

(b) The client possesses behavioral problems that are exceptional in intensity, duration, or frequency with resulting service needs that cannot be met in Tiers Two, Three, and Four, and the client presents a substantial risk of harm to themselves or others.

(2) Clients living in a licensed residential facility receiving any of the following services shall be assigned to the Tier One Waiver:

(a) Intensive behavioral residential habilitation services;

(b) Behavior focus residential habilitation services at the moderate or above level of support; or

(c) Standard residential habilitation at the extensive 1, or higher, level of support; or

(d) Special medical home care.

(3) Nursing service needs that can be met through the Tier Two, Tier Three, or Tier Four Waivers are not "services" or "service needs" that support assignment to the Tier One Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-4 Tier Two Waiver.

The total budget in a cost plan year for each Tier Two Waiver client shall not exceed \$55,000. The Tier Two Waiver is limited to clients who meet the following criteria:

(1) The client's service needs include placement in a licensed residential facility and authorization for a moderate level of support for standard residential habilitation services or a minimal level of support for behavior focus residential habilitation services; or

(2) The client is in supported living and is authorized to receive more than six hours a day of in-home support services.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-5 Tier Three Waiver.

The total budget in a cost plan year for each Tier Three Waiver client shall not exceed \$35,000. A client must meet at least one of the following criteria for assignment to the Tier Three Waiver:

(1) The client resides in a residential facility licensed by the Agency and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(2) The client resides in their own home and is authorized by the Agency to receive In-Home Support Services and is not eligible for the Tier One Waiver or the Tier Two Waiver and the need for these services cannot be met in Tier Four; or

(3) The client is authorized by the Agency to receive Personal Care Assistance services at the moderate level of support as defined in the DD Handbook.

(4) The client is authorized by the Agency to receive Skilled or Private Duty Nursing Services and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(5) The client is authorized by the Agency to receive services of a behavior analyst and/or a behavior assistant and the need for these services cannot be met in Tier Four.

(6) The client is authorized by the Agency to receive at least one of the following services:

(a) Occupational Therapy; or

(b) Physical Therapy; or

(c) Speech Therapy; or

(d) Respiratory Therapy.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-6 Tier Four Waiver.

(1) The total budget in a cost plan year for each Tier Four Waiver client shall not exceed \$14,792 per year.

(2) Clients who are not eligible for assignment to the Tier One Waiver, the Tier Two Waiver, or the Tier Three Waiver, shall be assigned to the Tier Four Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

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: November 16, 2009

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Transportation has issued an order.

Morris-Depew Associates, Inc., shall be deemed qualified to perform work for the Department in Work Type Group 15: Landscape Architecture based upon the extensive experience, education, and qualifications of Vice-President, James M. McCord.

A copy of the Order may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Department of Transportation, Haydon Burns Building, 605 Suwannee Street, Mail Stop #58, Tallahassee, Florida 32399-0458.

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Thomas P. Brantley, Leon County Court House Annex, Tallahassee, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-133 and 158).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lanny English, Imperial Cove Condo Assoc., Clearwater, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition until September 30, 2011 (VW 2009-284).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Melvyn Van Dyke, Vantage Pointe and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-298).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Joseph W. La Rue, Lakeside at Delray Beach, Delray Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until May 3, 2010 (VW 2009-341).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sara Sneen, Commercial Property, Tampa, FL, to not comply with Rules 2.7.4, ASME A17.3, 1996 edition and 2.27, ASME A17.1, 2004 edition until November 1, 2012 (VW 2009-367).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Michael McLaughlin, 2200 Building, Jacksonville, FL, to not comply with Rules 3.3.2 and 2.7.4, ASME A17.3, 1996 edition until December 1, 2009 (VW 2009-371).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Alex Cohen, Bermuda Cay Condo Assoc., Inc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-385 and 496).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, agent for Library Lakes Condos, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition as the elevator exceeds the 25 feet by only 10 inches (VW 2009-395).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, agent for Library Lakes Condos, St. Petersburg, FL, to not comply with Rules 3.11.3, 2.7.4, 3.10.4(t), 3.9.1 and 3.3.2, ASME A17.3, 1996 edition until June 1, 2011 (VW 2009-396). A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steven Grekowicz, Seaplace, Longboat, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 6, 2012 (VW 2009-397).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Marilyn Ward, Beau Monde, St. Pete Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until May 1, 2010 (VW 2009-398).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Request for Variance is withdrawn by the petitioner, Holly M. Jones, 800 Building, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-399).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner's request for variance does not meet the burden of demonstrating that public health safeguards provided by rule have otherwise been met, as submitted by: Richard Nickerson,

TamberLane Condo Assoc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-400).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Patricia Serley, National Flight Academy, Pensacola, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2™ elevator (VW 2009-409).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apts., Indian Rocks Beach, FL, to not comply with Rules 3.11.1 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-418).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apartments, Indian Rocks Beach, FL, to not comply with Rules 3.11.3, 2.7.4, 3.3.2, 3.10.3 and 3.11.1, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-419).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apts., Indian Rocks Beach, FL, to not comply with Rules 2.7.4, 3.3.2, 3.10.3 and 3.11.1, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-420).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Christie Crosby, Maitland Building, Orlando, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-423).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Paul Komie, The Lands of the President Condo and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-428).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Paul Komie, Boca Raton Bridge Hotel, Boca Raton, FL, to not comply with Rule 2.7.2.1, ASME A17.1, 2005 edition to allow the prohibition against foreign wiring from being located in the machine room (VW 2009-429).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Tim Cleckner, Ormond Surfside Management Corp., Ormond Beach, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-432).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner is requesting variance from routine maintenance items that can easily be in compliance within the 30 day time frame, as submitted by: Peter Marra, Imperial Cove Condominium IX Assoc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-433).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Dockery, Farris Bryant Building, Tallahassee, FL, to not comply with Rules 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-438).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: John Nolan, Emerald Beach Apts., Marco Island, FL, to not comply with Rules 3.11.3, 3.11.1, 3.4.5 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-451).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Colleen Ansell, First United Methodist Church, Orlando, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2TM elevator system (VW 2009-453).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Olsec B.

Fernandez, Tampa General Hospital, Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 4, 2011 (VW 2009-454).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: John McNaughton, Cove Cay Village I, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 15, 2011 (VW 2009-456).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Colleen Ansell, ORJH ACC Bridge, Orlando, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2™ elevator (VW 2009-460).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Peter Leone, Kalmia VII Condo Association, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2012 (VW 2009-461).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Edward B. Renneker, Ivy Association, St. Petersburg, FL, to not comply with Rules 3.11.3, 2.7.4 and 3.3.2, ASME A17.3, 1996 and 106.1e, ASME A17.1, 2005 edition until May 1, 2010 (VW 2009-462).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Charlie Wissemeyer, Anchorage Condominium Association, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-464).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sharon Dube, Monte Carlo Towers Assoc., Tampa, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 and 2.27.8, ASME A17.1, 2004 edition until June 1, 2011 (VW 2009-465).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Stacey Zuckman, Tequesta Financial Center, Tequesta, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-466).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Monique Fisher, Fisher Tower, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-474).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steven L.

Cohen, Old Port Cove Condo Assn., North Palm Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2012 (VW 2009-475).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lynann Ballard, Monaco Beach Club, Naples, FL, to not comply with Rules 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition until November 30, 2012 (VW 2009-476).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Blair Newton, Sky Harbour, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-478).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Joy McKenna, Kennedy Center Office Building, Tampa, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-482).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Marsha Crewe, Burlington Tower, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 1, 2010 (VW 2009-483).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Don Taliaferro, Santa Maria Resort/Condo Assn., Ft. Myers Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2010 (VW 2009-491).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Don Taliaferro, Island Reef, Ft. Myers Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 1, 2010 (VW 2009-492).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Stephen E. Farley, El Caribe Resort & Conference Center, Daytona Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 1, 2011 (VW 2009-495).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Kenneth W. Brand, Midnight Cove II, Sarasota, FL, to not comply with Rules 2.7.4 and 3.10.4t, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-501).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Bob Smith, M&I Bank, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition and Chapter 3002.3, 2007 FBC until November 1, 2009 (VW 2009-502).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: James T. Childers, Horizon House, Naples, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 17, 2010 (VW 2009-505).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: James T. Childers, Venice Regional Medical Center, Venice, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until March 17, 2010 (VW 2009-506).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Bernadette Massaro, Chateau Bayonne Condo Assoc., Oldsmar, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-510).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Nancy R. Mead, Fairview Isles Condo Assoc., Inc., Ft. Myers Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 30, 2010, 2010 (VW 2009-515).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: David

Vondenberger, Cypress Cathedral Apts., Winter Haven, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 31, 2011 (VW 2009-526).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steve Engelhardt, Enterprise Center, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-528).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Jo-Ann McNew, Island Gulf Resort Condo Assoc., Madeira Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-531).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Public Works Dept., Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-533).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Clearwater Courthouse, Clearwater, FL, to not comply with Rules 3.11.3 and 3.10.4t, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-534).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Criminal Justice Center, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-536).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Fifth Condominium Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-537).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Fourth Condo Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-538).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Sixth Condo Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-539).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Weronika Giadla,

Ritz Resort Motel and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-583).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Keleigh A. Brouwer, Mercantile Bank Plaza, Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-601).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, agent for Treasure Coast Medical Center and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-608).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, Florentine Gardens and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-609).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, FAMU, Coleman Library and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-627).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Avery Breeding, South Seas East Condominiums, Inc., Marco Island, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-628).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lorraine Armstrong, Synovus Bank, St. Petersburg, FL, to not comply with Rules 3.3.2 and 2.7.4, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-629).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Randall Saumier, Mansion of Tuckahoe, Stuart, FL, to not comply with Rules 2.8.3.4 and 2.7.4.1, ASME A17.1, 2005 edition to allow the prohibition against foreign piping from being located in the machine room and from providing 7 ft. of clearance in the machine room (VW 2009-634).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: John Townsell, Days Inn Tropical Sea's Hotel and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-648).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: James E. Elder, Village of Winterset and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-659).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Patricia Del Villar, Lakeview Center, Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2010 (VW 2009-675).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sherrie Hallock, Canton Bldg., Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2011 (VW 2009-678).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Michael Dean, Amerilife Tower, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 1, 2012 (VW 2009-686).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Shipwatch Two Condominium of Largo, Largo, FL,

and location of the Serial Numbers 34654-55, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ernest Hepler, Board President (VW 2009-690).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Desoto Square Villas Owners Association, Inc., Bradenton, FL, and location of the Serial Numbers 31280-81, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ellen Brown, CAM (VW 2009-691).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3, 2.7.4 and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Holiday Inn, Lakeland, FL, and location of the Serial Numbers 17565, 17566 and 17571, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: James W. Lewis, Jr., President (VW 2009-692).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Island House Condominium Association, Palm Beach, FL, and location of the Serial Numbers 15514-15, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from: Paul Komie, Agent (VW 2009-693).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Mease Hospital, Dunedin, FL, and location of the Serial Numbers 28460 and 28442, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ken Walker, Manager (VW 2009-694).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.1 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Christian Retreat, Bradenton, FL, and location of the Serial Numbers 26247-48, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Kathy Benham, Church Administrator (VW 2009-695).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Harbor House West Condominium Association, Inc., Sarasota, FL, and location of the Serial Number 7211, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Board of Directors (VW 2009-696).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety

received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Henderson Building, Tampa, FL, and location of the Serial Number 34423, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-697).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Marina View Condominium Association, Golden Point, Inc., Sarasota, FL, and location of the Serial Number 16447, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Board of Directors (VW 2009-698).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Pelican Harbour & Beach Club Association, Inc., Longboat Key, FL, and location of the Serial Number 31396, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Jeanne Moschella, CAM (VW 2009-699).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, MLF Towers, St. Petersburg, FL, and location of the Serial Numbers 30853-54, requests the variance

for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: James M. Chadwick, Agent (VW 2009-700).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, SanSeair Condominium, Saint Pete Beach, FL, and location of the Serial Numbers 20985-86, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: William Newton, Property Manager (VW 2009-701).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 17, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on November 13, 2009 for a Routine Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6), Florida Administrative Code, Paragraph 4-702.11, 2001 FDA Food Code, Paragraph 5-103.11(A)(B), 2001 FDA Food Code, subsection 61C-1.004(3), Florida Administrative Code, Paragraph 6-501.111, 2001 FDA Food Code from Mojito Grill, Miami, FL. The above referenced F.A.C., addresses the requirement that sewage shall be disposed of in a public sewage system or other approved sewage system, effective control measures shall be taken to protect against entrance of pests and physical facilities must meet Chapter 6, Food Code, as adopted by reference. They are requesting to utilize holding tanks for potable and waste water, conduct food preparation and warewashing in an open air food service establishment not protected against environmental contaminants.

The variance request was published in Vol. 35, No. 47, 11/25/09 and is contingent upon the Petitioner using a wastewater tank sized at least 15% larger in capacity than the potable water tank. The wastewater holding tank must be serviced in a timely manner so as not to create a sanitary

nuisance. The water source and hot water shall be of sufficient capacity to meet the peak demands of the food service establishment. During preparation, unpackaged/displayed food shall be protected from environmental sources of contamination and customers by way of sneeze guards. Roll down shutters will enclose the premises when not in operation or during inclement weather. Utensils and food contact surfaces shall be cleaned and sanitized to sight and touch prior to opening each day. Floors, roll down shutters and ceiling shall be maintained clean, free of dust and debris. Insects, rodents and other pests shall be effectively controlled. 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6), Florida Administrative Code, Paragraph 4-702.11, 2001 FDA Food Code, Paragraph 5-103.11(A)(B), 2001 FDA Food Code, subsection 61C-1.004(3), Florida Administrative Code, Paragraph 6-501.111, 2001 FDA Food Code from Mojito Grill, Miami, FL. The above referenced F.A.C., addresses the requirement that sewage shall be disposed of in a public sewage system or other approved sewage system, effective control measures shall be taken to protect against entrance of pests and physical facilities must meet Chapter 6, Food Code, as adopted by reference. They are requesting to utilize holding tanks for potable and waste water, conduct food preparation and warewashing in an open air food service establishment not protected against environmental contaminants.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Board of Accountancy, received a petition for Robert G. Livingston, seeking a variance or waiver of subsection 61H1-33.001(1), Florida Administrative Code, which requires

that each licensee complete on-line or mail completed answers to the examination on Chapters 455 and 473 F.S., and related administrative rules with a passing score of at least 80, on or before December 31, prior to the licensee's biennial renewal 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. 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 November 10, 2009, the Board of Accountancy, received a petition for M. Scott Meckley, seeking a variance from subsections 61H1-33.006(1) and (2), Florida Administrative Code, which requires that an applicant for reactivation complete the application process and demonstrate successful completion of the required number of continuing professional education hours.

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. 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 October 29, 2009, Board of Accountancy, received a petition for Brandy Wunker, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

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. 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."

NOTICE IS HEREBY GIVEN THAT on October 21, 2009, the Bureau of Beaches and Coastal Systems has issued an order. The Bureau received the petition for variance on October 30, 2008, and an amended petition on May 18, 2009, from Donald R. Combs. Notice of receipt of the petition was published in

the F.A.W. on May 29, 2009. The petitioner requested a variance from subsections 62B-33.002(18), (44), and (64), F.A.C., which provide the definitions of “Eligible Structures”, “Non-Conforming Structure” and “Vulnerable”, respectively. In addition the petitioner requested a variance from the requirements of subparagraphs 62B-33.0051(1)(a)1., 2., and 3., F.A.C., which provide the conditions where coastal armoring may be authorized. The property is located at 3870 Coastal Highway, St. Augustine, Florida. No public comment was received. The Order, file number SJ-1034 AR V, denied the variance petition because the petitioner failed to demonstrate that a strict application of the rule would result in substantial hardship to petitioner or would affect petitioner differently than other similarly situated applicants and because petitioner did not successfully fulfill the requirements of the underlying statute by other means.

A copy of the Order may be obtained by contacting: Rosaline Beckham, 3900 Commonwealth Blvd., MS #300, Tallahassee, FL 32299, (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Board of Clinical Laboratory Personnel, received a petition for Ling Guo. Petitioner is seeking a variance or waiver of subsection 64B3-5.002(1), Florida Administrative Code, which requires for licensure as a supervisor, an applicant shall be licensed to meet the requirements for licensure as a technologist. Petitioner also seeks a variance or waiver of Rule 64B3-5.003, F.A.C., which lists the qualifications for a technologist in cytogenetics.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on August 5, 2009, by Bill Najmark and Alice Listman, representing BujjaBujja, Inc. dba Ally’s Pizzeria, regarding the “BujjaBujja, Inc. dba Ally’s Pizzeria”. Petitioner sought a variance from subsection 64E-6.001(4), Florida Administrative Code, which requires onsite sewage treatment and disposal systems to be brought into compliance with new system standards when there is an increase in commercial wastewater flow. Notice of the petition was published in the August 21, 2009, edition of the Florida Administrative Weekly.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would

create a substantial hardship in the Petitioner’s particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner’s request for a variance.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN THAT on October 26, 2009, the Department of Health, received a petition for variance from Richard Bruno, representing Hydrologex LLC. Specifically, the petitioner seeks a variance from subsection 64E-6.009(7), Florida Administrative Code, which requires that after innovative system testing is completed, requests for approval of system components and designs which are not specifically addressed in Chapter 64E-6, F.A.C., be submitted to the department’s Bureau of Onsite Sewage Program. Requests for approval are required to include empirical data showing the results of innovative system testing in the state of Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN THAT on November 6, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services (EMS) has issued an order.

A petition was filed by Florida State Hospital on behalf of Mohammed Rafi, M.D. with the Department of Health on August 14, 2009, and published in the Florida Administrative Weekly on August 28, 2009, requesting a waiver from paragraph 64J-1.004(3)(c), Florida Administrative Code, which requires medical directors of an emergency medical services (EMS) provider or training center to be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care.

The Department of Health, Bureau of EMS has granted the request for waiver. The general basis for this decision was that Petitioner met the general requirements for waiver:

- (a) Dr. Rafi’s extensive experience and proven competence in the practice of emergency medicine and pre-hospital care demonstrates that he possesses the skills required to achieve the purpose of the underlying statute.
- (b) A substantial economic hardship would be placed upon Petitioner as it would be forced to recruit another physician to replace Dr. Rafi. Petitioner is located in a rural area and has difficulty employing board certified physicians to serve as Medical Director. Therefore,

Petitioner may be unable to continue providing ambulance services to both Florida State Hospital and the Agency for Persons with Disabilities.

Wherefore, based on the Findings of Fact and Conclusions of Law, the petition for waiver has been granted and allows Dr. Rafi to continue as Medical Director without board certification while employed by Florida State Hospital.

A copy of the Order may be obtained by contacting: Alexander Macy, Administrative Assistant, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax: (850)488-9408, email: alexander_macy@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(2), Florida Administrative Code, from Children’s Home Society of Florida and Guillermo Oeding, assigned Case No. 09-029W. Subsection 65C-15.017(2), F.A.C. provides that staff or a licensed child placing agency who supervise case work services must have a bachelor’s degree in social work or related area of study and four years of human services or child welfare experience; a master’s degree in social work or related area and two years of relevant experience; a doctorate in social work or related area and one year of relevant experience.

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.

NOTICE IS HEREBY GIVEN THAT on November 5, 2009, the Department of Children and Families, received a petition for waiver of paragraph 65C-13.032(3)(a), Florida Administrative Code, from Eckered Community Alternatives, assigned Case No. 09-037W. Paragraph 65C-13.032(3)(a), F.A.C. states assessment approvals for the rule of five or no more than two infants under twenty-four months shall be given prior to placement for the following situations and shall be approved personally and in writing by the Regional Administrator or the Chief Executive Officer for the Community Based Care Lead Agency.

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.

NOTICE IS HEREBY GIVEN THAT on November 9, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, assigned Case No. 09-038W, from Gulf

Coast Community Care and Tanja Proanovic. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor’s or master’s degree in social work or related area of study from an accredited college or university.

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.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on November 9, 2009, the Division of Funeral, Cemetery, and Consumer Services, operating under Chapter 497, Florida Statutes, received a petition for waiver, by Keystone America, Inc., of subsection 69K-18.004(3), F.A.C. In order to be approved as an embalmer intern training agency, a funeral establishment shall have performed at least 40 embalming cases per year for each intern it is applying to train in order to demonstrate its ability to provide such embalmer interest with the necessary intern training and experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Clerk, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361.

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

DEPARTMENT OF LEGAL AFFAIRS

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

Council on the Social Status of Black Men and Boys
DATE AND TIME: December 7, 2009, 2:00 p.m. – 4:00 p.m.
PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 3321010629#

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to