

## Section IV Emergency Rules

### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### **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 September 9, 2009, the Suwannee River Water Management District, received a petition for variance from Clyde D. and Brenda K. Meziere, 1683 S. E. Boundary Bend Trail, Lee, FL 32059, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero-rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to replace existing pilings damaged by recent floods to elevate a residential structure, located in Madison County, in Township 2 South, Range 11 East, Section 32. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 09-0208, Meziere Work of the District Project.

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

### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on September 1, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Paul Levine on behalf of Transflorida Centre in Boca Raton License Number 37845 & 37846 (VW 2009-459).

A copy of the Petition for Variance or Waiver 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 September 4, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rules 2.20.1, 2.20.9 & 2.24.2, ASME A171, 2005 edition as adopted by Chapter 3001.2, Florida Building Code as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires steel ropes, specific wedge shackles with non welded terminations and grooved sheaves of a minimum pitch. The request was received from Colleen Ansell on behalf of ORH ACC Bridge in Orlando, FL (VW 2009-460).

A copy of the Petition for Variance or Waiver 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 September 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Peter Leone on behalf of Kalma VII Condominium Association, Inc. in Clearwater, FL. License Number 23330 (VW 2009-461).

A copy of the Petition for Variance or Waiver 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 September 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from A17.3, 1996 as adopted by Chapter 3001.2 as adopted by

paragraph 61C-5.001(1)(a), F.A.C., from Edward B. Renneker on behalf of Ivy Association in St. Petersburg, FL. License Number 22628 (VW 2009-462).

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

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NOTICE IS HEREBY GIVEN THAT on September 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Charlie Wissemeier on behalf of The Anchorage Condominium Association, Inc. in Sarasota, FL. License Number 22511 and 22512 (VW 2009-464).

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

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NOTICE IS HEREBY GIVEN THAT on September 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restriction of doors from Sharron L. Dube on behalf of Monte Carlo Towers License Numbers 32552-32556 (VW 2009-465).

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

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NOTICE IS HEREBY GIVEN THAT on September 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restriction of doors from Stacey Zuckerman on behalf of Tequesta Financial Center, LLC, License Number 40101 (VW 2009-466).

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

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NOTICE IS HEREBY GIVEN THAT on September 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Mark Velez on behalf of Sea Harbor Office Center in Orlando, FL. License Number 33878 and 33879 (VW 2009-467).

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

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NOTICE IS HEREBY GIVEN THAT on September 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from unspecified rules as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Kimberly Rosemurgy on behalf of Forum Apartments in Boca Raton, FL. License Numbers 15311 and 15312 (VW 2009-468).

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

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NOTICE IS HEREBY GIVEN THAT on September 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rules 2.1.5, 2.2.4, 2.3.3, 2.7.4, 3.3.2, 3.9, 3.10.4(e), 3.11.1 and 3.12.2, ASME A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires a counterweight guard or compensation chain/rope, ventilation in the machine room, stop switch in the pit, restricted door openings, platform guards, limit switches, an alarm bell in the car and a rope data tag. The request was submitted by Lee Rigby on behalf of Church of Scientology, West Coast Building in Clearwater, FL. License Number 16353 (VW 2009-469).

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

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NOTICE IS HEREBY GIVEN THAT on September 11, 2009, the Board of Accountancy, received a petition for Tavera Johnson, 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, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on September 14, 2009, the Board of Pharmacy, received a petition for Todd Zisek, R.Ph., on behalf of Omnicare of Tampa. Petitioner is seeking a variance or waiver of subsection 64B16-28.605(5), Florida Administrative Code, which lists the requirements for pharmacists utilizing Centralized Automated Medication Systems.

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

NOTICE IS HEREBY GIVEN THAT on September 14, 2009, the Board of Psychology, received a petition for seeking a variance or waiver of Rule 64B19-13.003, F.A.C., which requires that sponsors providing continuing psychological education be approved by the Board or the American Psychological Association.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT on September 17, 2009, the Department of Health, received a petition for variance from Scott Wallace, P.E., representing South Florida Council BSA. Specifically, the petitioner seeks a variance from subsection 64E-6.005(2), Florida Administrative Code, which requires that systems shall not be located under buildings or within 5 feet of building foundations.

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 September 17, 2009, the Department of Health, received a petition for variance from Scott Wallace, P.E., representing South Florida Council BSA. Specifically, the petitioner seeks a variance from paragraph 64E-6.0151(2)(c), Florida Administrative Code, which requires that test results from a State or EPA-certified laboratory demonstrating that use of the additive, drainfield

conditioner or restorative product will not result in violations of surface water or groundwater standards in Rule 64E-6.0151, F.A.C.

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.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on September 18, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance of paragraph 67ER05-10(14)(h), F.A.C. The petition is seeking a waiver of the rule to allow a change in the number of units to be included in its development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website: [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on September 23, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance of paragraph 67-58.003(1)(a), F.A.C. The petition is seeking a waiver of that portion of paragraph 67-58.003(1)(a), F.A.C., which requires that a development funded by CWHIP funds maintain its set-asides for workforce housing and essential services personnel for 50 years in order for such CWHIP loan to be forgivable, and to instead permit a 30 year affordability period for such loan and forgivability at the end of such 30 year period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website: [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on September 22, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance of paragraph 67-48.0072(4)(c), F.A.C. The petition is seeking a waiver of that portion of paragraph 67-48.0072(4)(c), F.A.C., which requires that SAIL and supplemental loans must close within 24 months of the issuance of a preliminary commitment. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

## 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: October 12, 2009, 11:00 a.m. – 1:00 p.m.

PLACE: Mission San Luis Archaeology Lab, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Executive Committee will be meeting to discuss the Visitor Center Grand Opening 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.

For more information, you may contact: Jessica Shiver at (850)487-3655.

### DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 8, 2009, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance/Budget Committee.

DATE AND TIME: October 8, 2009, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force Committee.

DATE AND TIME: October 13, 2009, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards and Recognition Task Force Committee.

DATE AND TIME: October 13, 2009, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

DATE AND TIME: October 14, 2009, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: October 15, 2009, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: October 15, 2009, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Commission Meeting.

DATE AND TIME: October 21, 2009, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: October 22, 2009, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCSW Foundation.

DATE AND TIME: October 29, 2009, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation