

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

**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

NOTICE IS HEREBY GIVEN THAT on July 8, 2008, the Suwannee River Water Management District Governing Board has issued an order.

This order (2008-0004) granted variance under Section 120.542, F.S., to Florida Department of Environmental Protection, 3540 Thomasville Road, Tallahassee, FL 32309, for the construction of a mechanical lift within a state park to meet Americans with Disabilities Act (ADA) Accessibility Guidelines. The petition for variance was received by SRWMD on June 16, 2008. Notice of receipt of petition requesting variance was published in F.A.W., Vol. 34, No. 30, July 25, 2008. No public comment has been received. This order provides a variance of SRWMDs criteria for subsection 40B-4.3030(5), F.A.C., as to the requirements that the area below the first floor of elevated buildings shall be left clear and unobstructed except for the piles or stairways, within Township 4 South, Range 11 East, Section 21, Lafayette County. SRWMD granted the petition because the petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that the principle of fairness would be violated if petitioner was required to comply with this rule.

A copy of the Order may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE OF CORRECTION – Notice is hereby given that the following correction has been made to the Notice of Intent to Grant a Variance, published in Vol. 34, No. 34, August 22, 2008 issue of the Florida Administrative Weekly. The Notice of Intent to Grant a Variance to FBC of Brevard, Inc., stated that "The District's Governing Board is scheduled to take final action on the petition for variance and the related permit application at it meeting on September 8, 2008." This date should have read September 9, 2008."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN THAT on August 7, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on February 5, 2008, by Brian Patrick Cosgrave. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 11, of the March 14, 2008, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(4)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires 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 April 30, 2008, in Tampa, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(4)(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.

The Board of Accountancy hereby gives notice that the petition filed by Vladimir Peric, on June 23, 2008, seeking a variance or waiver from subsection 61H1-27.002(1), Florida Administrative Code, has been withdrawn. The Notice of Petition published in Vol. 34, No. 29 of the July 18, 2008, issue of the Florida Administrative Weekly.

The person to be contacted regarding this petition is: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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 August 12, 2008, the Board of Medicine, received a petition for waiver or variance filed by Sofya Pugach, M.D., PhD, MPH, from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition

should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on August 18, 2008, the Board of Pharmacy, received a petition for Flora N. Egbuonu-Staton, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on August 12, 2008, the Board of Physical Therapy Practice, received a petition for Gabriela A. Motta, seeking a variance or waiver of paragraph 64B17-3.001(4)(j), F.A.C., which requires that effective January 1, 2007, an applicant provide evidence of successful completion of a Board approved English proficiency examination if English was not the language of instruction as evidenced by a minimum score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3480. Comments on this petition should be filed with the Board of Physical Therapy Practice within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on August 8, 2008, the Department of Children and Family Services, received a petition for waiver of subsection 65C-15.010(3), F.A.C. The petition was received by Universal Aid for Children, Inc., assigned Case No. 08-018W. Rule 65C-15.010, F.A.C., states that an agency shall have its financial records audited annually and a report of this audit shall be available to the Department at the licensed location during normal business hours.

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

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Financial Services Commission
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Department of Education
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection
 DATE AND TIME: September 16, 2008, 9:00 a.m.
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative