

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT on March 19, 2010, the Florida Communities Trust, received a petition for waiver from the City of Crystal River (DCA10-WAI-055) relating to the Three Sisters Springs Project (FCT #03-088-FF8). The petitioner seeks a waiver of a portion of subsection 9K-7.003(8), Florida Administrative Code, that prohibits the use of Florida Forever funds as any part of the match in a Florida Communities Trust project. The waiver is being requested pursuant to the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100.

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Progress Energy Florida, Inc.'s (PEF), petition for waiver of subsections 25-6.0143(1)(c), (d), and (f), Florida Administrative Code, filed on March 20, 2009, in Docket No.: 090145-EI, was denied by the Commission at its June 16, 2009, Agenda Conference. Order No.: PSC-09-0484-PAA-EI, issued July 6, 2009, memorialized the decision. The rule provides guidance regarding the expenses that can be charged to the Storm Damage Reserve. The petition was denied on the basis that PEF had not demonstrated that the purpose of the underlying statute would be achieved by other means nor that the application of the rule would create a substantial hardship. Notice of the petition was published in the Florida Administrative Weekly on April 29, 2009.

A copy of the Order can be obtained from: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on March 11, 2010, the South Florida Water Management District, received a petition for Variance (Application No.: 100311-7, Permit No.: 06-00076-W) from Seacrest Services Inc., 1937 N. W. 40th Court, Pompano Beach, FL 33064, for a project known as Century Village Deerfield, located in Sections 2-4, Township 48 South, Range 42 East, Broward County. The petition seeks relief from provisions in Chapter 40E-24, F.A.C., pertaining to mandatory year-round landscape irrigation conversation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Environmental Resource Regulation Department, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, e-mail: permits@sfwmd.gov or, by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk.

For additional information, contact: Jesus Rodriguez at (561)682-6060 or e-mail: jerodrig@sfwmd.gov.

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 February 26, 2010, the Department of Environmental Protection's Central District, received a petition for a variance under Section 120.542, F.S., from Petitioner, Howard Johnson Express Inn, 2801 East New York Ave., Deland, FL 32720. Petitioner requests a variance from the 100 foot setback distance from the edge of a rapid infiltration basin to buildings or to site property lines in subsection 62-610.521(6), F.A.C. Petitioner needs to expand the rapid infiltration basin which have been in existence since 1973 to eliminate an emergency spray field at the site. The petition has been assigned OGC No.: 10-1148. Comments must be received at the address below no later than 14 days from the date of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dennise Judy, Department of Environmental Protection, Central District, 3319 Maguire Blvd., Suite 232, Orlando, FL 32803, (407)894-7555, email: dennise.judy@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Board of Massage Therapy hereby gives notice it has received an amended petition, filed on March 23, 2010, by Joan M. Johns seeking a variance or waiver of paragraph 64B7-25.004(1)(f), F.A.C., which requires an applicant for licensure by endorsement to complete a current curriculum course from a Board approved school covering the Florida Statutes and rules related to massage therapy.

Comments on this petition should be filed with: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

A copy of the Amended Petition for Variance or Waiver may be obtained by contacting: Kaye Howerton, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

The Board of Massage Therapy hereby gives notice that it has received a petition, filed February 26, 2010, by John Edward Mooney, seeking a waiver or variance of paragraph 64B7-28.009(3)(a), F.A.C. with respect to the 12 continuing education hours via live classroom instruction which includes hands-on instruction or demonstration.

Comments on this petition should be filed with: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the petition may be obtained by contacting Kaye Howerton, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN THAT on March 23, 2010, the Board of Medicine, received a petition for waiver or variance filed by Pierre J. Fontaine, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on March 25, 2010, the Agency for Persons with Disabilities, received a petition for Waiver of Bedroom Size.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Percy "Pete" W. Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on March 22, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from paragraph 67-48.018(1)(c), F.A.C., (Eligible HOME Applicants) from Florida Low Income Housing Associates, Inc. (2009-182H). The petition is seeking a waiver from the provision of the rule that disqualifies an applicant if the proposed development is subject to a land use restriction agreement (LURA) or an extended use agreement.

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: 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.

NOTICE IS HEREBY GIVEN THAT on March 22, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from paragraph 67-48.018(1)(c), F.A.C., (Eligible HOME Applicants) from Florida Low Income Housing Associates, Inc. (2009-204H). The petition is seeking a waiver from the provision of the rule that disqualifies an applicant if the proposed development is subject to a land use restriction agreement (LURA) or an extended use agreement.

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: 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.

NOTICE IS HEREBY GIVEN THAT on March 17, 2010, the Florida Housing Finance Corporation has issued an order.
NAME OF THE PETITIONER: Summit Housing Partners, LLC.

DATE PETITION WAS FILED: February 15, 2010.
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rule 67-21.003, F.A.C. (Application and Selection Process for Developments)
 REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, February 26, 2010, Vol. 36, No. 8.
 THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: March 17, 2010.
 THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.
 A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website: www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from paragraph 67-48.0072(4)(c), F.A.C., (Credit Underwriting and Loan Procedures) from North Central Heights, LLC (2007-041H). The petition is seeking a waiver of the rule and requests that the Corporation grant an extension of sixty (60) days to close the HOME loan.
 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: 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.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT on March 24, 2010, the Petitioner, Transamerica Life Insurance Company, has withdrawn its petition for variance from 69O-125.003, which was noticed on March 19, 2010.

**Section VI
 Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: April 27, 2010, 9:00 a.m.
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.