

(2) The bonus commission will start at \$10,000. In the event no winning jackpot ticket is sold for a FLORIDA LOTTO drawing, the bonus commission amount will increase by \$5,000 per draw until a winning jackpot ticket is sold, at which time the bonus commission will start over at \$10,000.

(3) The bonus commission awarded to retailers that sell a winning \$2.00 or \$3.00 Lotto Plus™ jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing will be continued for Advance Play FLORIDA LOTTO \$2.00 or \$3.00 Jackpot tickets sold on or before October 10, 2009, the date the sale of such tickets will be discontinued.

(4) If multiple winning jackpot tickets are sold for the same FLORIDA LOTTO drawing, the retailers selling such tickets will share the bonus commissions. Each retailer selling a winning jackpot ticket will receive a share of the bonus equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold for that drawing.

(5) Award of a bonus commission is not dependent upon the winning jackpot ticket being claimed by the winner.

(6) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(7) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(8) FLORIDA LOTTO bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 12-3-09, Replaces 53ER09-56, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: December 3, 2009

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."

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

**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."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on December 7, 2009, the Suwannee River Water Management District, received a petition for variance from Kenneth Roesch, 15411 N. W. 46th Lane, Chiefland, FL 32626, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero-rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to repair existing building and deck, located in Levy County, in Township 12 South, Range 13 East, Section 32. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 06-0508M, Treasure Camp Addition 1.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN THAT on December 2, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That order granted a variance to: Sue O'Connor, Oceans One, Daytona Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-202 and 289).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on December 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That order granted a variance to: Ernie Moses, Ramada Conference Center, Tallahassee, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until December 1, 2012 (VW 2009-414).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 19, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, South Seas Island Resort, Captiva, FL, and location of the Serial Number 38134 and 39334-35, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Charles E. Pogue, Manager (VW 2009-752).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 19, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3, 2.7.4 and 2.8.1(b) and A17.1, Sections 204.7(d), 211.1 and 1200.4(d), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Diamond Isle Condominium, Inc., Clearwater, FL, and location of the Serial Numbers 12340-41, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Karen J. Cochran, CAM (VW 2009-753).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 19, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph

61C-5.001(1)(a), F.A.C. The petitioner, Jamestown Condominium Association, Inc., West Palm Beach, FL, and location of the Serial Number 20160, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Allison Waldman, CAM (VW 2009-754).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 19, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Boca Beach Resort, Boca Raton, FL, and location of the Serial Numbers 96096-96107, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jennifer Livingston, Agent (VW 2009-755).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 20, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Catamaran I, Inc., Ft. Pierce, FL, and location of the Serial Number 25036-39, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Julian Chechatka, Board Secretary (VW 2009-756).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 20, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Miramar Condominium, Jensen Beach, FL, and location of the Serial Numbers 30191-92, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Kathleen A. Gassmann, CAM (VW 2009-757).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 20, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Park West Condominium Association, Winter Park, FL, and location of the Serial Numbers 31642-43 and 30318, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lessy Texier, CAM (VW 2009-758).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 24, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Treasure Sands Condominium of Treasure Island, and location of the Serial Number 20502-03, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Stone, Property Manager (VW 2009-759).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 24, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Shannon Funeral Home, Bradenton, FL, and location of the Serial Number 2371, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from J. Raymond Shannon, Owner (VW 2009-761).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 24, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3,

Section 3.11.3 and A17.1, Section 112.3d, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Isle of Clearwater Condominium, Clearwater, FL, and location of the Serial Number 31006, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Dennis Carter, Secretary (VW 2009-762).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 24, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.1 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Days Inn, Ft. Myers, FL, and location of the Serial Number 26571, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Turin Panel (VW 2009-765).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 30, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Williams Park Plaza/Kelly Hotel, St. Petersburg, FL, and location of the Serial Number 16234, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Blakemore Kearney (VW 2009-768).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 25, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on November 12, 2009 for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code, Paragraph 5-204.11(A), 2001 FDA Food Code, paragraph 61C-1.004(1)(d), F.A.C., Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Section 5-203.13, 2001 FDA Food Code, subsections 61C-4.010(1), (5), and 61C-1.004(1), F.A.C., from

BBQ Food East located in Orlando. The above referenced F.A.C. addresses the requirements that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils; an area for food preparation that has a conveniently located hand wash sink; discharge sewage into an approved collection system; an approved plumbing system installed; and that food must be properly stored in a licensed establishment. They are requesting to install potable and waste water holding tanks and share warewashing, food preparation and food storage areas, and mop wash facilities with another licensed public food service establishment.

The variance request was published in Vol. 35, No. 48, 12/4/09, contingent upon the petitioner ensuring the dishwashing facility, mop sink and hand wash sink located within Orlando FoodService Partners-Main Kitchen are maintained in a clean and sanitary manner and provided with hot and cold running water under pressure and available during all hours of operation. The same requirement applies to the hand sink located in BBQ Food East. The waste water holding tanks must be emptied at a frequency as to not create a sanitary nuisance; and the potable water provided must come from an approved source and be protected from contamination during handling. ensure food is stored protected from contamination and that all food-contact surfaces are washed, rinsed and sanitized before use. If the owner of Orlando FoodService Partners-Main Kitchen changes, an updated signed agreement for use of the dishwashing facility, mop sink, and food preparation and food storage areas is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 25, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on November 12, 2009, for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code, Paragraph 5-204.11(A), 2001 FDA Food Code, paragraph 61C-1.004(1)(d), Florida Administrative Code, Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Section 5-203.13, 2001 FDA Food Code, subsections 61C-4.010(1), (5), and 61C-1.004(1), Florida Administrative Code, from BBQ Food West located in Orlando. The above referenced F.A.C. addresses the requirements that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils; an area for food preparation that has a conveniently located hand wash sink; discharge sewage into an approved collection system; an approved plumbing system installed; and that food must be properly stored in a licensed establishment. They are requesting to install potable and waste water holding

tanks and share warewashing, food preparation and food storage areas, and mop wash facilities with another licensed public food service establishment.

The variance request was published in Vol. 35, No. 48, 12/4/09, contingent upon the petitioner ensuring the dishwashing facility, mop sink and hand wash sink located within Orlando FoodService Partners-Main Kitchen are maintained in a clean and sanitary manner and provided with hot and cold running water under pressure and available during all hours of operation. The same requirement applies to the hand sink located in BBQ Food East. The waste water holding tanks must be emptied at a frequency as to not create a sanitary nuisance; and the potable water provided must come from an approved source and be protected from contamination during handling. ensure food is stored protected from contamination and that all food-contact surfaces are washed, rinsed and sanitized before use. If the owner of Orlando FoodService Partners-Main Kitchen changes, an updated signed agreement for use of the dishwashing facility, mop sink, and food preparation and food storage areas is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on December 3, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), and 61C-4.010(6), F.A.C., from Thuman's Catering located in Fort Myers. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on December 3, 2009, the Electrical Contractors' Licensing Board, received a petition for Glendon K. Allen, seeking a variance or waiver of subsection 61G6-5.002(1), F.A.C., which requires that an applicant for certification by examination or by endorsement shall submit the complete application form together with all supporting data including information required to be submitted under Rules 61G6-5.003 and 61G6-5.004, F.A.C., if applicable. Petitioner is also seeking a variance or waiver of subsection 61G6-5.002(3), F.A.C., which requires that the

initial Business Computer-Based Test portion may be taken from the professional testing service at any time after the applicant has been approved to sit for the initial paper and pencil Technical/Safety Examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 18, 2009, the Board of Accountancy has issued an order.

The order is regarding the Petition for Waiver or Variance, filed on April 7, 2009, by Anna C. Kroll. The Notice of Petition for Waiver or Variance was published in Vol. 35, No. 17, May 1, 2009, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release for the first test section passed. The Board considered the instant Petition at a duly-noticed public meeting on June 10, 2009, in Tampa, Florida.

The Board's Order denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner had failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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."

NOTICE IS HEREBY GIVEN THAT on December 2, 2009, the Department of Environmental Protection, received a petition for a temporary variance from the requirements of paragraph 62-761.510(1)(a), F.A.C., to allow the continued operation of the underground storage tanks without upgrading with secondary containment at 7-Eleven #27590, 8338 Narcoossee Road, Orlando, Florida 32827-5851, facility ID number 488736138, until December 31, 2010. Due to

right-of-way takings, a new facility will replace that facility by that date. OGC Case number is 09-4010. Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: John Svec, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #4525, Tallahassee, Florida 32399-2400, (850)245-8845, e-mail: john.svec@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 30, 2009, Bureau of Beaches and Coastal Systems, received a petition for variance or waiver, pursuant to Section 120.542, Florida Statutes, and Chapter 28-104, F.A.C., from subsections 62B-33.002(18) and (63) F.A.C., which defines "eligible structures" and "vulnerable," respectively, and from paragraph 62B-33.0051(1)(a), F.A.C., which provides the condition where construction of armoring shall be authorized for the protection of an eligible structure. The petition was received from Patrick Kerchowski, on behalf of George and Kimberly Matthews, regarding WL-1041 AR. The property is located at 2890, East Hwy. 30A, in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., MS #300, Tallahassee, Florida 32399-3000, and should be submitted within 14 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on November 6, 2009, Board of Optometry has issued an order to Grant on the Petition for Variance or Waiver filed on September 24, 2009, by Mona Patel, O.D. The Notice of Petition for Variance or Waiver was published in Vol. 35, No. 40, October 9, 2009, Florida Administrative Weekly. The petitioner sought a variance from the provision of subsection 64B13-4.001(1), Florida Administrative Code, which requires applicants for licensure to obtain a passing score on the examination given by the National Board of Examiners in Optometry (NBEO) within five years of applying to take the Florida state examination described in subsection 64B13-4.001(2), F.A.C. Petitioner passed the NBEO examination in May, 2004, which is less than 6 months outside the requirement. The Board of Optometry considered the Petition at its meeting held on October 30, 2009 in Lake Buena Vista, Florida. The Board's Notice of Intent to Grant, filed on November 6, 2009, determined that the Petitioner has demonstrated that the purpose of the underlying statute is met, and application of the rule would create a substantial hardship. For these reasons, the Petition for Variance or Waiver was granted.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Psychology hereby gives notice that it has received a petition, filed on December 4, 2009, by Charles John Flagler Psy.D., seeking a variance or waiver of Rule 64B19-11.005, F.A.C., which requires that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with this rule, including the requirement that it average at least two hours of clinical supervision each week, at least one of which is individual face-to-face supervision.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

The Board of Psychology hereby gives notice that it has received a petition, filed on November 16, 2009, by Antonio Martinez-Monfort, Ph.D., seeking a variance or waiver of Rule 64B19-11.001, F.A.C., which requires that all applicants for licensure have a passing grade of 70% correct answers in the EPPP examination taken before October, 2000.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 17, 2009, Department of Health, received a petition for variance from Francis McMahon, representing Kellygreen Company. Specifically, the petitioner seeks a variance from Rule 64E-6.013, Florida Administrative Code, which specifies the construction materials and minimum standards for treatment receptacles.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on December 3, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from subsection 67-40.020(1) F.A.C., from MBCDC: Villa Maria, LLC. The petition is seeking a

waiver to allow for the use of non-skid ceramic floor tile ("Non-Skid Flooring") in lieu of tight-napped Berber-type carpet ("Carpet").

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at: www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Office of the Attorney General**, Gang Reduction Strategy Coordinating Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2010, 2:00 p.m.

PLACE: Office of the Attorney General, PL-01, Plaza Level Conference Room, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Gang Reduction Strategy.

A copy of the agenda may be obtained by contacting: Anna Phillips, Office of the Attorney General, Room PL-01, The Capitol, Tallahassee, Florida 32399-1050.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Phillips, Office of the Attorney General, Room PL-01, The Capitol, Tallahassee, Florida 32399-1050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of the Attorney General, Room PL-01, The Capitol, Tallahassee, Florida 32399-1050.

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following full Council telephone conference meeting which all persons are invited to attend.

Council on the Social Status of Black Men and Boys

DATE AND TIME: January 14, 2010, 2:00 p.m. – 4:00 p.m.