

be forfeited, unless a waiver has been approved pursuant to subsection 53ER07-30(4), F.A.C., *Overtime/Compensation for Excess Hours of Work.*

(3) This emergency rule shall replace Rule 53ER05-53, *Overtime Compensation.*

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History—New 5-7-07, Replaces 53ER05-53, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 7, 2007

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 26, 2007, the Florida Department of Law Enforcement, received a petition for Waiver of Rule 11B-27.002, F.A.C., pursuant to Section 120.542, F.S. from Sean Michael O’Flannery. Petitioner has requested that the Department waive the requirement that recruits complete basic training, pass the SOCE, and gain employment within four years of beginning basic recruit training.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. 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.

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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 17, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Rosen Shingle Creek located in Orlando. 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 proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 42.

This variance request was approved May 2, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed forty-two (42) which includes inside and outside seating. 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 19, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code (F.A.C.), from Heritage Bay Golf and Country Club located in Naples. 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 variance request was approved May 2, 2007, and is for only 12 months from the date of filing from the Agency Clerk and is contingent upon the Petitioner using six, three-hundred gallon holding tanks or greater for the kitchen operation. The wastewater holding tanks are to be serviced as needed, not less than one time a day, 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 May 1, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from J&B Sandwiches located in Indialantic. 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 use bathroom facilities located in an adjacent establishment that is owned by the leaser.

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 5, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quizno's Subs located in Clermont. 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 proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 22.

This variance request was approved May 3, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-two (22) which includes inside and outside seating. 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 March 22, 2007, the Board of Professional Engineers, received a petition for Variance or Waiver filed on March 22, 2007 on behalf of Amr Sallam. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., Petitioner seeks a waiver of the provisions of Rule 61G15-20.007, Florida Administrative Code, which is entitled "Demonstration of Substantial Equivalency." Specifically, the Petitioner requests, for reasons set forth in the petition, a waiver of those requirements under subsection 61G15-20.007(2), F.A.C., that govern the stated amount of credit hours required in the humanities and social sciences by

either counting his additional hours in Engineering Science and Design as humanities and social sciences, or waive that particular requirement altogether.

This Petition will be considered by the Board at its meeting on May 25, 2007.

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.

NOTICE IS HEREBY GIVEN THAT on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 11, 2006, by William T. Harmon. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), F.A.C., entitled "Concentrations in Accounting and Business" with regard to the requirement that an applicant for licensure hold a baccalaureate degree from an accredited college or university with an additional 30 semester or 45 quarter hours in excess of those required for the degree, and that 36 semester or 54 quarter hours earned must be accounting education above the elementary level to include coverage of auditing, cost and marginal accounting, financial accounting, accounting information systems, and taxation. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.306(2), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 28, 2006, by Marian Jacklich. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(b) and subsection (3), F.A.C., entitled "Concentrations in Accounting and Business" with regard to the requirements regarding upper division general business courses for licensure as a C.P.A. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order granted the petition finding that Petitioner had

established that the purpose of the underlying statute, Section 473.306(2)(b), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(b) and subsection (3), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN that on March 20, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 4, 2006, by Philip Newman. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-27.001(5), F.A.C., entitled "College or University Requirements" with regard to the requirement that an applicant for licensure who does not hold a degree from an accredited college or university obtain 15 semester or 22 quarter hours in post-baccalaureate education from an accredited institution. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida. The Board's Order granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.001(5), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 3, 2006, by William Ray Barbee. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of subsection 61H1-33.006(1) and (2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that an inactive or delinquent licensee submit additional hours of continuing education in order to reactivate their licenses. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance

or waiver from subsections 61H1-33.006(1) and (2), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 7, 2006, by Dominic Ciarimboli. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.001(1)(b), F.A.C., entitled "Certified Public Accountants Required to Comply with this Chapter" with regard to the requirement that the licensee submit an additional 8 hours of continuing education if they do not timely meet the initial requirements for continuing professional education within their reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.001(1)(b), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 11, 2006, by Mark Krpan. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-31.001(10), F.A.C., entitled "Fees" and the requirement that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. Petitioner also sought a waiver or variance of paragraph 61H1-33.003(1)(b), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's

reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order partially denied the petition finding that Petitioner failed to establish that the purpose of the underlying statute, Section 473.305, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-31.001(10), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Board's Order partially granted the petition, finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 9, 2006, by Roxanne Ortiz. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 43, of the October 27, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that an applicant for licensure reactivation complete a specified number of continuing professional education hours in addition to the regular renewal requirements. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 12, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 7, 2006, by Nelson Sabbagh. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 47, of the November 22, 2006, F.A.W. Petitioner sought a waiver or variance of paragraphs 61H1-33.001(1)(a) and (b), F.A.C., entitled "Certified Public Accountants Required to Comply with this Chapter" with regard to allowing for an extension of time of the reestablishment period for submitting continuing education hours. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

The Board's Order granted the petition conditionally finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraphs 61H1-33.001(1)(a) and (b), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 17, 2007, the Board of Accountancy, received a petition for John F. Lawson, CPA, seeking a variance or waiver of subsection 61H1-29.003(4), Florida Administrative Code, which requires an applicant seeking licensure by endorsement to have experience that includes at least five years experience in the practice of public accounting while licensed as a Certified Public Accountant or Chartered Accountant in the practice of public accounting or as an auditor or accountant in a unit of federal, state, or local government provided that the position held meets the activity and supervision requirements set forth in Section 473.308(4), F.S.

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, (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 18, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 19, 2006, by John Michael Hunt. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 3, of the February 9, 2007, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-28.0052(4), F.A.C., entitled "Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" with regard to the requirement that a conditioned candidate must pass all four sections of the CPA examination

during the transition period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, F.S., would be met by granting a variance or waiver from subsection 61H1-28.0052(4), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 24, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 16, 2006, by Natalia Esteban. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 46, of the November 17, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" with regard to allowing an extension of time for passing all four sections of the CPA examination. The Board considered the instant Petition at a duly-noticed public meeting, held December 8, 2006, in Tallahassee, Florida.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 19, 2006, by Eugene J. Alphonse. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 3, of the January 19, 2007, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(a), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that in any given reestablishment period, at least 80 hours of continuing education credits must be earned. The Petitioner also sought a waiver or variance of subsections 61H1-31.001(9) and (10), F.A.C., entitled "Fees" which establishes the deadline for submitting the laws and rules examination for licensure renewal and also establishes the fee for a late submission of the Continuing Professional Education reporting form. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance

or waiver from paragraph 61H1-33.003(1)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Petitioner established that the purpose of the underlying statute, Section 473.311, Florida Statutes, would be met by granting a variance or waiver from subsections 61H1-31.001(9) and (10), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 27, 2006, by James N. Bell. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 50, of the December 15, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(a), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee complete at least four hours of Board-approved continuing education credits in ethics within the licensee's reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on November 27, 2006, by Douglas R. Horner. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 50, of the December 15, 2006, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that required continuing professional education hours have been completed in the 24 months immediately proceeding the date of an application for

reactivation. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 473.311, F.S., would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner had failed to establish that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 25, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 5, 2006, by Bradley Smith. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 51, of the December 22, 2006, F.A.W. The Petitioner sought a waiver or variance of paragraph 61H1-33.003(1)(b), F.A.C., entitled "Continuing Professional Education" with regard to the requirement that a licensee complete an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period. The Petitioner also sought a waiver or variance of subsection 61H1-31.001(10), F.A.C., entitled "Fees" which establishes the requirement that a licensee must pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held February 9, 2007, in Gainesville, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-33.003(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship. The Petitioner established that the purpose of the underlying statute, Section 473.311, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-31.001(10), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on April 26, 2007, the Board of Accountancy, received a petition for Jason Darrough, seeking a variance or waiver of paragraph 61H1-28.0052(4)(b), Florida Administrative Code, which requires that a conditioned candidate must pass all four sections of the CPA examination during the transition period.

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, (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 May 3, 2007, the Department of Health received a Petition for Variance, from Young Chef's Academy, for the use of a certified residential dishwasher, which meets the National Sanitation Foundation (NSF) Standard 184. The Petition seeks relief from subparagraph 64E-11.006(1)(m)3., Florida Administrative Code, which requires a final rinse temperature of either 165 degrees Fahrenheit for a single tank, stationary rack, single temperature machine or 180 degrees Fahrenheit for all other machines; easily readable thermometers installed near the discharge end of the machine to show the final rinse temperature entering the manifold; thermometers that indicate the temperature of the water in all tanks of the machine; and a pressure gauge or suitable gauge cock provided in the rinse line.

A copy of the Petition may be obtained from: Ric Mathis, Bureau of Community Environmental Health Programs, 4052 Bald Cypress Way, Bin #A08 Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

A copy of the Petition for Variance or Waiver may be obtained by contacting Leslie Harris at (850)245-4277.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: American Opportunity for Housing-Greenview Manor, L.P.

DATE PETITION WAS FILED: March 23, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-21.003(1)(a), subsection 67-21.006(2) and paragraph 67-48.004(1)(a), F.A.C.

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

F.A.W., April 6, 2007, Vol. 33, No. 14

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

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.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

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 April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Liberty Center for the Homeless, Inc.

DATE PETITION WAS FILED: December 1, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9I-35.006(6), F.A.C.

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

F.A.W., December 15, 2006, Vol. 32, No. 50

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

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.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

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 April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Oviedo Town Center Partners, Ltd.

DATE PETITION WAS FILED: February 13, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraphs 67-48.004(1)(a), 67-48.004(14)(a) and (b) and subsection 67-48.004(15), F.A.C.

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

F.A.W., February 23, 2007, Vol. 33, No. 08

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

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.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

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 April 27, 2007, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Pebble Hill Estates Limited Partnership

DATE PETITION WAS FILED: March 8, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(83) and Rule 67-48.025 and Paragraph 11 of the 2005, Qualified Allocation Plan

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

F.A.W., March 23, 2007, Vol. 33, No. 12

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION GRANTED THE WAIVER: April 27, 2007

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.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED:

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

A copy of the Order may be obtained by contacting: Requests for copies or inspections should be made to: 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 May 3, 2007, the Florida Housing Finance Corporation, received a petition for waiver or variance of paragraph 67-48.004(18)(j), Florida Administrative Code, from Cutler Manor, LLC. ("Petition"). The Petition is seeking a waiver of the rules to change the number of residential units in its development, and to allow a previously exempt manager/employee unit to maintain its set-aside exemption for use by the Miami-Dade Police Department as a Neighborhood Resource Officer Center.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on May 4, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code, from Englewood Senior Limited Partnership. ("Petition"). The Petition is seeking a waiver of the rules regarding a waiver from the Application and Selection Process for Developments. A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on May 4, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code, from Maple Crest Limited Partnership. ("Petition"). The Petition is seeking a waiver of the rules regarding a waiver from the Application and Selection Process for Developments.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on May 8, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67-57.040(1)(k) and 67-57.040(1)(e), Florida Administrative Code, from Liberty Mortgage XVI, LLC ("Petition"). The Petition is seeking a waiver of the rules which provides certain requirements regarding property standards.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on May 9, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of subsections 67-48.002(28) and 67-48.004(14) and (15), Florida Administrative Code, from Madison Manor, Ltd. ("Petition"). The Petition is seeking a waiver of the rules which provides certain requirements regarding Application and Selection Procedures for Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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 STATE

The **Division of Library and Information Services** announces a meeting of the Administrators of Multitype Library Cooperatives to which all interested persons are invited.

DATE AND TIME: June 4, 2007, 10:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss an update and revision to the Library Cooperative Grant program administrative rule; statewide and regional programs; and other topics of mutual interest.

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: Patricia Romig, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, (850)245-6629, 205-6629 (Suncom), paromig@dof.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or (800) 955-8770 (Voice).

The **Division of Library and Information Services** announces a meeting of the Administrators of Single County Public Library Cooperatives.

DATE AND TIME: June 7, 2007, 8:30 a.m. – 2:00 p.m. (Eastern Time)

PLACE: State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attendees will have an opportunity to exchange information on current practices and alternative approaches to challenges common to single county public library cooperatives.

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 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6624, 205-6624 (Suncom), snewell@dof.state.fl.us. 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 **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Greenberg Traurig LLP, 450 South Orange Avenue, Suite 650, Conference Room 6 East, Orlando, Florida 32801, (407)418-2414

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a public meeting which all persons are invited to attend.

DATE AND TIME: May 30, 2007, 5:00 p.m. – 7:00 p.m.

PLACE: Caribe Royale Orlando, Antiqua Rooms 1 & 2, 8101 World Center Drive, Orlando, Florida

There will be Four Council Subcommittee Meetings:

Improving Educational Outcomes Committee

DATE AND TIME: May 30, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Caribe Royale Orlando, Bonaire Room 1, 8101 World Center Drive, Orlando, Florida

Improving Economic Outcome Committee

DATE AND TIME: May 30, 2007, 1:00 p.m. – 2:00 p.m.

PLACE: Caribe Royale Orlando, Bonaire Room 2, 8101 World Center Drive, Orlando, Florida

Improving Health Outcomes Committee

DATE AND TIME: May 30, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: Caribe Royale Orlando, Antiqua Room 4, 8101 World Center Drive, Orlando, Florida

Legislative Committee

DATE AND TIME: May 30, 2007, 3:00 p.m. – 4:30 p.m.

PLACE: Caribe Royale Orlando, Antiqua Room 3, 8101 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the monthly meeting of this Council, created by Section 16.615, Florida Statutes. The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by contacting Rick Nuss, Chief, Bureau of Criminal Justice Programs at (850)414-3300.