE CYLINDER WITH 27 1/2" STICK
PRODUCT NAME	PHANTOM ROCKET FOUNTAINS EFFECT: GREEN SHOWER, WHITE GLITTER	PRODUCT NAME	TIME WARP FOUNTAIN CP1545
BRAND	PHANTOM FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	3 1/2" X 1" ROCKET SHAPE CYLINDER ON 10" STICK	PHYSICAL DESCRIPTION	7 3/4" X 3 1/4" CYLINDER
PRODUCT NAME	PHANTOM ROCKET FOUNTAINS EFFECT: ORANGE SHOWER, WHITE CHRYSANTHEMUM	PRODUCT NAME	TNT CRACKLING SALUTE CP1393 10 PCS
BRAND	PHANTOM FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	3 1/2" X 1" ROCKET SHAPE CYLINDER ON 10" STICK	PHYSICAL DESCRIPTION	5" X 1/2" CYLINDER
PRODUCT NAME	PHANTOM ROCKET FOUNTAINS EFFECT: RED SHOWER, WHITE CHRYSANTHEMUM	PRODUCT NAME	TRANSFORMER FOUNTAIN CP1512
BRAND	PHANTOM FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	3 1/2" X 1" ROCKET SHAPE CYLINDER ON 10" STICK	PHYSICAL DESCRIPTION	7 3/4" X 3 1/2" CYLINDER
PRODUCT NAME	PHANTOM ROCKET FOUNTAINS EFFECT: PURPLE SHOWER, WHITE GLITTER	PRODUCT NAME	WOBBLER CP1584
BRAND	PHANTOM FIREWORKS	BRAND	TNT FIREWORKS
PHYSICAL DESCRIPTION	3 1/2" X 1" ROCKET SHAPE CYLINDER ON 10" STICK	PHYSICAL DESCRIPTION	5 1/2" X 4 1/2" CONE WITH ROUNDED BASE
		PRODUCT NAME	WOLFPACK THUNDER STRINGS LOUD CRACKLING STRIP
		BRAND	PHANTOM FIREWORKS
		PHYSICAL DESCRIPTION	2" X 3 1/2" RECTANGULAR PACKAGE

**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., February 29, 2008):

**APPLICATION WITHDRAWN**

Application for Authority to Acquire Control  
Financial Institution to be Acquired: Intercontinental Bank,  
Miami, Florida  
Proposed Purchasers: Alvaro Gorrin Ramos  
Withdrawn: January 24, 2008

**APPLICATION FOR CONVERSION OF AN  
INTERNATIONAL AGENCY OFFICE TO AN  
INTERNATIONAL BRANCH OFFICE**

Applicant and Location: Banco do Brasil, S.A., 2 South  
Biscayne Boulevard, Miami, Florida 33131  
Correspondent: Bowman Brown, Shutts & Bowen, LLP, 1500  
Miami Center, 201 South Biscayne Boulevard, Miami, Florida  
33131  
Received: January 23, 2008

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