

(d) The county shall inspect and approve the installation of all manufactured housing units.

(e) Units must be installed to the manufacturer's installation instructions.

(f) These funds may not be used for furniture or interior design costs, insurance, financing points, or add-on structures.

(g) Replacement units may be placed on leased land or resident-owned land.

(h) Site location must meet minimum safety criteria (e.g., not located in floodplain, not in high velocity wind zone, etc.).

(i) Units must be for owner-occupancy.

(j) The costs of each manufactured housing unit must not exceed the appraised value of the unit per the Fannie Mae/Freddie Mac manufactured housing appraisal guidelines currently in effect (e.g., Fannie Mae, Announcement 03-06, Appraisal Guidelines for Manufactured Housing).

Specific Authority 290.044 FS. Law Implemented 290.0401-.048 FS. History--New 9-7-06.

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: September 7, 2006

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."

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on September 7, 2006, the Health Care Clinic Unit, Bureau of Health Facility Regulation, Division of Health Quality Assurance of the Agency for Health Care Administration, received a petition for Waiver of Rule 59A-33.013, F.A.C., which rule limits the number of clinics a medical and clinic director may supervise to five (5) clinics. The petitioner, Open Magnetic Imaging, Inc., OMI of Aventura, Inc., OMI of Aventura II, Inc., OMI CT of Aventura, Inc., OMI of Miami Lakes, Inc., OMI CT of Miami Lakes, Inc., OMI of Coral Gables, Inc., OMI of Kendall, Inc., Open Magnetic Imaging of Coral Springs, Ltd., Open Magnetic Imaging of Plantation, Ltd., OMI of Plantation, Inc., OMI CT of Plantation, Inc., OMI of Ft. Lauderdale, Inc., OMI CT of Ft. Lauderdale, Inc., Open Magnetic Imaging of Pembroke Pines, Ltd., OMI of Jupiter, Inc., OMI of Palm Beach, Inc., OMI of Wellington, Inc., OMI of Boynton Beach, Inc., OMI of West Boca, Ltd., OMI of Jacksonville, Inc. and OMI of Orange Park, Inc., an MRI provider having 21 clinics in Florida, requests a waiver of this rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gail Priest, Health Care Clinic Unit, 2727 Mahan Drive, Mail Stop #53, Tallahassee, Florida 32308. The Health Care Clinic Unit 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. (EDT).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 28, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code from Carolina's Super Snack Food Service located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on three Mobile Food Dispensing Vehicles.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on August 29, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from Goodfells Pizza located in Fort

Pierce. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....They are requesting a variance to have ten (10) seats with no public bathrooms in the facility. They are requesting to use centrally located bathroom facilities.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on August 25, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from Original Maryland Fried Chicken located in Orlando. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to not add an additional bathroom facility for customer use and have a seating capacity of twenty-nine (29).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on August 25, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.010(7)(e), Florida Administrative Code from Rocky's Italian Ice located in Miami. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. They are requesting a variance to not add a bathroom facility for customer or employee access, instead use bathroom facilities provided by the landlord.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on August 23, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from Subway Restaurant located in

Miami. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....They are requesting a variance to not add an additional bathroom facility for customer use and have a seating capacity of eighteen (18).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on August 21, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from Wok-N-Roll Chinese Restaurant located in Largo. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to not add an additional bathroom facility for customer use and have a seating capacity of twenty-eight (28).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on September 6, 2006, the Board of Accountancy has issued an order.

The Petition for Waiver or Variance was filed on February 8, 2006, by Jose Ignacio Fernandez. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 10, of the March 10, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-28.0052(4)(a), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" with regard to allowing an extension of time for passing all four sections of the CPA examination. The Board considered the instant Petition at a duly-noticed public meeting, held April 21, 2006, in Tampa, Florida. The Board granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, F.S., would be met by granting a variance or waiver from paragraph 61H1-28.0052(4)(a), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

NOTICE IS HEREBY GIVEN that on September 6, 2006, the Board of Accountancy has issued an order.

The Petition for Waiver or Variance was filed on March 13, 2006, by Ellen K. Rampell. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 13, of the March 31, 2006, Florida Administrative Weekly. The Petitioner sought a waiver or variance of subsection 61H1-33.001(1), F.A.C., entitled "Certified Public Accountants Required to Comply with this Chapter" with regard to allowing an extension of time for completing the examination on Chapters 455 and 473, Florida Statutes. The Board considered the instant Petition at a duly-noticed public meeting, held April 21, 2006, in Tampa, Florida. The Board granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.311, would be met by granting a variance or waiver from subsection 61H1-33.001(1), F.A.C. The Board further found that Petitioner had established 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, Acting Division Director, Board of Accountancy, 240 Northwest 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN that on September 6, 2006, the Board of Accountancy has issued an order.

The Petition for Waiver or Variance was filed on April 24, 2006, by Michael Palvisak. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 19, of the May 12, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-33.001(2), F.A.C., entitled "Certified Public Accountants Required to Comply with this Chapter" that sets out the reestablishment period during which licensees must complete required continuing education. The Board considered the instant Petition at a duly-noticed public meeting, held June 9, 2006, in Tampa, Florida. The Board denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 473.311, F.S., would be met by granting a variance or waiver from subsection 61H1-31.001(2), F.A.C. The Board further found that Petitioner had not established that applying the requirements of the aforementioned Rule to his circumstances would violate the principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 Northwest 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 September 1, 2006, the Department of Environmental Protection, received a petition for variance or waiver pursuant to Section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from Thomas G. Tomasello, P.A., on behalf of Stephen Homes and Deborah McAlexander, WL-831 AR V. The property is located at 157 Seaward Dr., Santa Rosa Beach, in Walton County. The petition requests a variance or waiver of subparagraph 62B-33.0051(1)(a)1., F.A.C., which provide the conditions by which construction of armoring shall be authorized. The petitioner is seeking a permanent variance or waiver from the above cited Rule.

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. The petition is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 30 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on September 5, 2006, the Department of Health received a Petition for Variance from Hibiscus Mobile Haven. The petition requests relief from the minimum sanitary facilities and dump station as required in Chapter 64E-15, F.A.C. The Oak Mobile Park is located at 4115 Aurora Road, Melbourne, Florida.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice. A copy of the Petition may be obtained from: David B. Wolfe, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4277.

NOTICE IS HEREBY GIVEN that on September 5, 2006, the Department of Health received a Petition for Variance from Oak Mobile Park. The petition requests relief from the minimum sanitary facilities and dump station as required in Chapter 64E-15, F.A.C. The Oak Mobile Park is located at 915 Florida Avenue, Cocoa, Florida.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice. A copy of the Petition may be obtained from: David B. Wolfe, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4277.

NOTICE IS HEREBY GIVEN that on September 5, 2006, the Department of Health received a Petition for Variance from Southgate Mobile Homes. The petition requests relief from the minimum sanitary facilities and dump station as required in Chapter 64E-15, F.A.C. Southgate Mobile Homes is located at 8817 N. Atlantic Avenue, Cape Canaveral, Florida.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice. A copy of the Petition may be obtained from: David B. Wolfe, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4277.

NOTICE IS HEREBY GIVEN that on August 29, 2006, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Sherie Wildermuth, seeking a waiver from Rule 64B4-3.003, F.A.C., with regard to the examination for licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, at above address or telephone (850)245-4444.

Notice is hereby given that on September 6, 2006, the Department of Health received a Petition for Variances from subparagraph 64E-13.004(6)(a)5., Florida Administrative Code from Jordan Street Seventh-Day Christian Academy located at 1275 East Jordan Street, Pensacola, Florida. This rule requires schools group toilets to be equipped with floor drains and hose bibs in the restroom facilities. The Jordan Street Seventh-Day Christian Academy is a private school located in Pensacola, Florida.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of this notice. A copy of the Petition may be obtained from: Lucy Schneider, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703 or by calling (850)245-4024.

NOTICE IS HEREBY GIVEN that on September 8, 2006, the Department of Health filed Orders disposing of petitions for waiver of subsection 64E-3.004(2), F.A.C., from the following persons: Jodi Marie Kimberl, Robertta L. Martis Manger and Brooke Higgins. The petition for Jodi Marie Kimberl was filed with the Department and was noticed in the F.A.W. on August 25, 2006, Vol. 32, No. 34, pp 3983. The petitions for Robertta L. Martis Manger and Brooke Higgins were filed with the Department and were noticed in the F.A.W. on September 1, 2006, Vol. 32, No. 35, pp 4114.

The orders provide in summary that petitioners are entitled to receive a temporary certificate allowing them to continue to work while awaiting their examination results because petitioners have demonstrated that a Department error resulted in a violation of principles of fairness. Further, the waivers may be granted while fully protecting the health and safety of the public and, thus, do not violate the underlying purposes of the statute. Accordingly, the petitions for waiver of subsection 64E-3.004(2), F.A.C., from the above-named petitioners have been Granted.

A copy of the orders may be obtained from: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C85, Tallahassee, Florida 32399-3285.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services** announces a State Library Council Meeting. All persons are invited.

DATE AND TIME: Wednesday, October 11, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Embassy Suites Hotel Jacksonville-Baymeadows, 9300 Baymeadows Road, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will review and discuss programs and issues related to the Division of Library and Information Services. As a side item of the Council meeting, the Friends of the State Library and Archives of Florida Inc.'s Board of Directors and State Library Council members will host an Annual Friends' Membership Meeting where they will discuss the State Library and Archives' community support organization and address any questions and/or concerns its members may have.

For additional information contact: Judith A. Ring, State Librarian, (850)245-6600 or Suncom 205-6600.