

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by MARTIN COUNTY. This petition was assigned the number DCA06-WAI-062. Notice of this petition appeared in the March 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner MARTIN COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by MARTIN COUNTY. This petition was assigned the number DCA06-WAI-063. Notice of this petition appeared in the March 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner MARTIN COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

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

**WATER MANAGEMENT DISTRICTS**

The St. Johns River Water Management District (SJRWMD) Governing Board hereby gives notice that on March 7, 2006, it issued a Final Order Granting Variance under Section 120.542, F.S. (SJRWMD FOR #2005-139), to Coral Key Development, LLC. (Petitioner). The Petition for Variance was received by SJRWMD on December 20, 2005. Notice of receipt of the petition requesting the variance was published in the Florida

Administrative Weekly, Vol. 32, No. 3 on January 20, 2006. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship and 2) Petitioner's financial contribution to the C-1 Rediversion Project will accomplish the purpose of Chapter 373, Florida Statutes, to prevent harm to the water resources by facilitating this project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the order may be obtained by contacting: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

The Bureau of Elevator Safety hereby gives notice on February 9, 2006, it Issued an Order Granting Variance Request in response to a petition filed on November 11, 2006 and advertised in FAW Vol. 31, No. 49, by Lee Rigby of Vertical Assessment Associates on behalf of Hotel Indigo (VW 2005-167). The petition sought a waiver from Rules 2.1.3.1, 2.7.6, 2.18.5, 2.24.2.1, 2.24.2.2, and 2.20.1, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room, to use 9.5-mm governor rope metal sheaves and drums lined with nonmetallic groove materials, sheaves with a minimum pitch diameter 40 times the diameter of the rope and to use aramid non-metallic ropes. The petition was granted as it was demonstrated that this new technology provided equivalent or greater safety than the present code.

A copy of the Orders can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice on January 30, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed on December 30, 2006 and advertised in F.A.W., Vol. 32, No. 2, by Lee Rigby of Vertical Assessment Associates on behalf of St. Joseph's Hospital Garage – Tampa (Petition VW 2005-193) seeking a

waiver from Chapter 2.1.3.1.2, 2.7.6, 2.9, 2.4.6, 2.23.4.1, and 2.14.1.5, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3000.2, 2004 Florida Building Code. The petitioner requested not to have access to the overspeed governor from outside the hoistway, to have the machine and control room within the hoistway, to be allowed the use guide rails to support the loads and stresses, reduce the clearance above the car, allow additional loads be calculated prior to obtaining minimum bracket spacing requirements from the published table and to allow a cartop emergency hatch openable by a restricted use key. The petition was granted as it was demonstrated that this new technology provided equivalent or greater safety than the present code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice on January 9, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed on December 9, 2005 and advertised in F.A.W., Vol. 32, No. 1, by Lee Rigby of Vertical Assessment Associates on behalf of Tri-Rail Constructors (Petition VW 2005-181) seeking a waiver from Chapter 110.3(b), A.S.M.E. 17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code. The petitioner requested to have the doors remain open when the units are not in operation. The petition was granted as it was demonstrated the intent of the code was to restrict the spread of fire within a building and the construction of the towers negated this concern as they are free-standing structures service the rail platform only with no attached buildings.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued two Orders Granting Variance Requests in response to petitions filed on December 7, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Robert Gerdt of Otis Elevator regarding Summer Cove Condo in Sarasota (VW 2005-179 and 2005-180). The petitions sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 13, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding Wuestoff Hospital in Rockledge (VW 2005-182). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 5, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding The Plaza in Orlando (VW 2005-177). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 20, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding Florida Hospital (VW 2005-186). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 7, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Rick Dayton of Otis Elevator regarding The Star Tower Condominium in Orlando (VW 2005-178). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on February 16, 2006 it issued an Order Granting Emergency Variance Request in response to a petition filed on January 17, 2006 and advertised in F.A.W., Vol. 32, No. 8, by Frank E. Scerbo, P.E. of CH2M Hill on behalf of the MOSI Pedestrian Overpass in Tampa, FL (Petition VW 2006-046) seeking a waiver from Rule 102.1, of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Chapter 3001.2, Florida Building Code. The petitioner requested to be allowed to install the circuits for the exterior lighting to be in the panel box located within the machine room. The petition was granted as it was determined that the intent of the rule is to eliminate non-elevator personnel from needing to access the machine room. As the lights are on photocells there will be no need for anyone to access the panel box other than elevator service personnel.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on February 9, 2006 it issued an Order Granting Variance Request in response to a petition filed on January 4, 2006, and advertised in F.A.W., Vol. 32, No. 6, by Don W. Birdsall of Lift-U Div. Hogan Mfg., Inc. on behalf of the Ringling Museum of Art in Sarasota, FL (Petition VW 2006-001) seeking a waiver from Rules 2.1.3.2, 2.1.3.3 and 2.1.3.5, of ASME A18.1, 1999 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to be allowed to install a wheelchair lift with perforated sides, an arm in place of a solid door and to not have solid walls on the sides not used for entrance or exit. The petition was granted as

it was determined that the proposed barrier and having the unit attendant operated will eliminate any pinch points which is the concern the rules are designed to eliminate.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on March 17, 2006, it issued an Order Granting Emergency Variance Request in response to a petition filed on February 16, 2006, (as advertised in F.A.W., Vol. 32, No. 12) by Jeanne Martin of Accessibility Lifts, Inc. regarding Eagles Landing II (VW 2006-048), seeking a waiver from Rule 2000.7a of ASME A18.1, 1999 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to have a vertical wheelchair lift with a travel distance of 152 inches. The variance was granted as the petitioner demonstrated that the unit is designed and certified to travel up to 14 feet safely and that newer editions of the code (yet to be adopted) permit lifts up to 14 in travel distance.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

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The Board of Accountancy hereby gives notice that it has received a petition, filed on March 16, 2006, by Julie Ann Woelfel Williams, seeking a variance or waiver of subsection 61H1-33.006(2), Florida Administrative Code, and the requirement that required continuing professional education hours have been completed in the 24 months immediately proceeding the date of the an application for reactivation.

Comments on this petition should be filed with the: Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607, within 14 days of publication of this notice.

For a copy of the petition, contact John Johnson, Division Director, Board of Accountancy, at the above address or by telephone at (352)333-2505.

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## **DEPARTMENT OF HEALTH**

The Board of Chiropractic Medicine hereby gives notice that it has received a Petition for Variance or Waiver filed on March 27, 2006 on behalf of Jennifer T. Bonde, D.C. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of the provisions of Rule 64B2-13.007, F.A.C., entitled "Continuing Education During Initial Licensure

Period.” Specifically, the Petitioner requests that on the basis of substantial hardship and/or the principles of fairness explained in the Petition the Board temporarily waive the requirements for attending a full day Board meeting within the first twelve months after initial licensure.

Copies of the petition may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

The Board of Dentistry hereby gives notice that it has received a petition filed on March 13, 2006, by Bradley Piotrowski, D.D.S., seeking a variance or waiver from subsection 64B5-14.005(2), F.A.C., concerning the training requirements for obtaining an anesthesia permit. Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry, at the above address.

The Board of Hearing Aid Specialist hereby gives notice that it has received a petition, and it was filed by the Deputy Clerk on March 22, 2006, from Petitioner, Yolanda Alexi Rodriguez, seeking a variance of subsection 64B6-8.003(8), Florida Administrative Code. Petitioner is requesting a variance of the hearing aid specialist exam and an allowance to sit for another examination. Comments on this petition should be filed with Board of Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this Notice.

For a copy of the Petition, contact: Sue Foster, Executive Director, Board of Hearing Aid Specialists, at above address or telephone (850)245-4460.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited.

DATE AND TIME: May 10, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Florida State Records Center, Room 10, 4319 Shelfer Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Historical Records Advisory Board will meet to review and discuss the grants awarded at its October 2005 meeting. The Board will also review the future funding for grants from the National Historical Publications and Records Commission.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, State Library and Archives of Florida, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6750, Suncom: 205-6750.

Pursuant to Section 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

#### DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** will hold telephone calls during the week of April 10, 2006, to which all persons are invited.

Committee: Legislative Committee

DATE AND TIME: April 11, 2006, 10:00 a.m.

Awards and Recognition Committee

DATE AND TIME: April 11, 2006, 11:00 a.m.

Annual Report Committee

DATE AND TIME: April 12, 2006, 10:00 a.m.

Finance and Budget Committee

DATE AND TIME: April 13, 2006, 10:00 a.m.

PLACE: Conference Call (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

NOTE: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need an accommodation because of disability in order to participate, please notify FCSW at least 5 days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIMES: Thursday, May 18, 2006, 8:30 a.m. – 6:00 p.m.; Friday, May 19, 2006, 8:30 a.m. – 5:00 p.m.

PLACE: Turnbull Education Center, 555 W. Pensacola Street, Room 244, Tallahassee, Florida 32306-1640

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer’s reports.

For a copy of the agenda or additional information call Patsy Rushing, (850)922-4539 or write to 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.