

of the emergency rule, which will be for 90 days or upon the effectiveness of permanent rule amendments, whichever occurs sooner.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE EMERGENCY RULE IS:

Beginning July 1, 2007, and ending 90 days later or when a permanent rule amendment becomes effective to replace this emergency rule, whichever occurs first, paragraph (9)(b) of Rule 68B-45.004, F.A.C., is amended to read:

68BER07-1 (68B-45.004) Emergency Reinstatement of Blue Crab Endorsement Moratorium and Suspension of Implementation of the Blue Crab Limited Entry Endorsement Program Regulation and Prohibition of Certain Harvesting Gear.

(1) through (9)(a) No change.

(b) Notwithstanding Section 370.135(2)(a), F.S., effective July 1, 2007 ~~2006~~, and until July 1, 2008 ~~2007~~, no blue crab endorsements, except those endorsements that were active during the 2006-2007 ~~2005-2006~~ fiscal year, shall be renewed or replaced. Persons or corporations holding a blue crab endorsement that was active in the 2006-2007 ~~2005-2006~~ fiscal year or an immediate family member of that person must request renewal of the blue crab endorsement before September 30, 2007 ~~2006~~. All provisions of Sections 370.135(2)(c)-(e), F.S., shall continue to apply to the issuance and renewal of blue crab endorsements with the applicable dates specified in this paragraph.

(c) through (10) No change.

EFFECTIVE DATE JULY 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 9-30-96, 1-1-98, 6-1-99, Formerly 46-45.004, Amended 2-28-02, 10-21-04, 3-1-05, 3-30-06, 9-21-06, 7-1-07.

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

EFFECTIVE DATE: July 1, 2007

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on May 10, 2007, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission (CJSTC) received on April 26, 2007, a petition for waiver of Rule 11B-27.002, F.A.C., from Sean Michael O’Flannery. The Petitioner requested that he be given more than four years from the date he began basic recruit training to pass the State Officer Certification Examination (SOCE) and find employment. Notice of the petition was published in the F.A.W., Vol. 33, No. 20, May 18, 2007. The CJSTC granted the requested waiver on May 10, 2007, at its regularly scheduled business agenda meeting in Naples, Florida. The order grants the Petitioner six months from the date of the order to pass the SOCE and become employed.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489.

NOTICE IS HEREBY GIVEN THAT on May 11, 2007, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission (CJSTC) received from Chipola Community College on March 30, 2007, a petition for waiver of Rule 11B-35.001, F.A.C. Petitioner requested that the CJSTC waive the rules regulating the certification of instructors for one of its instructors who met all of the requirements to be a certified instructor, but whose information was never sent in by Petitioner to be processed by Commission staff. Notice of this petition was published in the F.A.W., Vol. 33, No. 15, April 13, 2007. The CJSTC took action on this petition at its regularly scheduled business agenda meeting in Naples, Florida, May 10, 2007. The CJSTC voted to grant the petition.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489.

NOTICE IS HEREBY GIVEN THAT on June 19, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of subsection 11B-20.0017(1), F.A.C., from Kimberley Nolle. Petitioner wishes to waive the requirement that she complete the General Instructor Refresher Course before her lapsed instructor certification can be renewed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Office of the General Counsel, Florida Department of Law Enforcement, P. O. Box 1489 Tallahassee, FL 32302-1489, (850)410-7676. Comments on the Petition may be sent to the above address.

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 June 14, 2007, the Suwannee River Water Management District, received a petition for variance from Lawrence & Beverly Diaz, 2239 S. W. 77th Ave., Bell, FL 32619, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from subsections 40B-4.3030(9), F.A.C., to the zero-rise certification requirement, and paragraph 40B-4.3030(11)(b), F.A.C., to the 75-foot setback requirement. The permit applicant is proposing to reconstruct an existing home in Gilchrist County, Township 9 South, Range 14 East, Section 17, partially within the 75-foot setback of the Suwannee River. 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 07-0204. A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or (800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on June 26, 2007, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from Steve Cates, Authorized Representative, on behalf of Fred and Pat Morris, Application No. 07-0327-1M, for utilization of Works or Lands of the District known as the L-47 Levee Canal, Section 15, Township 38S, Range 36E, Okeechobee County. Notice of receipt of petition requesting waiver was published in the F.A.W., Vol 33, No. 24, on June 15, 2007.

No public comment was received. A copy of the withdrawal request may be obtained from Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on May 1, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from George's Canteen located in Clearwater. 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 a Mobile Food Dispensing Vehicle.

This variance request was approved June 11, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Luigi's Trattoria located in Fernandina Beach. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of forty-two (42).

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 May 22, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from El Tamaulipeco located in Quincy. 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....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved June 15, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 25, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from New York Pizza located in Orlando. The above referenced F.A.C., states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have bathroom facilities in their facility, but use centrally located bathroom facilities.

This variance request was approved June 15, 2007, and is contingent upon the Petitioner ensuring the centrally located bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. Seating shall not exceed twenty (20) which includes inside and

outside seating. All provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on June 1, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Gelateria Adria located in Pinellas Park. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved June 15, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on June 1, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Saladworks 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved June 15, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on June 15, 2007, the Division of Hotels and Restaurants received a second Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from RC Catering 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 a Mobile Food Dispensing Vehicle.

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 June 18, 2007, 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 El Cubanito 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 a Mobile Food Dispensing Vehicle.

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 June 19, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Lyn's Ice Cream and Sandwiches located in Clermont. 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.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to 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 April 24, 2007, the Construction Industry Licensing Board has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 27, 2006, by James Maddox. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 6, of the February 9, 2007, F.A.W. The Petitioner sought a waiver or variance of Rule 61G4-16.005, F.A.C., entitled "Duration of Validity" which requires that for the purposes of certification, a passing grade shall be valid only for a period of three (3) years from the date the list of successful candidates is approved by the Board. The Board considered the instant Petition at a duly-noticed public meeting, held February 16, 2007, in Orlando, Florida. Since the petition was not heard by the Board until February 16, 2007, the petition was not considered within a 90 day period as required by Section 120.542(8), F.S., therefore the petition was granted.

A copy of the Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

NOTICE IS HEREBY GIVEN that on April 24, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 16, 2006, by Juliette Demma. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 45, of the November 9, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-27.002(3), F.A.C., entitled "Concentrations in Accounting and Business" with regard to the requirement that all accounting courses and not less than 21 semester hours of general business courses required for licensure as a C.P.A. be at the upper division level. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 473.306(2)(b), Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.002(3), 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.

NOTICE IS HEREBY GIVEN THAT on April 24, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 16, 2006, by Justin Gwin. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 3, of the January 19, 2007, F.A.W. 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" 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 February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established 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 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, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on May 31, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on February 21, 2007, by Camille Douglin. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 10, of the March 9, 2007, F.A.W. 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" 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 March 30, 2007, in Tampa, Florida.

The Board's Order granted the petition finding that Petitioner established 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 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, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on June 13, 2007, the Board of Accountancy, received a petition for Mark Kekich, seeking a variance or waiver of paragraph

61H1-28.0052(1)(b), F.A.C., which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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 June 15, 2007, the Department of Environmental Protection, received a petition for variance from certain Department rules regarding a permitted construction and demolition debris disposal and recycling facility located in Polk County, Florida. The petitioner, Lawrence M. Calhoun on behalf of C.C. Calhoun, Inc., has requested a variance from subsection 62-701.730(11), Florida Administrative Code, which requires that escrow accounts established to provide financial assurance for closure be funded annually.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on May 28, 2007, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver from Uyen Diem Phan, who seeks a waiver of subsection 64B3-5.008(3), Florida Administrative Code, and Section 483.812(3)(c), Florida Statutes, with respect to the qualifications requirements.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Board of Clinical Laboratory Personnel, 4052 Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on June 22, 2007, the Board of Hearing Aid Specialists, received a petition for Randy Massey, seeking a waiver or variance of subsections 64B6-8.003(6), (7), (8), Florida Administrative Code, with respect to the minimum training requirements and training programs. The applicant wants the opportunity to be retested and to take another training program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253.

NOTICE OF AMENDMENT – The Board of Opticianry hereby gives notice that it has issued an Order of Intent to Grant Petition for Waiver or Variance of Rule 64B12-9.016, F.A.C., filed by the Office of the Deputy Clerk on May 23, 2007. Petitioner William L. Burger filed a Petition for Variance or Waiver of Rule 64B12-9.016, F.A.C., on February 23, 2007. The Board reviewed the Petition at its meeting held on March 5, 2007, in Jacksonville, Florida. The Board's Order of Intent to Grant Petition for Waiver or Variance determined that the Petition for Variance or Waiver should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Petition and the Board's Order of Intent to Grant Petition for Waiver or Variance may be obtained by contacting the Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on May 30, 2007, the Board of Opticianry, received a petition for Cindy Hopkins, seeking a waiver or variance of subsection 64B12-16.008(3), Florida Administrative Code, with respect to enforcement, the information required to be supplied to the Board, and the time by which it must be supplied.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE OF AMENDMENT – The Board of Opticianry hereby gives notice that it has issued an Order of Intent to Grant Petition for Waiver or Variance of Rule 64B12-9.016, F.A.C., filed by the Office of the Deputy Clerk on May 23, 2007. Petitioner Scott K. Seiler filed a Petition for Variance or Waiver of Rule 64B12-9.016, F.A.C., on February 19, 2007.

The Board reviewed the Petition at its meeting held on March 5, 2007, in Jacksonville, Florida. The Board's Order of Intent to Grant Petition for Waiver or Variance, filed in this cause determined that the Petition for Variance or Waiver should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Petition and the Board's Order of Intent to Grant Petition for Waiver or Variance may be obtained by contacting the Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on May 25, 2007, the Department of Children and Family Services, received a petition for Waiver of Rule 65C-15.017, F.A.C. The Petition was received by the Agency Clerk on May 25, 2007, from 4 Kids of South Florida and Joan Englert, assigned Case No. 07-009W. Rule 65C-15.017, F.A.C., governs the educational and work experience requirements of Persons operating or employed by a licenses child-placing agency.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on June 25, 2007, the Florida Housing Finance Corporation, received a petition for Variance of paragraph 67-21.008(1)(b), Florida Administrative Code, from Clear Harbor, Ltd. ("Petition"). The Petition is seeking a variance of the rule which imposes certain conditions on mortgage loans issued by the Corporation under its Multi-Family Mortgage Revenue Bond Program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street,

Suite 5000, Tallahassee, Florida 32399-1329. 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 26, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-21.003(14)(j) and 67-48.004(14)(j), Florida Administrative Code, from Fox Hollow Associates, Ltd. ("Petition"). The Petition is seeking a waiver of the rule which prohibits changing the total number of units of a proposed development after submission of an application for funding.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. 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 **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 10, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

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 3 days before the workshop/meeting by

contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 10, 2007, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards and Recognition Committee NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DATE AND TIME: July 11, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DATE AND TIME: July 18, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DATE AND TIME: July 19, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.