

(13) Payment of prizes for LUCKY GREEN lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 105(9)(a), (b), (c), 24.115(1) FS. History—New 1-23-09.

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: January 23, 2009

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 COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT on January 21, 2009, the Florida Department of Community Affairs, Florida Communities Trust, received a petition for Waiver from the Gulf Fishermen's Association relating to the Key West Historic Shrimp Docks Project (FCT #08-010-WW1). The Petitioner seeks a waiver of subsection 9K-9.005(2), F.A.C. (2008) to waive the 21 day timeframe contained in that rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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 January 13, 2009, the Suwannee River Water Management District has issued an order.

This order granted variance under Section 120.542, F.S., to Wendell M. Winstead, 2719 N. W. 70 Way, Bell, FL 32619, for a Works of the District boardwalk (ERP07-0445). The petition for variance was received by the SRWMD on December 10, 2007. Notice of the receipt of petition requesting variance was published in F.A.W., Vol. 34, No. 36, on September 5, 2008. No public comment has been received. This order provides a variance of SRWMD's criteria for paragraph 40B-4.3030(12)(b), F.A.C., to the width of boardwalk requirement within Township 8 South, Range 14 East, Section 20, Gilchrist County. SRWMD granted the petition because the petitioners have demonstrated that the purpose of the statute underlying the rule will be met and that a substantial hardship would be created if petitioners were 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 IS HEREBY GIVEN THAT on January 13, 2009, the South Florida Water Management District (District or SFWMD) Governing Board has issued an order.

SFWMD Order No. 2009-017-DAO-ROW was issued to AT&T of Florida (Application No. 08-0519-1). The petition for waiver was received by the SFWMD on June 30, 2008. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 34, No. 29, on July 18, 2008. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing buried conduit, parallel run, with an existing above-ground cabinet (Digital Loop Electronics Cross-Box) located 20' from the top of the canal bank beside an existing, previously-authorized above-ground cabinet to remain within the north right of way of the C-11 Canal, located just west of S.W. 57th Terrace; Section 26, Township 48 South, Range 41 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent AT&T Florida from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by email at: kruff@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Agency For Healthcare Administration has issued an order.

The Final Order is Denying Emergency Petition for Variance from or Waiver of paragraph 59C-1.018(3)(c), F.A.C., Termination of Certificate of Need.

The Order concerned the Petition for Waiver or Variance, filed on December 24, 2008, by Miami Jewish Home and Hospital for the Aged, Inc. The Notice of Petition for Waiver or Variance was published on p. 206 of Vol. 35, No. 2, of the January 16, 2009, F.A.W. Petitioner requested a variance from or waiver of paragraph 59C-1.018(3)(c), F.A.C. This rule is related to the 60 day extension of the validity period of a certificate of need (CON) in the event the holder of the CON files written request at least 15 calendar days prior to the termination date and upon submission of a transfer application by the proposed transferee. The petition sought a variance from or waiver of the 15 day prior notice requirement of this rule.

The Agency notified the applicant that the CON had terminated in correspondence dated January 5, 2009, and issued a Final Order on the Emergency Petition on January 23, 2009. The basis for the Agency's denial of the petition is the failure of the petitioner to establish that the requirements for a variance or waiver under Section 120.542(2), F.S., had been met.

A copy of the Order may be obtained by contacting: Lorraine M. Novak, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, novakl@ahca.myflorida.com, (850)922-5873.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Routine Variance from paragraphs 61C-1.004(2)(a) and 61C-4.010(7)(f), Florida Administrative Code (F.A.C.), for Anastasia Inn located in St. Augustine. The above referenced F.A.C. states that each public lodging and food service establishment shall be provided with adequate and conveniently located bathroom facilities for its employees and guests.... Specifically, the petitioner is requesting to not install a public bathroom for use by guests in the food service area within a public lodging establishment, but for guests to use their bathrooms inside of their rooms.

This variance was approved contingent upon the Petitioner ensuring the bathrooms located in each guest room are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap and hand drying towels. The Petitioner shall ensure guests are informed that public bathrooms are unavailable by installing signage within and outside the food service area clearly stating that no public bathrooms are available. Petitioner will be take-out only with no seats. If violations are documented that guests are unlawfully allowed to use the inaccessible employee bathroom or if the establishment undergoes expansion or other remodeling, this variance approval will be revisited. 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 15, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

An Emergency Variance request from subsections 61C-1.004(1) and 61C-4.010(5), F.A.C., was received for Cold Stone Creamery located in Orlando. Specifically, the Petitioner requests to share the three-compartment sink and the mop sink located within an adjacent establishment operated by the same entity.

This variance request was approved contingent upon the Petitioner ensuring the three-compartment sink and mop sink located within Brioche Doree food service are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of the Brioche Doree food service changes, a signed agreement for use of the three-compartment sink and mop sink is required immediately. 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 8, 2009, the The Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Dennis's Catering located in St. Petersburg. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3

and Chapter 6 of the 2001 FDA Food Code. Specifically, Petitioner requests to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

This variance request was approved contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; the grill depicted on the drawing of the unit is to be disabled; and steam table food is to be dispensed by the operator with no customer self-service.

The Petitioner shall strictly adhere to the operating procedures submitted and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation and shall be adhered to as approved by the Division. Any violation of the variance or operating procedures 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 25, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Routine Variance for subsection 61C-4.010(6), Florida Administrative Code, from Partytime Playhouse located in St. Cloud. The above referenced F.A.C. states... the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code...Studs, joists, and rafters may not be exposed in areas subject to moisture. Specifically, the Petitioner requests to operate with exposed studs, joists or rafters in an indoor bar that has recently been added to an existing establishment.

This variance was approved contingent upon the Petitioner having a limited menu in the inside snack bar area where there are exposed studs, joists or rafters. The studs, joists and rafters shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to hot holding of precooked food items and cold holding of prepackaged food items; there will be no other food in this area. Only single-service items may be utilized for customers. If the surface of the studs, joists or rafters or the covering between these structures become weathered and/or cracked

rendering them uncleanable, the variance will be rescinded and a properly finished ceiling will be required. Any violation of the variance is 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 26, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received an Emergency Variance for subsection 61C-4.010(6), Florida Administrative Code, from Portofino located in Port Charlotte. The above referenced F.A.C. states...the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code...Studs, joists, and rafters may not be exposed in areas subject to moisture. Specifically, the Petitioner requests to operate with exposed studs, joists or rafters in an indoor bar that has recently been added to an existing establishment.

This variance was approved contingent upon the Petitioner having exposed studs, joists or rafters in the new inside bar ceiling only. The studs, joists and rafters shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to drink preparation only including the scooping of ice; there will be no other food service activities including slicing of fruit, shucking, peeling, warewashing, etc. If the surface of the studs, joists or rafters or the surface between these structures become weathered and/or cracked rendering them uncleanable, the variance will be rescinded and a properly finished ceiling will be required. Any violation of the variance is 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 13, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-4.0161(1)(c) and subsection 61C-4.0161(5), Florida Administrative Code, from Raphael Catering located in Jacksonville. The above referenced F.A.C. addresses mobile food dispensing vehicles operating from an approved commissary that meets all applicable requirements of the rule; and the mobile food dispensing vehicles temporarily connecting to an approved utility system for a time period not exceeding one day's operation. Specifically, Petitioner requests to connect their

self-sufficient mobile unit to an approved water system, electrical system and use waste water tanks for a time period of 18 to 24 months at a time.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Routine Variance from subsections 61C-4.010(7) and 61C-4.010(6), Florida Administrative Code for Moe's Southwest Grill 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... Specifically, the proposed establishment requests to use bathrooms located on a different floor than the restaurant for both customers and employees.

This variance was approved contingent upon the Petitioner ensuring the public bathrooms located on the first level are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, employee hand washing signage, are available during all hours of operation and are located no more than 170 feet from the establishment clearly stating the location of the bathrooms. Petitioner will be licensed for 62 seats, if the circumstances governing access to the public bathrooms change, this variance approval will be revisited. 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us

NOTICE IS HEREBY GIVEN THAT on November 26, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Routine Variance for subsection 61C-4.010(6), Florida Administrative Code from Outdoor Bar located in Port. Charlotte. The above referenced F.A.C. states... the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code...Studs, joists, and rafters may not be exposed in areas subject to moisture. Specifically, the Petitioner requests to operate with exposed studs, joists or rafters in an outside tiki bar.

This variance was approved contingent upon the Petitioner having exposed studs, joists or rafters in the new outdoor bar ceiling only. The studs, joists and rafters shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to scooping ice only for beverage

service and packaged food items; there will be no other food preparation activities including warewashing, etc. Only single-service items may be utilized for customers. If the surface of the studs, joists or rafters or the surface between these structures become weathered and/or cracked rendering them uncleanable, the variance will be rescinded and a properly finished ceiling will be required. Any violation of the variance is 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us

NOTICE IS HEREBY GIVEN THAT on January 8, 2009, the The Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for a Routine Variance request for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Three Sisters Food Service located in Ft. Myers. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3 and Chapter 6 of the 2001 FDA Food Code. Specifically, Petitioner requests to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

This variance request was approved contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; food may only be dispensed from the unit, not assemble; and steam table food is to be dispensed by the operator with no customer self-service.

The Petitioner shall strictly adhere to the operating procedures submitted and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation and shall be adhered to as approved by the Division. Any violation of the variance or operating procedures 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on December 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Routine Variance for subsection 61C-4.010(1), Florida Administrative Code, from Treasure Stars Inc. DBA China #1 located in Orlando. The above referenced F.A.C. addresses food service establishment maintaining a minimum of one public bathroom for each sex, properly designated... Specifically, Petitioner requests to install a total of 12 seats and use an adjacent establishment's bathroom facilities for the public.

This variance was approved contingent upon the Petitioner ensuring the bathrooms located within Metrowest Nails & Spa are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. Petitioner will install twelve (12) seats and submit a completed Seating Change Evaluation form (DBPR Form HR 5021-103) to the division prior to the increase in seating on the license. If the ownership of Metrowest Nails & Spa changes, an updated signed agreement for use of the bathrooms is required immediately. 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.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

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

The Board of Dentistry hereby gives notice that it has received a petition, filed on January 13, 2009, by Ana Maria Arango, D.M.D., seeking a waiver or variance of Rule 64B5-2.0146, F.A.C., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

The Board of Dentistry hereby gives notice that it has received a petition, filed on January 9, 2009, by Edwin R. Bayo, Esq. on behalf of Amarfis Garcia, D.D.S. seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., with respect to the requirement that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

The Board of Dentistry hereby gives notice that it has received a petition, filed on January 20, 2009, by Edwin R. Bayo, Esq. on behalf of Leandra Dopazo Antonio Jose, D.D.S. seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., with respect to the requirement that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on January 22, 2009, the Department of Health, received a petition for waiver from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from First Baptist Church Jacksonville, located at 124 West Ashley Street, Jacksonville, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on January 5, 2009, the Department of Health, received a petition for Variance from Chapter 64E-13, Florida Administrative Code, from Charlotte Academy, located at 365 Orlando Blvd., Port Charlotte, Florida. This rule prescribes the minimum requirements and standards of sanitation and safety for schools located with the state regardless of the nature of the school, its ownership or organization. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710 or telephone (850)245-4277.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on January 15, 2009, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(j)3., Florida Administrative Code, from Rebecca Taylor, assigned Case No. 09-001W. subparagraph 65C-13-030(5)(j)3., F.A.C., states the licensed out-of-home caregiver shall not have driving violations less than five years old on file with the Department of Motor Vehicles, which relate to driving under the influence of alcohol, or drugs. A copy of the licensed out-of-home caregiver's driving record shall be provided to the licensing authority at the time of initial licensure and at each re-licensure.

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

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Florida Housing Finance Corporation has issued an order. The Florida Housing Finance Corporation gives notice of the entry of an Order Closing the File.

NAME OF THE PETITIONER: Ability Mayfair II, LLC.

DATE PETITION WAS FILED: December 19, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: paragraphs 67-48.009(5)(e) and 67-48.023(1)(c), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, December 19, 2008, Vol. 34, No. 52.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION CLOSED THE FILE: January 23, 2009.

THE GENERAL BASIS FOR THE DECISION: The Petitioner withdrew the Petition for Waiver.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. – 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. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

Requests for copies or inspections should be made to: Della Harrell, Corporation Clerk, at the above address, telephone (850)488-4197 or E-mail to Della.Harrell@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Georgia Apartments, LLC.

DATE PETITION WAS FILED: November 25, 2008.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: paragraph 67-48.0075(7)(a), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, December 12, 2008, Vol. 34, No. 50.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: January 23, 2009.

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 is available for public inspection during normal business hours, 8:00 a.m. – 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. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

Requests for copies or inspections should be made to: Della Harrell, Corporation Clerk, at the above address, telephone (850)488-4197 or E-mail to Della.Harrell@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: SP ONE, LTD.

DATE PETITION WAS FILED: December 12, 2008.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: paragraph 67-48.0075(7)(a), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, December 26, 2008, Vol. 34, No. 52.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: January 23, 2009.

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 is available for public inspection during normal business hours, 8:00 a.m. – 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. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

Requests for copies or inspections should be made to: Della Harrell, Corporation Clerk, at the above address, telephone (850)488-4197 or E-mail to Della.Harrell@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on January 23, 2009, the Florida Housing Finance Corporation has issued an order.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: Villa Patricia Phase III, LLC.

DATE PETITION WAS FILED: December 19, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: subsection 67ER06-34(4).

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, December 31, 2008, Vol. 34, No. 52.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: January 23, 2009.

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 is available for public inspection during normal business hours, 8:00 a.m. – 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. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

Requests for copies or inspections should be made to: Della Harrell, Corporation Clerk, at the above address, telephone (850)488-4197 or E-mail to Della.Harrell@floridahousing.org.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on December 23, 2008, the Department of Financial Services, received a petition for Variance from subsection 69B-231.090(6), F.A.C., from Timothy Michael Crowley. That rule implements Sections 626.621(6), 624.307(1), 626.611, 626.621, 626.681, and 626.691, Florida Statutes. Mr. Crowley is requesting that the Department of Financial Services grant a variance from the rule and place him on probation for 12 months, require his supervision by a licensed insurance agent during that time, and impose a reasonable fine for violation of Section 626.621(6), Florida Statutes, in lieu of suspending his license for 12 months. Comments on this petition should be filed with the Department of Financial Services, 200 East Gaines Street, Suite 612, Tallahassee, Florida 32399-0333, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michael H. Davidson, Assistant General Counsel, Department of Financial Services, at the above address, or telephone (850)413-4178.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2009, 11:00 a.m. – 1:00 p.m.

PLACE: Mission San Luis Archaeology Lab, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will be discussing their responsibilities and goals. Subject matter to be discussed will include new Visitor Center updates and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jessica Shiver. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.