

Services must also adhere to guidelines set forth by the State of Florida Department of Elder Affairs Program and Services Handbook, dated July 2012, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc., August 24, 2012, by 3:00 p.m. (EST). Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
 Attention: Lisa Bretz
 2414 Mahan Drive
 Tallahassee, Florida 32308

The responses to this Request for Information (RFI) will be used to identify those organizations that are qualified and interested in providing pre-plated frozen meals for the Area Agency on Aging for North Florida, Inc. Nutrition Programs in Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Liberty, Madison, Taylor, Wakulla and Washington Counties. The Area Agency on Aging for North Florida, Inc. does not plan to award a contract or pay for information provided as a result of this request. This RFI is a preliminary step to the release of an Invitation to Bid package on or around August 31, 2012. Failure to respond by the deadline specified in this notice shall constitute a "not interested" response.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

HILLSBOROUGH COUNTY AVIATION
 AUTHORITY (AUTHORITY)

Request for Qualifications
 Solicitation Number 12-411-051
 Project Number 5876 13

Sealed qualifications for Main Terminal Transfer Level Expansion and Concession Redevelopment Phase 1 – Design will be received from firms by the Authority at Tampa International Airport Offices located at 4100 George J. Bean Parkway, Suite 3311, Main Terminal, 3rd Floor, Blue Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Quick Links, Airport Business, Notice of Solicitations on Wednesday, August 15, 2012.

**Section XII
 Miscellaneous**

DEPARTMENT OF TRANSPORTATION

New Private Use Aviation Facility – Beach Helicopter
 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:

Beach Helicopter, a private airport, in Okaloosa County, at Latitude 30° 23' 18" and Longitude 86° 25' 60", to be owned and operated by Mr. Michael S Schaeffer, P. O. Box 7173, Panama City Beach, FL 32413.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station #46, Tallahassee, Florida 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with 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 Less
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KIA Motors America, Inc., intends to allow the establishment of Bev Smith of Stuart, Inc., as a dealership for the sale of KIA vehicles manufactured by KIA (line-make KIA) at 3131 Southeast Federal Highway, Stuart (Martin County), Florida, 34997, on or after September 17, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Bev Smith of Stuart, Inc., are dealer operator(s): Nicholas S. Smith, 133 South River Road, Stuart, Florida 34996, principal investor(s): Frank X. Gonzalez, 76 Southwest Riverway Boulevard, Palm City, Florida 34990, Nicholas S. Smith, 133 South River Road, Stuart, Florida 34996.

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, 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: Jimmy Wright, KIA Motors America, Inc., 100 Galleria Parkway, Suite 1550, Atlanta, Georgia 30339.

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 Kawasaki Motors Corp. U.S.A., intends to allow the establishment of BMS Partners, LLC, d/b/a Broward Motorsports, as a dealership for the sale of motorcycles manufactured by Kawasaki (line-make KAWK) at 4101 Davie Road Extension, Davie (Broward County), Florida 33024, on or after September 17, 2012.

The name and address of the dealer operator(s) and principal investor(s) of BMS Partners, LLC, d/b/a Broward Motorsports, are dealer operator(s): Sam Nehme, 4760 Sunkist Way, Cooper City, Florida 33330; principal investor(s): Marc Osheroff, 13600 Stirling Road, Southwest Ranches, Florida 33330, Sam Nehme, 4760 Sunkist Way, Cooper City, Florida 33330 and Robin Osheroff, 13600 Stirling Road, Southwest Ranches, Florida 33330.

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: Anthony J. Kestler, Kawasaki Motors Corp. U.S.A., 6110 Boat Rock Boulevard Southwest, Atlanta, Georgia 30336.

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 Triumph Motorcycles America Ltd., intends to allow the establishment of Motorcycle Territory, Inc., d/b/a Florida Sports Triumph as a dealership for the sale and service of Triumph motorcycles manufactured by Triumph (line-make TRUM) at 3100 Southeast Carnivale Court, Stuart (Martin County), Florida 34994, on or after September 17, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc., d/b/a Florida Sports Triumph are dealer operator(s): Dennis R. Connors, 3612 Southwest Mashie Court, Palm City, Florida 34990, principal investor(s): Dennis R. Connors, 3612 Southwest Mashie Court, Palm City, Florida 34990.

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, 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: Kate Barnett, Triumph Motorcycles America Ltd., 385 Walt Sanders Memorial Drive, Suite 100, Newnan, Georgia 30265.

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 Jonway Motorcycles USA Co. Ltd., intends to allow the establishment of Seminole Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Lingyu Vehicle Industry Co. Ltd. (line-make ZLMC) at 6401A 49th Street North, Pinellas Park (Pinellas County), Florida 33781, on or after September 17, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Seminole Scooters, Inc., are dealer operator(s): Robert Hartmann, 6401A 49th Street North, Pinellas Park, Florida 33781; principal investor(s): Robert Hartmann, 6401A 49th Street North, Pinellas Park, Florida 33781.

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: Xiao Tong Qi, Jonway Motorcycles USA Co. Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

EXEMPTIONS

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

County: Orange District: 7
ID # E120009 Decision: A Issue Date: 8/3/2012
Facility/Project: Nemours Children's Hospital
Applicant: The Nemours Foundation
Project Description: Establish a 10-bed child/adolescent inpatient psychiatric unit

Proposed Project Cost: \$5,500,000.
County: Palm Beach District: 9
ID # E120010 Decision: A Issue Date: 8/3/2012
Facility/Project: Bethesda Memorial Hospital
Applicant: Bethesda Healthcare System, Inc.
Project Description: Add eight comprehensive medical rehabilitation beds
Proposed Project Cost: \$460,000

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the September 5, 2012 application filing date for Hospital Beds and Facilities batching cycle:

County: Bay District: 2
Date Filed: 8/6/2012 LOI #: H1208001
Facility/Project: Gulf Coast Medical Center
Applicant: Bay Hospital, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Leon District: 2
Date Filed: 8/6/2012 LOI #: H1208002
Facility/Project: Capital Regional Medical Center
Applicant: Tallahassee Medical Center, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Alachua District: 3
Date Filed: 8/6/2012 LOI #: H1208003
Facility/Project: North Florida Regional Medical Center
Applicant: North Florida Regional Medical Center, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Clay District: 4
Date Filed: 8/6/2012 LOI #: H1208004
Facility/Project: Orange Park Medical Center
Applicant: Orange Park Medical Center, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Pasco District: 5
Date Filed: 8/6/2012 LOI #: H1208005
Facility/Project: Regional Medical Center Bayonet Point
Applicant: HCA Health Services of Florida, Inc.
Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Polk District: 6
 Date Filed: 8/6/2012 LOI #: H1208006
 Facility/Project: HealthSouth Rehabilitation Hospital of Polk County, LLC
 Applicant: HealthSouth Rehabilitation Hospital of Polk County, LLC
 Project Description: Establish a comprehensive medical rehabilitation hospital of up to 50 beds

County: Manatee District: 6
 Date Filed: 8/6/2012 LOI #: H1208007
 Facility/Project: Manatee Memorial Hospital
 Applicant: Manatee Memorial Hospital, LP
 Project Description: Establish a Level III NICU of up to 15 beds

County: Brevard District: 7
 Date Filed: 8/6/2012 LOI #: H1208008
 Facility/Project: Wuesthoff Medical Center-Melbourne
 Applicant: Melbourne HMA, LLC
 Project Description: Establish a Level II NICU of up to 10 beds

County: Orange District: 7
 Date Filed: 8/6/2012 LOI #: H1208009
 Facility/Project: Nemours Children's Hospital
 Applicant: The Nemours Foundation
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 10 beds

County: Osceola District: 7
 Date Filed: 8/6/2012 LOI #: H1208010
 Facility/Project: Oglethorpe of Orlando, Inc.
 Applicant: Oglethorpe of Orlando, Inc.
 Project Description: Establish an adult inpatient psychiatric hospital of up to 28 beds

County: Osceola District: 7
 Date Filed: 8/6/2012 LOI #: H1208011
 Facility/Project: Oglethorpe of Orlando, Inc.
 Applicant: Oglethorpe of Orlando, Inc.
 Project Description: Establish an adult substance abuse hospital of up to 14 beds

County: Osceola District: 7
 Date Filed: 8/6/2012 LOI #: H1208012
 Facility/Project: Osceola Regional Medical Center
 Applicant: Osceola Regional Medical Center, Inc.
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 32 beds

County: Broward District: 10
 Date Filed: 8/6/2012 LOI #: H1208013
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 25 beds

County: Miami-Dade District: 11
 Date Filed: 8/6/2012 LOI #: H1208014
 Facility/Project: Jackson Memorial Perdue Medical Center
 Applicant: Public Health Trust of Miami-Dade County
 Project Description: Establish an acute care hospital of up to 30 beds

County: Marion District: 3
 Date Filed: 8/6/2012 LOI #: H1208015
 Facility/Project: Kindred Hospital Ocala
 Applicant: Kindred Hospitals East, LLC
 Project Description: Establish a 31-bed replacement long-term care hospital

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 October 10, 2012, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on September 21, 2012.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On August 7, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Sarasota Pain Management, Inc., Registration #PMC 1037. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 1, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Krista Mae Gordon, R.N., License #RN 9220010. This Emergency Suspension Order was predicated upon the State Surgeon General'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 (2011).

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

Notice of Emergency Action

On August 7, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Jessica L. Gilbert, R.P.T., License #RPT 35041. This Emergency Suspension Order was predicated upon the State Surgeon General’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 (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

NOTICE OF THE AVAILABILITY OF THE 2012 TRAUMA CENTER LETTER OF INTENT

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent

PURPOSE AND EFFECT: The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes.

Rule 64J-2.012, Florida Administrative Code.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, mail, or visit the Office of Trauma’s website at: <http://doh.state.fl.us/demo/Trauma/Index.html> “Letter of Intent 2012”.

Telephone: (850)245-4444, ext. 2756 or Suncom: 205-4440.

Fax: (850)488-2512.

Mail request to: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18 Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2012, and midnight, October 1, 2012.

CONTACTS: Bernadette Behmke, (850)245-4444, ext. 2756, or Susan McDevitt, (850)245-4444, ext. 2760 or Suncom: 205-4440.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Final Order No.: DEO-12-106

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY THE CITY OF KEY WEST FLORIDA, ORDINANCE NO.: 12-14

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2012), approving land development regulations adopted by the City of Key West, Florida, Ordinance No.: 12-14 (the “Ordinance”).

FINDINGS OF FACT

- 1. The City of Key West is designated pursuant to Section 380.05(1), Florida Statutes (2012), and Chapter 28-36, Florida Administrative Code, as an area of critical state concern. Land development regulations adopted by the City of Key West do not become effective until approved by the Department by final order. Sections 380.05(6) and (11), Florida Statutes (2012).
2. The Ordinance was adopted by the City of Key West on June 5, 2012, and rendered to the Department on July 5, 2012.
3. The Ordinance amends Chapter 102 of the City Code, entitled “Historic Preservation” by amending Sections 102-216 and 102-217 to relax the requirements to obtain approval to demolish non-historic and non-contributing buildings or structures in the Historic District, and to require an historic architectural review commission certificate of appropriateness in order to demolish contributing buildings and structures outside the Historic District.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and (11), Florida Statutes (2012).
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2012). The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and (11), Florida Statutes (2012). The Principles for Guiding Development for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
(a) To strengthen local government capabilities for managing land use and development.
(e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.

8. The Ordinance is consistent with Objective 3-1.5 and Policy 3-1.5.2 of the City of Key West Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No. 12-14 is found to be consistent with the Principles for Guiding Development for the City of Key West 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 timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

J. THOMAS BECK, AICP
Director, Division of Community Development
Department of Economic Opportunity

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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND 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 ECONOMIC OPPORTUNITY 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:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF GENERAL COUNSEL
107 EAST MADISON STREET, MSC #110
TALLAHASSEE, FLORIDA 32399-4128

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 was 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 2nd day of August, 2012.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC #110
Tallahassee, FL 32399-4128

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
3216 Flagler Avenue
Key West, FL 33040

Cheryl Smith, City Clerk
3216 Flagler Avenue
Key West, FL 33040

Donald Leland Craig, AICP
City Planner
3140 Flagler Avenue
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee, FL

Final Order No.: DEO-12-107
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF KEY WEST
FLORIDA, ORDINANCE NO.: 12-15

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2012), approving land development regulations adopted by the City of Key West, Florida, Ordinance No.: 12-15 (the “Ordinance”).

FINDINGS OF FACT

1. The City of Key West is designated pursuant to Section 380.05(1), Florida Statutes (2012), and Chapter 28-36, Florida Administrative Code, as an area of critical state concern. Land development regulations adopted by the City of Key West do not become effective until approved by the Department by final order. Sections 380.05(6) and (11), Florida Statutes (2012).
2. The Ordinance was adopted by the City of Key West on June 5, 2012, and rendered to the Department on July 5, 2012.

3. The Ordinance amends Chapter 108 of the City Code, entitled “Planning and Development” by adding Section 108-999 “Zoning in Progress” to defer processing of building permits dated after November 16, 2011, while the City formulates and adopts amendments to its building permit allocation system or until the passage of 365 days, whichever occurs first.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and (11), Florida Statutes (2012).
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2012). The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and (11), Florida Statutes (2012). The Principles for Guiding Development for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development.
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.
8. The Ordinance is consistent with Policy 1-3.12.1 of the City of Key West Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No.: 12-15 is found to be consistent with the Principles for Guiding Development for the City of Key West 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 timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
J. THOMAS BECK, AICP
Director, Division of Community Development
Department of Economic Opportunity

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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND 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 ECONOMIC OPPORTUNITY 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:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF GENERAL COUNSEL
107 EAST MADISON STREET, MSC #110
TALLAHASSEE, FLORIDA 32399-4128

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 was 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 2nd day of August, 2012.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
3216 Flagler Avenue
Key West, FL 33040
Cheryl Smith, City Clerk
3216 Flagler Avenue
Key West, FL 33040

Donald Leland Craig, AICP
City Planner
3140 Flagler Avenue
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO, Tallahassee, FL

Final Order No.: DEO-12-108

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF KEY WEST
FLORIDA, ORDINANCE NO.: 12-13

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2012), approving land development regulations adopted by the City of Key West, Florida, Ordinance No. 12-13 (the “Ordinance”).

FINDINGS OF FACT

1. The City of Key West is designated pursuant to Section 380.05(1), Florida Statutes (2012), and Chapter 28-36, Florida Administrative Code, as an area of critical state concern. Land development regulations adopted by the City of Key West do not become effective until approved by the Department by final order. Sections 380.05(6) and (11), Florida Statutes (2012).
2. The Ordinance was adopted by the City of Key West on June 5, 2012, and rendered to the Department on July 5, 2012.
3. The Ordinance amends Chapter 90 of the Key West Code of Ordinances entitled “Administration,” by amending Section 90-553 to remove the twice per year limitation on general comprehensive plan amendments. This amendment is consistent with the 2011 amendment to Section 163.3187(1), Florida Statutes, to remove the same twice per year limitation on plan amendments.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and (11), Florida Statutes (2012).
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2012). The regulations adopted by the Ordinance are land development regulations.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and (11), Florida Statutes (2012). The Principles for Guiding Development for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principle:
 - (a) To strengthen local government capabilities for managing land use and development.
8. The Ordinance is consistent with the City of Key West Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No. 12-13 is found to be consistent with the Principles for Guiding Development for the City of Key West 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 timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____
J. THOMAS BECK, AICP

Director, Division of Community Development
Department of Economic Opportunity

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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND 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 ECONOMIC OPPORTUNITY 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:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF GENERAL COUNSEL
107 EAST MADISON STREET, MSC #110
TALLAHASSEE, FLORIDA 32399-4128

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 2nd day of August, 2012.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
3216 Flagler Avenue
Key West, FL 33040

Cheryl Smith, City Clerk
3216 Flagler Avenue
Key West, FL 33040

Donald Leland Craig, AICP
City Planner
3140 Flagler Avenue
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL

Final Order No.: DEO-12-109

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF KEY WEST
FLORIDA, ORDINANCE NO.: 12-16

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2012), approving land development regulations adopted by the City of Key West, Florida, Ordinance No. 12-16 (the “Ordinance”).

FINDINGS OF FACT

1. The City of Key West is designated pursuant to Section 380.05(1), Florida Statutes (2012), and Chapter 28-36, Florida Administrative Code, as an area of critical state concern. Land development regulations adopted by the City of Key West do not become effective until approved by the Department by final order. Sections 380.05(6) and (11), Florida Statutes (2012).
2. The Ordinance was adopted by the City of Key West on June 5, 2012, and rendered to the Department on July 5, 2012.
3. The Ordinance amends Sections 122-1016, 122-1017, 122-1018, and 122-1020 of the City Code related to the public and semipublic services land use district (PS) to add guidelines, including a floor area ratio; amend the list of services allowed in the PS district; allow additional conditional uses including emergency shelters for the homeless, theatres and stadiums, crematoriums, restaurants and food service facilities associated with recreational activities, and solid waste and recycling transfer and storage facilities; and add dimensional requirements for buildings in the PS district.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and (11), Florida Statutes (2012).
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2012). The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and (11), Florida Statutes (2012). The Principles for Guiding Development for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development.
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.
8. The Ordinance is consistent with Objective 1-1.4 and Policies 1-1.4.1 and 1-1.4.2 of the City of Key West Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No. 12-16 is found to be consistent with the Principles for Guiding Development for the City of Key West 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 timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
J. THOMAS BECK, AICP
Director, Division of Community Development
Department of Economic Opportunity

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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND 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 ECONOMIC OPPORTUNITY 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:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF GENERAL COUNSEL
107 EAST MADISON STREET, MSC #110
TALLAHASSEE, FLORIDA 32399-4128

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 3rd day of August, 2012.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
3216 Flagler Avenue
Key West, FL 33040

Cheryl Smith, City Clerk
3216 Flagler Avenue
Key West, FL 33040

Donald Leland Craig, AICP
City Planner
3140 Flagler Avenue
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL
