

first four (4) preliminary drawings by telephone or e-mail no later than twenty-four (24) hours after the winners are drawn. If the Florida Lottery is unable to contact a prizewinner within four (4) business days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the prize will not be awarded. The Florida Lottery will attempt to notify prizewinners in the December 1, 2011, grand prize drawing by telephone, certified mail or e-mail no later than twenty-four (24) hours after the winners are drawn. If the Florida Lottery is unable to contact a winner in the grand prize drawing within seven (7) business days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the prize will not be awarded.

(15) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a fan experience drawing prize, a winner must submit for receipt by the Florida Lottery no later than five (5) business days after being notified by the Lottery that he/she is a winner, the original valid voucher bearing the unique serial number selected in the drawing, a completed Winner Claim Form DOL-173-2, revised 02/11, or DOL-173-2S, revised 02/11, a copy of acceptable identification and a completed Release and Authorization form DOL-474, Eff. 10/08. Forms DOL-173-2, DOL-173-2S, and DOL-474 are hereby incorporated by reference and can be obtained from any Lottery office or from the Lottery's website, www.flalottery.com. A winner who cannot produce a valid entry voucher and/or do not submit the required documents to the Lottery as set forth above will forfeit his or her right to claim the prize.

(16) Cash prizes, Lottery Scratch-Off tickets and team merchandise will be fulfilled by the Lottery. A winner whose mailing address is outside the state of Florida will receive a check for the value of the Lottery Scratch-Off tickets portion of the prize in lieu of the actual tickets. College team football tickets, bowl game and Florida Classic trip prizes will be fulfilled by the fulfillment entity.

(17) If a voucher bearing the serial number selected in the drawing is presented to the Lottery by a person other than the person who entered the number into the drawing, an investigation will be conducted by the Lottery to determine the person entitled to award of the prize.

(18) Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on the fan experience prizes will be the responsibility of the winner. Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. A nonresident alien claimant who is selected as a winner of a prize for which tax withholding is not paid by the Florida Lottery will be required to pay the withholding tax or forfeit

the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(19) No cash option is available in lieu of the non-cash fan experience prizes.

(20) The right to claim a prize cannot be assigned to another person or entity.

(21) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(22) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(23) By entering the Fan-Tastic College Football Promotion, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the fulfillment entity for prize fulfillment purposes.

(24) A player entering the Fan-Tastic College Football Promotion is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(25) The fan experience drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 8-26-11.

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: August 26, 2011

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

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on August 22, 2011, the Department of Community Affairs, received a petition for waiver from the City of Inverness, Case No. DCA11-WAI-176. THE NATURE OF FROM WHICH VARIANCE IS SOUGHT: Subsection 9B-43.0051(12), F.A.C., as amended 2/26/2007, states [if] an audit or an attestation statement has not been received from a local government with either an open or

administratively closed contract by the June 30 deadline date, a 25 point penalty will be assessed. The City seeks relief of the penalty because its audit was timely delivered to all other affected parties.

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.

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Transportation and Parking Services, filed July 29, 2011, and advertised in Vol. 37, No. 32, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings until November 30, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-251).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Bank of America Plaza, filed March 16, 2010, and advertised in Vol. 37, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Section 3003.1.4, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires air conditioning be connected to the standby power source because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-187).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from American Cement Co., filed May 27, 2011, and advertised in Vol. 37, No. 23, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 5.7.12.2 ASME A17.1, 2000 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a special purpose personnel elevator's capacity not exceed 1000 lbs. and the inside clear area not exceed 13 square feet because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-183).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Carter House, filed July 27, 2011, and advertised in Vol. 37, No. 32, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings until July 15, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-247).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Duval Co. Courthouse, filed June 20, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida

Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until October 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-212).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Police Administration Bldg., filed June 20, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until October 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-211).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Police Administration Bldg., filed June 20, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until September 30, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-210).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Fire & Rescue Headquarters, filed June 20, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until October 1, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-209).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from St. Lucie Co. Courthouse, Prisoner Elevator, filed June 30, 2011, and advertised in Vol. 37, No. 29, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.5 ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a drain or sump pump in the hoistway because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-220).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 23, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Sidney & Berne Davis Art Center, filed July 1, 2011, and advertised in Vol. 37, No. 29, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that

requires the pit be 5' deep because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-222). A copy of the Order 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 August 25, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bethune Education Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.18.5.1, 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 9.5 mm steel rope and a metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-283).

A copy of the Petition 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 August 29, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for SunTrust Building. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-284).

A copy of the Petition 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 August 29, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Strand. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.7.2.27.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that regulates conformance of controllers which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the

publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-285).

A copy of the Petition 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 August 30, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lakewood at Palm Beach. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-286).

A copy of the Petition 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 August 30, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tropical Manor Hotel. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 3.10.4(t), 3.3.2 and 3.11.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations, keyed stop switch, platform guards and emergency communication which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-287).

A copy of the Petition 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 August 29, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Australian Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.4.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires top and side emergency exits which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this

notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-288).

A copy of the Petition 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 August 31, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Pines of Boca Barwood II. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-289).

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

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 29, 2011, the Department received a Petition for an Emergency Variance for 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), (6), Florida Administrative Code, from Jack Snacks, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle. The Petition for this variance was published in Vol. 37, No. 32, on August 12, 2011. The Order for this Petition was signed on August 19, 2011, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by 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 is protected by an air curtain installed and operated according to the 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 and held hot at the proper minimum temperature per the parameters of the currently adopted FDA

Food Code; steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on August 5, 2011, the Department received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Forno E Fornelli Trattoria E Pizzeria, Key Biscayne, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom located on the same level be provided for use by customers. They are requesting to utilize public bathrooms located on a different level than the food service establishment for customer use only.

The Petition for this variance was published in Vol. 37, No. 33, on August 19, 2011. The Order for this Petition was signed on August 26, 2011, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the level above are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed within and outside the establishment clearly stating the location of the bathrooms.

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

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The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on August 11, 2011, by Thomas Maloney, P.E. The Petitioner does not state in his request which rule the Petitioner seeks the Variance or Waiver. However, it appears the Petitioner is seeking a permanent waiver or variance of Rule 61G4-16.005, F.A.C., limiting the period a passing grade is valid for purposes of certification to 4 years.

Comments on this petition should be filed with: Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G.W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

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The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on August 16, 2011, by Woodrow Mephram. The Petitioner does not state in his request which rule the Petitioner seeks the Variance or Waiver. However, it appears the Petitioner is seeking a permanent waiver or variance of Rule 61G4-16.005, F.A.C., limiting the period a passing grade is valid for purposes of certification to 4 years.

Comments on this petition should be filed with: Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G.W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

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NOTICE IS HEREBY GIVEN that on August 24, 2011, the Board of Accountancy, received a petition for Noa Rawlinson, seeking a variance or waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

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.

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-831 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 32, No. 38, on September 22, 2006. Stephen Homes and Deborah McAlexander, petitioners, requested a variance from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provide the conditions by which construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 157 Seaward Dr., Santa Rosa Beach, FL, Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency

coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary.

For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-851 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 24, on June 13, 2008. Charles W. Fleming, Jr., and John E. Fleming, petitioners, requested a variance from subsections 62B-33.002(18), (63), F.A.C., which defines "eligible structures" and "vulnerable" respectively, and from paragraph 62B-33.0051(1)(a), F.A.C., which states the conditions where armoring may be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 490 Blue Mountain Road, Santa Rosa Beach, FL, Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary.

For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-868 AR-ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 32, No. 49, on December 8, 2006. John Smart, petitioner, requested a variance from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the conditions where construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 125 Seaward Dr., Santa Rosa Beach, FL, in Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary.

For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-872 ATF AR V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 33, No. 8, on February 23, 2008. George H. Collins, petitioner, requested a variance from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the

condition where construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located 132 Seaward Drive, Santa Rosa Beach, FL, in Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton Co., between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary. For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-876 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 25, on June 20, 2008. Margaret L. Peterson, James B. Martin, Richard Maddox, David Rees, and The Jones Group, petitioners, requested a variance from subsections 62B-33.002(18), (19), F.A.C., which defines "eligible structures" and "emergency protection", and from Rule 62B-33.0051, F.A.C., which provides the conditions where construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 787, 791, 797, 815 and 825, Sc. Hwy. 98, in Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary. For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-927 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 37, on September 12, 2008. C. T. Fitzpatrick, Mr. & Mrs. Kimmerling, Mr. & Mrs. Hodges, and Mr. & Mrs. Lester, petitioners, requested a variance from subsections 62B-33.002(18), (43) and (63), F.A.C., which defines "eligible structures", "nonconforming structures," and "vulnerable," respectively, and from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the condition where construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 23, 57, 77 Highland Ave., Santa Rosa Beach, FL, Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures

constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary. For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-928 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 30, on July 25, 2008. Alan Nix, Patrick and Sylvia Tylka, petitioners, requested a variance from subsections 62B-33.002(18), (43) and (63), F.A.C., which defines "eligible structures", "nonconforming structure" and "vulnerable", respectively and from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the condition where construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 286 and 288 Blue Mountain Road, Santa Rosa Beach, FL, in Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary. For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

The Department of Environmental Protection hereby gives notice of its intent to close the variance file #WL-999 AR ATF V. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 17, on April 25, 2008. Keith R. Jackson, petitioner, requested a variance from subsections 62B-33.002(18) and (19), F.A.C., which defines "eligible structures" and "emergency protection", and subparagraph 62B-33.0051(1)(a)1., F.A.C., which provide the conditions by which construction of armoring shall be authorized. The request was associated with an after-the-fact permit application to keep an emergency coastal armoring structure in place located at 122 Sandcliffs Drive, Santa Rosa Beach, FL, in Walton County. No public comment was received. On June 2, 2011, Chapter 2011-261, Laws of Florida became effective. This Local Bill allows emergency coastal armoring structures constructed in Walton County, between July 10, 2005 and April 30, 2006, to remain in place without a Department permit, therefore, the variance is no longer necessary. For additional information please contact: Rosaline Beckham at (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on July 27, 2011, the Board of Pharmacy, received a petition for Timothy R. Koch, RPh, on behalf of Walmart Stores, Inc., seeking a waiver of subparagraph 64B16-28.450(6)(a)1., Florida Administrative Code, which requires that the pharmacist write the word "central fill" on the face of the original prescription and record the name, address, and DEA registration number if a controlled substance of the originating pharmacy to which the prescription has been transmitted and the name of the originating pharmacy's pharmacist transmitting the prescription, and the date of transmittal. Petitioner would instead like to provide a printout if requested.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Fritz Hayes, B. Pharm, 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 July 25, 2011, the Board of Pharmacy, received a petition for Robert H. Wilson B. Pharm., on behalf of The Towers Pharmacy, Inc., seeking a variance or waiver of Rule 64B16-27.797, Florida Administrative Code, which requires antineoplastic drugs to be compounded in a vertical flow, Class II biological safety cabinet. Petitioner would instead like to use the facilities at Baptist Hospital Pharmacy.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Fritz Hayes, B. Pharm, 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.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on August 26, 2011, the Florida Housing Finance Corporation, received a petition for Waiver/Variance of Rule 67-48.027, F.A.C., from SEVILLE PLACE HOLDINGS, LTD, with respect to the restriction on submitting an Application (as defined in subsection 67-48.002(9), F.A.C.), to Florida Housing, as required pursuant to Rules 67-48.004 and 67-48.0072, F.A.C., until after tax exempt bonds have been issued to the 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 at: [floridahousing.org](http://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.

**FINANCIAL SERVICES COMMISSION**

NOTICE IS HEREBY GIVEN that on August 15, 2011, the Florida Office of Financial Regulation issued a NOTICE OF INTENT TO APPROVE PETITION FOR VARIANCE FROM OR WAIVER OF RULE 69W-600.0021, FLORIDA ADMINISTRATIVE CODE (NOTICE OF INTENT). Nature of rule: Rule 69W-600.0021, Florida Administrative Code, relates to the effect of law enforcement records on applications for registration as associated persons. The Petition was filed by Mr. Mickey P. McLellan on August 31, 2010. Notice 9114331 was published in Vol. 36, No. 37, in the September 17, 2010 edition, of the Florida Administrative Weekly. The NOTICE OF INTENT grants the Petition on the basis of legal hardship. NOTICE 10334591 was published in the Vol. 37, No. 34, in the August 26, 2011, which incorrectly indicated Mr. McLellan's Petition was received on August 15, 2011.

A copy of the NOTICE OF INTENT can be obtained by contacting: Mary Howell, Agency Clerk, Office of Financial Regulation, 200 East Gaines Street, The Fletcher Building, Suite 526, Tallahassee, Florida 32399-0379, (850)410-9896.

A copy of the Order or additional information may be obtained by contacting: Mary Howell, Agency Clerk, Office of Financial Regulation, 200 East Gaines Street, The Fletcher Building, Suite 526, Tallahassee, Florida 32399-0379, (850)410-9896.

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

**DEPARTMENT OF STATE**

The Florida **Department of State, Office of Cultural, Historical and Information Programs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 19, 2011, 10:30 a.m. (EST) – until conclusion

PLACE: Conference Call: 1(888)808-6959; Conference Code: 9395093665

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update from partners and participants of the Viva Florida 500 initiative to commemorate Florida's 500-year anniversary, or Quincentennial, of the landing of European explorer Juan Ponce de León. Several partners will detail their efforts to date and provide an update on how the initiative is building in local communities around the state. Agenda will be posted on [www.fla500.com](http://www.fla500.com) from September 12, 2011.