

## Section IV Emergency Rules

### **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

### **DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on April 20, 2007, the Florida Department of Law Enforcement, received a petition for Emergency Waiver of paragraph 11B-20.001(2)(b), F.A.C., pursuant to Section 120.542, F.S. Petitioner Charles Kline has requested that the Department waive the affiliation requirements for instructors.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye. A copy of the Petition for Variance or Waiver may be obtained by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

### **DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN THAT the Florida Department of Transportation received a Petition for Variance from Banco de Sabadell S.A. on April 18, 2007, seeking a variance from the provisions of Rule 14-116.002, F.A.C. Rule 14-116.002, F.A.C., establishes requirements of the Department of Transportation Comptroller for approval of letters of credit issued for the benefit of the Department. Banco de Sabadell S.A. proposes the Department grant a variance to the provisions of Rule 14-116.002, F.A.C., to permit Banco de Sabadell S.A. to issue letters of credit for the benefit of the Department.

Comments on this proposed Petition for Variance should be filed with the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 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 Robert M. Burdick, Assistant General Counsel at (850)414-5265.

### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on April 17, 2007, South Florida Water Management District (District) received an Amended Petition for Waiver from Michael Caldwell, Application No. 06-1213-1, for utilization of Works or Lands of the District known as the C-100A Canal, Miami-Dade County, for existing above-ground wood deck, trees, landscaping, planter and a combination wood fence/chain link fence (on the east side of the property, perpendicular to the canal, and running from the top of the canal bank through the SFWMD easement to the front of the house) located at District right of way along south right of way of C-100A Canal, Section 11, Township 55 South, Range 40 East. The petition seeks relief from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet from the top of bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@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 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on April 9, 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 Bernie's Catering 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.

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 16, 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 J & J Lunch Truck located in Palmetto. 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 April 16, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Speedie Doggs located in Ponce De Leon. 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 Petitioner requests to not have any accessible bathroom facility available to the public.

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 18, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code (F.A.C.), from John's Island Club located in Indian River Shores. The above referenced F.A.C. states that

sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. The Petitioner is requesting a variance use alternative methods for sewage disposal.

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 18, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code (F.A.C.), from John's Island Club located in Indian River Shores. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. The Petitioner is requesting a variance use alternative methods for sewage disposal.

This temporary variance request was approved April 20, 2007. Approval of this temporary variance is for only 12 months from the date of filing from the Agency Clerk and is contingent upon the Petitioner using a 35 gallon or greater wastewater holding tank for the kitchen operation and a 900 gallon tank for the bathrooms. The wastewater holding tanks are to be serviced as needed, not less than twice a week, as to prevent a sanitary nuisance. Petitioner shall install some device or implement procedures to monitor the holding tanks so they do not overflow or back-up into the temporary structures. Petitioner must have an approved supply of potable water with written documentation provided. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. All provisos and plan review deficiencies 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 April 11, 2007, the the Board of Landscape Architecture, received a petition for Mike Sosadeeter, seeking a variance or waiver of paragraph 61G10-11.004(2)(b), Florida Administrative Code, which requires that applicants for licensure as a registered landscape architect shall demonstrate prior to licensure, one year of practical experience in landscape architectural work under the supervision of a registered landscape architect.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Landscape Architecture within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on April 9, 2007, the Board of Accountancy, received a petition for Alan Mibab, seeking a variance or waiver of Rule 61H1-33.003, Florida Administrative Code, which establishes the continuing professional education requirements for renewing a license.

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

NOTICE IS HEREBY GIVEN that on April 17, 2007, the Board of Accountancy, received a petition for Paula Loop, seeking a variance or waiver of paragraph 61H1-27.002(2)(a), Florida Administrative Code, and the requirement that an applicant for licensure must hold a baccalaureate degree from an accredited college or university and that 36 semester or 54 quarter hours earned in accounting education must be above the elementary level.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76 Dr., Suite A, Gainesville, Florida 32607, or by telephone at (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."

#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on March 23, 2007, the Board of Dentistry, received a petition for waiver or variance on behalf of Zulima Munoz, D.D.S., of subsection 64B5-2.0146(2), F.A.C., with respect to the requirement the applicant successfully complete remediation to the level of a graduating senior and obtain a letter from the dean of the dental school.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, (850)245-4474.

NOTICE IS HEREBY GIVEN that on April 13, 2007, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Nasser Chahmirzadi, M.D., on February 9, 2007, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school. The Notice was published in the Vol. 33, No. 9, of the F.A.W., on March 2, 2007. The Credentials Committee, at its meeting held on March 17, 2007, recommended that Petitioner's request for waiver or variance be granted. The Board, at its meeting held on March 31, 2007, accepted the Committee's recommendation and voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute.

A copy of the Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN that on April 16, 2007, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-14-055(3), F.A.C., that requires staff who perform direct counseling to children and their families shall have a master degree in social work, counseling or related area of study from a college or university, and at least 2 years of experience in social work, counseling or related area of experience.

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

NOTICE IS HEREBY GIVEN that on February 2, 2007, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(2), F.A.C., states an Agency staff responsible for supervision shall have a master's or bachelor's degree in social work or related area of study from an accredited college or university and at least two years of experience in human services or child welfare programs. A doctorate in social work or a related area of study may be substituted for one year of the required experience.

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

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

### DEPARTMENT OF STATE

The **Florida Historical Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, May 19, 2007, 9:00 a.m. – 3:00 p.m.

PLACE: Hyatt Sarasota, 1000 Boulevard of the Arts, Sarasota, Florida 34236, (941)953-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing to: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Division of Historical Resources by telephone (850)245-6360, or by Fax (850)245-6435.

The **Department of State, Division of Library and Information Services** announces an orientation meeting for new members of the Library Services and Technology Act Advisory Council.

DATE AND TIME: Tuesday, May 15, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: An orientation session for new Library Services and Technology Act Advisory Council members.

For additional information, or to obtain a copy of the agenda and the conference call number, contact: Marian Deeney, Library Program Administrator at (850)245-6620, Suncom 205-6620, TDD (850)922-4085, or mdeeney@dos.state.fl.us.

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 5 days before the workshop/meeting by contacting Marian Deeney, Library Program Administrator at

(850)245-6620. 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).

The **Division of Library and Information Services** announces a meeting of the Administrators of Mid-sized Public Libraries to which all interested persons are invited.

DATE AND TIME: May 22, 2007, 10:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: Bruton Memorial Library, 302 McLendon Street, Plant City, FL 33563

DATE AND TIME: August 10, 2007, 10:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: Alachua County Library District, Tower Road Branch, 3020 S. W. 75 St., Gainesville, FL 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attendees will have an opportunity to exchange information on current trends and issues affecting libraries of similar size. The State Library and Archives will be collecting information on how programs and services might be structured to help mid-sized libraries better serve their communities.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 5 days before the workshop/meeting.

For additional information, or to request special accommodations, please contact: Sandy Newell, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, snewell@dos.state.fl.us, (850)245-6624, 205-6624 (Suncom). 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).

### 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: May 8, 2007, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee.

DATE AND TIME: May 8, 2007, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee.

DATE AND TIME: May 9, 2007, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.