

is set at \$15 per hour, the cost per affected person is \$7.50; times 100 people per year = \$750 per year; times 5 years = \$3,750.

Also, the Notice of Rule Development was incorrectly stated have been published on August 4, 2011, whereas said Notice was actually published on August 5, 2011.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) hereby gives notice on June 14, 2012, the District's Governing Board issued SFWMD Order No. 2012-064-DAO-ROW to Brian and Tammy Rayfield (Application No. 11-0818-3). The petition for waiver was received by the District on April 18, 2012. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 38, No. 18, on May 4, 2012. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing dock within the north right of way of the C-16 Canal at the rear of the east 25' of Lot 42 and the west 6' of Lot 43, Harbor Estates to remain; Section 22, Township 45 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the low member elevation of pile-supported docking facilities within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the dock is located downstream of the District's S-41 Water Control Structure and will not interfere with the District's operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon substantial hardship and principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 24, 2012 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Crepe Maker located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Petition for this variance was published in Vol. 38, No. 23 on June 8, 2012. The Order for this Petition was signed on June 15, 2012 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tanks for the handwash and three-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks are provided with hot and cold running water under pressure. The handwash sink must also be equipped with soap, approved hand drying device and a handwashing sign.

A copy of the Order or additional information 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 June 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lakewood Mid-Rise Condominium Association, Inc. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations and door restrictors which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-192).

A copy of the Petition 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 June 14, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Mack Bayou Medical Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.8.5.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the air conditioning equipment not be located above elevator equipment which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-193).

A copy of the Petition 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 June 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Palladio. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.15.9, 2.18.5.1 and 2.20.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators governor ropes material, suspension means and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-191).

A copy of the Petition 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 June 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Internal Operations Center I. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by subsection 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5

days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-195).

A copy of the Petition 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 June 19, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Dohring Group. Petitioner seeks an emergency variance of the requirements of ASME A17.3, or 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), Florida Administrative Code, that requires upgrading the elevators platform guard pit which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-196).

A copy of the Petition 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 June 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for UF 357 Clinical and Translational Research. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with minimum diameter ropes shall be 9.5 mm, and metal sheaves which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-194).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 19, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Good Samaritan Center, filed May 24, 2012, and advertised in Vol. 38, No. 23, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.10.4(t), 3.3.2, 2.7.4, 3.11.1(a)(1&2), 3.4.5(d)(1), 2.7.3,

3.4.4(a), 3.9.2, and 3.4.1(a), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, in car stop switch, platform guards, door restrictors, car emergency signaling devices, car illumination, access to hoistway, emergency exits, car door and gate locations, final terminal stopping devices and car enclosures until September 1, 2012 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-159).

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

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance and Waiver filed by Joseph S. Leighton on April 10, 2012. The Notice of Petition for Variance and Waiver was published in Vol. 38, No. 17, of the April 27, 2012, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on May 11, 2012. The Petitioner requested a permanent Variance or Waiver of subsection 61G4-15.001(2), Florida Administrative Code, regarding qualifications for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

The Board's Order, filed on June 13, 2012, denies the Petition for Wavier and Variance of subsection 61G4-15.001(2), Florida Administrative Code. The Petitioner has not shown a substantial hardship or that application of the rule would violate principles of fairness, the Board did not further consider the Petition.

A copy of the Order or additional information may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Board of Accountancy hereby gives notice that the petition filed by William Cunningham, on April 16, 2012, seeking a variance or waiver from paragraphs 61H1-27.002(2)(a) and (b), Florida Administrative Code, has been withdrawn. The Notice of Petition published in Vol. 38, No. 18, of the May 4, 2012, issue of the Florida Administrative Weekly.

The person to be contacted regarding this petition is: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that on June 15, 2012, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Tilahun H. Abraha, M.D., on March 20, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 38, No. 14, of the Florida Administrative Weekly, on April 6, 2012. The Board, at its meeting held on June 1, 2012, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on June 15, 2012, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Robert G. Baily, M.D., on April 3, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 38, No. 16, of the Florida Administrative Weekly, on April 20, 2012. The Board, at its meeting held on June 1, 2012, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on June 15, 2012, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Jose Luis Mira-Hernandez, M.D., on April 3, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 38, No. 15, of the Florida Administrative Weekly, on April 13, 2012. The Board, at its meeting held on June 1, 2012, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on June 15, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed on behalf of H. Alex Spratt, M.D., on April 20, 2012, seeking a waiver from Rule 64B8-1.007 and subsection 64B8-4.009(1), F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the licensure application. The Notice was published in Vol. 38, No. 18, of the Florida Administrative Weekly, on May 4, 2012. The Board, at its meeting held on June 1, 2012, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on June 15, 2012, an Order was filed on the Petition for Waiver. The Petition for Waiver was filed by Jesus Gutierrez Stone, M.D., on April 13, 2012, seeking a waiver from subsection 64B8-4.009(1), F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the licensure application. The Notice was published in Vol. 38, No. 19, of the Florida Administrative Weekly, on May 11, 2012. The Board, at its meeting held on June 1, 2012, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN that on June 19, 2012, the Board of Optometry, received a petition for waiver or variance filed by Michael J. Giese, O.D., Ph.D., F.A.A.O., from subsections 64B13-4.001(1) and (2), F.A.C., with regard to licensure requirements of subsections 64B13-4.001(1) and (2), F.A.C., that applicants submit scores on the national licensing exam taken no longer than 7 years prior to application. Petitioner is asking that his teaching certificate be converted into a certified optometrist license.

Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, at the above address, or telephone (850)245-4355.

The Department of Health hereby gives notice THAT ON May 15, 2012, the Department of Health filed an Order disposing of a petition for variance from the requirements of paragraph 64E-16.007(2)(e), F.A.C., which prescribes a procedure for conducting routine efficacy using indicator discs in place of biological indicators to prove efficacy of sterilization. The petition filed by David Freeman on behalf of Medical Innovations, Inc., was filed with the Department on December 9, 2011, and noticed in the F.A.W. on December 22, 2011, in Vol. 37, No. 51. The Department determined that the Petitioner was able to demonstrate that the underlying statute will have been achieved or has been achieved by other means and that application of the rules would violate the principals of fairness. Therefore, the petition for permanent variance is GRANTED.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, (850)245-4005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Agency for Persons with Disabilities hereby gives notice the Agency has issued a Final Order of Dismissal of the Petition for Waiver filed by Presbyterian Special Services d/b/a The Duvall Home. The Petitioner was seeking waiver from subparagraph 65G-2.013(7)(b)10., F.A.C., relating to Residential Habilitation Standards Subsection 10 which states that "All doors with locks must be readily opened from the inside."

The following is a summary of the agency's disposition of this petition: The Agency for Persons with Disabilities received a letter from the Petitioner dated April 1, 2012, which stated that the conditions which triggered the request for variance had been remedied and that a variance from the cited rule was no longer desired or necessary. In light of those facts, Duvall has requested to withdraw its Petition for Variance.

A copy of the Order or additional information may be obtained by contacting: Percy W. "Pete" Mallison, Jr., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, pete_mallison@apd.state.fl.us, (850)921-3779.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on June 18, 2012, the Florida Housing Finance Corporation, received a petition for Waiver from Scott Carver IIC, Limited Partnership of paragraph 67-48.004(14)(k), F.A.C., which precludes changes to certain sections of the 2009 Universal Application after the Application Deadline.

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 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.

NOTICE IS HEREBY GIVEN that on June 19, 2012, the Florida Housing Finance Corporation, received a petition for Waiver or Variance from PASCO CWHIP PARTNERS, LLC, regarding subsections 67-58.020(6) and 67-58.070(6), F.A.C., which allows 14 months from the date of the acceptance letter of invitation to complete credit underwriting and receive Board approval unless an extension of up to 10 months is approved by the Board. The Petitioner is seeking a temporary waiver of that portion of the rule.

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 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 STATE

The **Bureau of Historic Preservation**, Florida National Register Review Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 16, 2012, 1:00 p.m.

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review nomination proposals for listing in the National Register of Historic Places.

A copy of the agenda may be obtained by contacting: Barbara E. Mattick, 1(800)847-7278 or email: Barbara.Mattick@dos.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Barbara E. Mattick, 1(800)847-7278 or email: Barbara.Mattick@dos.myflorida.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Barbara E. Mattick, 1(800)847-7278, email: Barbara.Mattick@dos.myflorida.com.

The **Bureau of Historic Preservation**, Historic Preservation Grants Program announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2012, 10:00 a.m. – 11:30 a.m.

PLACE: Webinar (telephone and online)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Panelist Orientation Webinar for the 2014 Viva Florida 500 Historic Preservation Small-Matching Grant solicitation.

For additional information, please contact: Historic Preservation Grants staff, 1(800)847-7278 or visit: BHPgrants@DOS.MyFlorida.com.

A copy of the agenda may be obtained by contacting: Grants staff, 1(800)847-7278, email: BHPgrants@DOS.MyFlorida.com.

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 48 hours before the workshop/meeting by contacting: Grants staff, 1(800)847-7278 or email: BHPgrants@DOS.MyFlorida.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Grants staff, 1(800)847-7278, email: BHPgrants@DOS.MyFlorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2012, 2:00 p.m. – 3:00 p.m.