

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

#### DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on May 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-35.001(9)(b), F.A.C., by Indian River State College on behalf of Officer Alonzo Coleman, Jr. The rule requires officers to achieve a score of 80% or higher on Advanced and Specified Specialized Training Program Courses. Prior to September of 2009, passing scores for these courses were 75% or higher. Officer Coleman achieved 78% in a course taught at the time the rule changed the passing score from 75% to 80%. Both Officer Coleman and IRSC request that the score he achieved in 2009 be credited as a passing score as it would have been if the course had begun several days earlier and prior to the implementation date of the rule that changed passing scores on these courses from 75% to 80%.

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

NOTICE IS HEREBY GIVEN that on May 10, 2011, the Criminal Justice Standards and Training Commission, received a petition for temporary waiver of subsection 11B-27.00212(12), F.A.C., by David E. Needs. The rule requires officers who have a break in service between four and eight years to demonstrate proficiencies in high liability skills and pass the State Officer Certification Examination. Petitioner has attempted unsuccessfully to find employment within the four year window, however, he states that some agencies are beginning to hire again. In addition, Petitioner states that his family has had an extraordinary amount of medical tragedy during the last four years which has prevented Petitioner from applying to as many agencies as he would wish. Petitioner requests a six month extension of time to obtain employment.

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

NOTICE IS HEREBY GIVEN that on May 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-35.001(9)(b), F.A.C., by Indian River State College on behalf of Officer Daniel Hauck. The rule requires officers to achieve a score of 80% or higher on Advanced and Specified Specialized Training Program Courses. Prior to September of

2009, passing scores for these courses were 75% or higher. Officer Hauck achieved 78% in a course taught at the time the rule changed the passing score from 75% to 80%. Both Officer Hauck and IRSC request that the score he achieved in 2009 be credited as a passing score as it would have been if the course had begun several days earlier and prior to the implementation date of the rule that changed passing scores on these courses from 75% to 80%.

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

#### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on April 26, 2011, the South Florida Water Management District (District) received an amended petition for waiver from Miami-Dade County Parks and Recreation Department for a Modification of Permit No. 7333, Application No. 10-0106-1M, for utilization of Works or Lands of the District known as the C-1 and C-1W Canals, for a new shared-use trail, improvements (widening and resurfacing) to an existing trail, landscaping, shelters, signage, fencing, bollards, vehicular gates and guardrailings within the C-1 and C-1W Canal rights of way located as follows: Phase I – S.W. 97th Avenue to east of Water Control Structure S-21 at S.W. 244th Street, Phase II – S.W. 137th Avenue to S.W. 127th Avenue, Phase III – S.W. 127th Avenue to SW 97th Avenue, Sections (multiple), Township 56 South, Range 39 & 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District, and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within designated equipment staging areas, and also prohibits parking and vehicular use within Works or Lands of the District.

A copy of the petition may be obtained from: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1414, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on May 9, 2011, the Agency for Health Care Administration, received a petition for waiver of subsection 59A-35.100(2), F.A.C., filed by Center of Orlando for Women, LLC d/b/a Orlando Women's Center.

(The original Petition was received May 3, 2011.) This facility is located at 1103 Lucerne Terrace, Orlando, Florida 32806. This rule states that with the exception of federally authorized clinical laboratories, more than one license will not be issued to operate the same provider types at the identical physical or street address. Existing licensees must comply with this paragraph upon license renewal. The Petitioner seeks a waiver of this rule as to the requirement that more than one license will not be issued to operate the same provider types at the identical physical or street address. The Petitioner is seeking a renewal of its' license.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Saliba, Esquire, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, MS #3, Tallahassee, FL 32308, Richard.saliba@ahca.myflorida.com, Telephone (850)412-3666, Fax (850)413-9391. Any interested person or other agency may submit written comments on the petition for a variance or waiver within 14 days after this notice.

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#### DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on March 4, 2011, the Agency for Workforce Innovation, received a petition for variance of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by: Early Learning Coalition of Southwest Florida, 5256 Summerlin Commons Way, #201, Fort Myers, FL 33907.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

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NOTICE IS HEREBY GIVEN that on May 9, 2011, the Agency for Workforce Innovation, received a petition for a variance of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by: Early Learning Coalition of Duval, 8301 Cypress Plaza Dr., Suite 201, Jacksonville, FL 32256.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice that on March 24, 2011 the Department received a Petition for a

Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from OPKC Ice Cream Stand located in Orange Park. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment under the same ownership.

The Petition was published in Vol. 37/14 on April 8, 2011. The Order for this Petition was signed on April 26, 2011 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 three-compartment sink area located within the OPKC Snack Bars # 8 & 11 (NOST2000019) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of the OPKC Snack Bars # 8 & 11 (NOST2000019) changes, an updated agreement must be provided to the Division immediately.

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.

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice that on March 24, 2011 the Department received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code, and subsection 61C-4.010(5), Florida Administrative Code, from Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from OPKC Favorites Grill & Bar located in Orange Park. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment under the same ownership.

The Petition was published in Vol. 37/14 on April 8, 2011. The Order for this Petition was signed on April 26, 2011 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 three-compartment sink and dishmachine area located within the OPKC Paddock Dining Room & Bar (SEA2000060) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of the

OPKC Paddock Dining Room & Bar (SEA2000060) changes, an updated agreement must be provided to the Division immediately.

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.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice that on April 12, 2011 the Department received a Petition for an Emergency Variance for subsection 61C-4.010(6), Florida Administrative Code, and Section 6-201.18, 2001 FDA Food Code from Jumpy Kangaroo located in Miami. The above referenced F.A.C. addresses the requirement that studs, joists and rafters may not be exposed in areas subject to moisture. They are requesting to have exposed studs, joists or rafters in food preparation, dishwashing and food storage areas.

The Petition was published in Vol. 37/16 on April 22, 2011. The Order for this Petition was signed on April 28, 2011 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 maintaining a routine cleaning regimen to preclude the accumulation of dust, dirt or other debris on the ceiling that could cross contaminate food or food-contact surfaces. The Petitioner shall also notify the Division immediately if the ownership, operation or menu of this establishment changes.

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 May 5, 2011, the Florida Department of Business and Professional Regulation, 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 Saturn 5 located in Bradenton. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and wastewater. They are requesting to utilize holding tanks at the concession preparation area hand washing sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

NOTICE IS HEREBY GIVEN that on May 5, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from The Hot Dog Stop LLC located in Orlando. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

This is a re-advertisement. The previously advertised Disposition contained an incorrect file date.

On April 18, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from 100 East Granada, filed February 14, 2011, and advertised in Vol 37, No. 8, 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 3.10.4(t) and 3.11.1(a)(2) ASME A17.3, 1996 edition and from Rule 8.6.5.8, ASME A17.1, 2005 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 a keyed stop switch, two way communication and a safety bulkhead on the bottom of the hydraulic jack until March 1, 2014 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 2011-054).

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 Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

This is a re-advertisement. The previously advertised Disposition stated an incorrect issue date, and did not specify the rule from which the variance was sought.

On April 18, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Atlantis Condo, filed March 16, 2011, and advertised in Vol. 37, No. 13 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3 and 2.7.4 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 and restricted door openings because the Petitioner has failed to meet its burden as the restricted door openings required under the new rules will not be installed within a reasonable time period and no means of meeting the code have been put forth. (VW 2011-090).

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.

NOTICE IS HEREBY GIVEN that on May 4, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Preserves of Bal Harbor. Petitioner seeks an emergency variance of an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 2011-144).

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 May 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lands Ends Condo at Sunset Bch #1. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 303.3d, 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 shut-off valve be located in the machine room 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 2011-148).

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 May 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Duval Co. Courthouse. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires any elevator equipped with firefighter's service to have a drain or sump pump 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 2011-149).

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 May 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Main Street Center. Petitioner seeks an emergency variance of 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, 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 2011-150).

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 May 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Weeki Wachee Boat Dock. Petitioner seeks an emergency variance of the requirements of ASME A18.1, Section 2.1.1.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the runway entrances be guarded by un-perforated self-closing doors 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 2011-151).

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

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NOTICE IS HEREBY GIVEN that on May 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Crowne Plaza Tampa East. 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 paragraph 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 (VW2011-152).

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

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NOTICE IS HEREBY GIVEN that on May 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Gulf Island II Clubhouse. 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 paragraph 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 2011-153).

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

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NOTICE IS HEREBY GIVEN that on May 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Royal Celebration Inn. 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 paragraph 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 2011-154).

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

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The Board of Architecture and Interior Design hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on December 21, 2010, by Liliana Custy. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 1, of the January 7, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61G1-22.002(1), F.A.C., entitled "Schedule for Award of Interior Design Professional Experience," which requires that applicants for licensure obtain the diversified interior design experience required by Section 481.209(2), F.S., with a registered interior designer (any state) or registered architect (any state) performing interior design services, unlicensed interior designer (outside of Florida) who has passed the NCIDQ (National Council for Interior Design Qualification) or the AID (American Institute of Designers) examination, or unlicensed interior designer (outside of Florida) who would have met the six-year experience grandfather requirement of Section 21, Chapter 88-383, Laws of Florida. The Board considered the instant Petition at a duly-noticed public meeting, held February 17, 2011, in Fernandina Beach, Florida.

The Board's Order, filed on May 4, 2011, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 481.209(2), Florida Statutes, would be met by granting a variance or waiver from subsection 61G1-22.002(1), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rules to her circumstances would violate principles of fairness and impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance for Michael Robitzsch, filed on February 2, 2011. The Notice of Petition for Variance was published in Vol. 37, No. 7, of the February 18, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 11, 2011, in Altamonte Springs, Florida.

The Board's Order, filed on May 3, 2011, grants the Petitioner a conditional Variance or Waiver from paragraphs 61G4-15.001(2)(a) and (b), Florida Administrative Code,

which would allow Petitioner to pursue a limited general contractor's license, which would allow Petitioner to construct non-habitable structures that may exceed four stories.

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

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance for Kevin Trenski, filed on February 4, 2011. The Notice of Petition for Variance was published in Vol. 37, No. 7, of the February 18, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on March 11, 2011, in Altamonte Springs, Florida.

The Board's Order, filed on May 3, 2011, grants the Petitioner a conditional Variance or Waiver from subsection 61G4-15.001(2), Florida Administrative Code, which would allow Petitioner to pursue a limited general contractor's license, which would allow Petitioner to construct non-habitable structures that may exceed four stories.

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

NOTICE IS HEREBY GIVEN that on April 14, 2011, the Board of Accountancy, received a petition for Stanley U. Hunt, seeking a variance or waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

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. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

#### **DEPARTMENT OF HEALTH**

Notice is hereby given that the Petition for Waiver or Variance filed by Jilpa Patel, P.A., has been withdrawn, upon request of the Petitioner. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 10, of the March 11, 2011, issue of the FAW.

THE PERSON TO BE CONTACTED REGARDING THIS PETITION IS: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Optometry hereby gives notice that the Petition for Waiver or Variance filed by Thanh Kim Dau, O.D., has been withdrawn, upon request of the Petitioner. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 10, of the May 13, 2011 issue of the FAW.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

NOTICE IS HEREBY GIVEN that on May 5, 2011, the Board of Optometry, received a petition for waiver or variance filed by Dra Lieta Diaz Padron, O.D., seeking a variance from Rule 64B13-4.002, F.A.C., with regard to an extension of time to allow a second retake due to the dates of the tests not being within the two year period by thirteen (13) days. 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.

NOTICE IS HEREBY GIVEN that on April 25, 2011, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, received a petition for permanent variance from paragraph 64J-1.020(1)(c), Florida Administrative Code, from St. Petersburg College.

Nature of Rule: Sets forth the minimum requirements for EMT and paramedic training programs. Paramedic training programs may allow up to 20% of the field internship experience to be done aboard an advanced life support permitted vehicle other than an ambulance.

The petitioner is requesting a permanent variance of the above-described rule to allow up to 88% of the field internship experience be done aboard an advanced life support fire engine.

All comments regarding this petition must be received in writing by June 3, 2011.

A copy of the Petition for Variance or Waiver may be obtained by contacting: John Bixler, Chief, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, FL 32399-1738, (850)245-4055, Fax: (850)488-9408, john\_bixler@doh.state.fl.us.