

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NOS.:	RULE TITLES:
64B18-14.002	Penalties
64B18-14.010	Citations

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 32, on August 12, 2005, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Developmental Services Program

RULE NO.:	RULE TITLE:
65B-4.033	Determination of Mental Retardation: Intelligence Tests to be Administered

NOTICE OF CORRECTION

Notice is hereby given that the Division title for the above Proposed Rule, published in Vol. 32, No. 13, March 31, 2006 issue of the F.A.W., was incorrectly listed as Agency for Persons With Disabilities.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

RULE NO.:	RULE TITLE:
69L-7.501	Florida Workers’ Compensation Reimbursement Manual for Hospitals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 16, April 22, 2005, Florida Administrative Weekly, has been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

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**Section V
Petitions and Dispositions Regarding Rule Variance or Waiver**

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on March 29, 2006, the Department of State received a Petition of Variance/Waiver of section IX(H) of the Public Library Construction Grant Guidelines, which is incorporated by reference into Rule 1B-2.011, F.A.C., by the Town of Surfside. The Petition is seeking a variance from the rule that gives a recipient of a public library construction grant, 540 days from the date of the grant award to place the construction project under contract. There are no exceptions to this requirement unless the grant recipient is involved in litigation.

A copy of this petition can be obtained from: Lisa Ginn, Agency Clerk, Office of the General Counsel, Department of State, 500 South Bronough Street, Tallahassee, FL 32399-0250.

The Department of State will accept comments concerning this 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 the Department of State, Office of the General Counsel, 500 South Bronough Street, Tallahassee, FL 32399-0250.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation received a Petition for Variance from Hillsborough Area Regional Transit Authority on April 3, 2006, seeking a variance from the provisions of paragraph 14-90.007(3)(a), Florida Administrative Code. Paragraph 14-90.007(3)(a), Florida Administrative Code establishes minimum curbside mirror clearance requirements for Type I transit buses. Hillsborough Area Regional Transit Authority proposes the Department grant a variance pertaining to minimum curbside mirror clearance for select Type II vehicles within their transit system.

Comments on this proposed variance should be filed with the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, within 14 days of the publication of this notice.

A copy of the Petition for Variance may be obtained from the Clerk of Agency Proceedings. For additional information, contact Katie S. Buchanan, Assistant General Counsel, (850)414-5265.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 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 Mia Savannah’s Catering Cafe located in Jacksonville. 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 be excluded from the requirement to have a public restroom since the establishment will be delivery and catering only.

This variance request was approved April 6, 2006 and is contingent upon Petitioner notifying guests to the location of the public bathroom facilities by directional signage, the public restrooms have running water at all times, operate in a clean and sanitary manner, provided with soap and an approved method to dry hands. Petitioner will operate a catering facility. If the operating hours or accessibility for the restrooms at Peb’s Book Store changes, this variance request will be re-evaluated for the waiver of a public restroom. This variance is not transferable under any conditions. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. 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.

The Construction Industry Licensing Board hereby gives notice that it has received a Petition for Waiver or Variance, which was filed by on April 11, 2006, by Steven D. Sizemore (Petitioner). Petitioner is seeking a waiver or variance of Rule 61G4-15.005, Florida Administrative Code, with regard to being granted licensure by endorsement under the criteria set forth in Section 489.115(3), Florida Statutes. Comments on this petition should be filed with Construction Industry

Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, within 14 days of publication of this Notice.

The Board will consider the Petition at its meeting, to be held on May 12, 2006, in Tampa, Florida.

For a copy of the Petition, contact: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, at the above address.

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FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on April 6, 2006, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.004(14), and paragraph 67-48.004(1)(a), Florida Administrative Code, and Part II.A.2.a.(1) and Part II.B.1 of the Universal Application Instructions, from Dixie Court Associates, Ltd. (“Petition”). The Petition is seeking a waiver of the Rules to allow a change in the Developer Entity for Dixie Court Associates, Ltd., (the “Development”) from HEF-Dixie Court Development, LLC to Dixie Court Development, LLC (the “Proposed Developer”).

A copy of the Petition can be obtained from: 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 AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: May 2, 2006, 12:00 Noon – 1:00 p.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida