

**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 TRANSPORTATION**

NOTICE IS HEREBY GIVEN that, on December 27, 2006, the Florida Department of Transportation issued an Order Denying the Petition of La Quinta Inns, Inc., seeking a variance or waiver from the provisions of Rule 14-85.004, F.A.C. The Petition was received by the Department on September 28, 2006. The Department published its notice of receipt of the petition in the October 20, 2006, edition of the F.A.W. Rule 14-85.004, F.A.C., establishes that if the program administrator does not receive the payment of annual permit fee from a Logo program participant by 5:00 p.m., on December 1, the participant's permit will expire. The Department's order issued in DOT Case No. 06-118, denied the petition because La Quinta failed to meet the requirements of Section 120.542, Florida Statutes.

A copy of the Department's order may be obtained from: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact James C. Myers at (850)414-5393.

**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**

On December 26, 2006, the St. Johns River Water Management District received a petition for Variance from the St. Augustine – St. Johns County Airport Authority in relation to Environmental Resource Permit Application 4-109-28307-25 for a proposed seaplane dock in St. Johns County. Pursuant to Section 373.414(17), F.S., the petitioner is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c) of the Applicant's Handbook: Management and Storage of Surface Waters. These rules are designed to protect Class II and shellfish harvesting waters and require permit applicants to comply with additional criteria when the proposed work is located in, adjacent to, or in close proximity to Class II waters. The petitioner seeks the variance to construct a seaplane dock facility consisting of pilings, a fixed and floating dock, an aircraft lift, and a floating parking pad. The work is proposed to occur directly in the Tolomato River, which in this area is a Class II water classified by the Department of Agricultural and Consumer Services as conditionally restricted for shellfish harvesting. Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. number 2006-113.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tara E. Boonstra, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4448.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Bureau of Elevator Safety hereby gives notice that on 12/13/06, it Issued an Order Granting Variance Request in response to a petition filed 9/14/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Highwoods Preserve VII in Tampa, FL (VW 2006-235). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Variance Request on December 8, 2006 in response to a petition filed on September 19, 2006 and advertised in the F.A.W., Vol. 32, No. 40 (VW 2006-239), by Dean P. Fogo of Verizon, Inc., regarding Clearwater Main, License Number 8030. The petition sought a waiver from Rule 2.7.2.1, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which prohibits foreign wiring in machine rooms. The petition was granted as the petitioner stated the wiring in question could not be moved until a new facility is built, which is in process. The wiring in question does not pose a hazard and does not require maintenance. Petitioner has agreed to ensure only properly trained authorized personnel are allowed into the machine room. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Scientology Garage, Clearwater (Petition VW 2006-262). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Aloma Office, West Oviedo (Petition VW 2006-263). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator

Safety 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.

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Village of Imagine, Orlando (Petition VW 2006-265). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Mona Lisa, Celebration (Petition VW 2006-266). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: First Priority Bank, Bradenton (Petition VW 2006-267).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Ferran Services & Contracting, Inc. Corporate Off., Orlando (Petition VW 2006-268).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Berriman-Morgan Building, Tampa (Petition VW 2006-269).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE

Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Denning Apartments, Winter Park (Petition VW 2006-270).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Veranda Park, Bldg. 4, Orlando (Petition VW 2006-271).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Palms 32, Kissimmee (Petition VW 2006-272).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive

sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Isle of Bali-Building 1400, Winter Garden (Petition VW 2006-273).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Pointe Orlando, Orlando (Petition VW 2006-275).

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

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NOTICE IS HEREBY GIVEN that on 10/19/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Pointe Orlando Towers, Orlando (Petition VW 2006-276).

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

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The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Variance Request on November 30, 2006 in response to a petition (VW 2006-282) filed on October 26, 2006 and advertised in the F.A.W., Vol. 32, No. 45, by William Snyder of Florida Certified Elevator Inspections, Inc.,

regarding Embassy Suites hotel. The petition sought a waiver from Rule 101.2 A.S.M.E. A17.1, 1996 Edition with 1998 Addenda, as adopted by the 2004 Florida Building Code which prohibits foreign equipment in machine rooms. The petition was granted as the HVAC controllers in question do not require routine monitoring or service thus eliminating the need for unauthorized personnel from entering the machine room. Petitioner has also agreed to train anyone entering the machine room so as to make them authorized to enter.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that on 11/21/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: La Serena, Pensacola (Petition VW 2006-302).

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

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NOTICE IS HEREBY GIVEN that on November 27, 2006, Bureau of Elevator Safety received a Petition for Variance from A.S.M.E. 17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code, requiring unimpeded egress from elevator lobbies. The petition was received from Lisa Cercek of LKC Property Management on behalf of Sea Isles Villas Condo. Association located in Indian Rocks Beach, Florida (Petition VW 2006-307).

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

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NOTICE IS HEREBY GIVEN that on December 7, 2006, Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, ASME A18.1, 1999 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, limiting travel to 12 feet. The petition was received from

Jerauld W. Carron III of Palm Beach Lifts, Inc. on behalf of Quality Fruit Packers in Riviera Beach, Florida (Petition VW 2006-312).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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 12/8/2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.20.1, and 2.20.9 and 2.24.2, A.S.M.E. 17.1S, supplement to the 2004 Edition with as adopted by Chapter 3001.2, 2004 Florida Building Code, which require steel ropes and non welded terminations, from Rick Dayton of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Fairfield Orlando @ Bonnet Creek Building 5, Orlando (Petition 2006-313).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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 12/1/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Breakers Sound, Jupiter (Petition VW 2006-317).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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 December 21, 2006, Bureau of Elevator Safety received a Petition for Variance from Chapter 2.27.3.2, A.S.M.E. A17.1, 2000 Edition as adopted by 3001.2, 2004 Florida Building Code, requiring Phase 1 recall. The petition was received from Thomas Clark, Plant Maintenance Supervisor, on behalf of Vero Beach Municipal Power Plant, located in Vero Beach, Florida (Petition VW 2006-320).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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 December 21, 2006, Bureau of Elevator Safety received a Petition for Emergency Variance from 3002.8, 2004 Florida Building Code, requiring smoke detectors in elevator lobbies. The petition was received from Joe Roberson, President, Colony Point Association on behalf of Colony Point Condominiums located in Punta Gorda, Florida (Petition VW 2006-321).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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 12/21/2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.20.1, and 2.20.9 and 2.24.2, A.S.M.E. 17.1S, supplement to the 2004 Edition with as adopted by Chapter 3001.2, 2004 Florida Building Code, which require steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Dynetech Office Building, Orlando (Petition 2006-322).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

The Bureau of Elevator Safety hereby gives notice that it Issued an Order Granting Variance Request on December 4, 2006 in response to a petition filed on September 5, 2006 and advertised in the F.A.W., Vol. 32, No. 39, by Paul Shea of Alimak-Hek Elevator Company, regarding JEA Limestone Prep Building. The petition sought a waiver from Rule 5.7.12.2, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code and requested to install a Special Purpose Personnel Elevator with a capacity of 1320 lbs and a floor area of 13.09 sq.ft. The petition was granted because the petitioner documented the additional capacity and area was still within the design range of the equipment and will be used in a very limited manner.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Denying Emergency Variance Request on December 4, 2006 in response to a petition filed on November 2, 2006 and advertised in the F.A.W., Vol. 32, No. 47, by Kenny Elsherberry of Master Elevator Sales and Service, Inc., regarding Remington Place Apts. The petition sought a waiver from Rule 2.14.1.5, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires an emergency exit on the top of the car. The petition was denied as the petitioner failed to provide any alternative means of meeting the intent of the code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Emergency Variance Request on December 7, 2006 in response to a petition filed on November 11, 2006 and advertised in the F.A.W., Vol. 32, No. 49, by Robert Gerdt of Otis Elevator Company, regarding Gulf Island Strand. The petition sought a waiver from Rule 2.7.4.1, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires 84 inches of clear headroom in the machine room. The petition was granted as the petitioner agreed to safety stripe the area which had the reduced headroom and because the area in question was a small portion of the overall machine room and posed a minimum risk to service personnel.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Denying Emergency Variance Request on December 4, 2006 in response to a petition filed on November 3, 2006 and advertised in the F.A.W., Vol. 32, No. 47, by Robert Kendrick, President., on behalf of Waterfront Park Cooperation. The petition sought a waiver from Rule 3.18.3.4, A.S.M.E. A17.1, 2000 Edition as adopted by the 2004 Florida Building Code which requires a double wall cylinder. The petition was denied as the petitioner failed to provide any alternative means of meeting the intent of the code stating only that the building is for sale and would probably be razed by the future owner.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on December 18, 2006, the Board of Professional Engineers, received a petition for Variance or Waiver filed on December 18, 2006 on behalf of the Florida Transportation Institute (FTI). Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S., Petitioner seeks a temporary waiver of certain requirements of Rules 61G15-22.011 and 61G15-22.014, Florida Administrative Code. Specifically, and as a consequence of a turnover in personnel at FTI, the Petitioner requests a temporary waiver to the extent that these rules would require the continuing education provider status of FTI to have lapsed as of June 1, 2005, for failure to timely reapply for its certification pursuant to the requirements of the rules. This request is made considering hardship circumstances facing class registrants as set forth in the petition.

This petition will be considered at the Board's January 2007 meeting.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

#### **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 December 14, 2006, the Department of Environmental Protection has issued an order.

The Petitioner, Pinellas County, requested a temporary variance from paragraph 62-702.579(9)(b), Florida Administrative Code, for the Pinellas County Resource Recovery Facility. This rule requires that ash residue be stored in a container or inside a building. The Petitioner has demonstrated that temporary storage of ash residue on a paved area within the slurry wall system will achieve the purposes of the underlying statute, and that construction of a temporary ash storage building would create a substantial hardship. Notice of receipt of the petition was published in the F.A.W., Vol. 32, No. 41, October 13, 2006. No comments were received. The Department granted the request for variance.

A copy of the Order may be obtained by contacting: Richard Tedder, Section Administrator at the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, MS 35, Tallahassee, Florida 32309-2400, (850)245-8735, or e-mail to [richard.tedder@dep.state.fl.us](mailto:richard.tedder@dep.state.fl.us).

#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Coral Place Limited Partnership

DATE PETITION WAS FILED: October 4, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Paragraph 11 of the 2005 Qualified Allocation Plan, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W, October 20, 2006, Vol. 32, No. 42

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

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: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Gulf Breeze Apartment Partners, Ltd.

DATE PETITION WAS FILED: October 20, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Emergency Rule 67ER05-17, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

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: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Merryplace at Pleasant City Associates, Ltd.

DATE PETITION WAS FILED: October 13, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Paragraph 11 of the Qualified Allocation Plan, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

FAW, November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

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: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Pinnacle Square, Ltd.

DATE PETITION WAS FILED: November 1, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT:

Subsections 67-48.004(14)(j) and 67-48.004(14)(m), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W, November 9, 2006, Vol. 32, No. 45

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE VARIANCE: December 15, 2006

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: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Department of Agriculture and Consumer Services announces a meeting of the Pest Control Research Advisory Committee.

DATE AND TIME: January 24, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: Florida Mall Hotel, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss research proposals using Dixon Funds.