

~~Voter Registration Drive Quarterly Report. A third-party voter registration organization shall use Form DS-DE 120 to file quarterly reports with the Division as required by Section 97.0575(1), F.S. The quarterly reports shall be filed no later than April 15, July 15, October 15, and January 15 to cover the preceding calendar quarter, respectively. If a due date falls on a Saturday, Sunday, or legal holiday, the report is due on the next day which is not a Saturday, Sunday, or legal holiday.~~

~~(8)(5) Complaints and Fines.~~

~~(a) Any person claiming to have provided a completed voter registration application to a third-party voter registration organization but whose name does not appear as an active voter on the voter registration rolls shall use Form DS-DE 121 to file the complaint with the Division.~~

~~(b) Any other person, except supervisors of elections or their staff, may report allegations of elections fraud, which includes irregularities or fraud involving voter registration; by filing an elections fraud written complaint with the Division, using Form DS-DE 34, entitled "Elections Fraud Complaint," incorporated by reference in See Rule 1S-2.025, F.A.C.~~

~~(c) Supervisors of elections or their staff shall report any untimely filed voter registration application submitted by an organization by sending the Division an explanatory statement in an email and attaching documents which reflect the untimely submission in pdf format to 3PVRO@dos.state.fl.us or by transmitting the explanatory statement and documentation to the Division's facsimile machine at (850)245-6291. Fines. If the Division determines that a fine should be imposed on a third party voter registration organization, the Division shall serve an administrative complaint pursuant to Rule 28 106.2015, F.A.C., upon the third party voter registration organization by personal delivery or certified mail, return receipt requested. A third party voter registration organization upon which the Division serves an administrative complaint may request a hearing in accordance with Sections 120.569 and 120.57, F.S., and subsection 28 106.2015(5), F.A.C.~~

~~(9) This emergency rule is effective on August 19, 2011.~~

~~Rulemaking Authority 20.10(3), 97.012(1), (2), (15), 97.0575(1), (2), (5) (4), (8) FS. Law Implemented 97.012(1), (2), (15), (37) (36), 97.053, 97.0575 FS. History—New 2-26-09, Amended, 5-31-10, 8-19-11.~~

~~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 19, 2011~~

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that on July 22, 2011, the Department of Community Affairs received a petition for waiver from the City of Marianna. It has been assigned number DCA11-WAI-155.

THE NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Subsection 9B-43.0031(29), F.A.C., provides the definition of time; Paragraph 9B-43.0041(2)(b), F.A.C., prohibiting a local government with an open subgrant from filing another application; Paragraph 9B-43.0041(2)(d), F.A.C., states that eligible local governments with an open Economic Development subgrant whose activities and expenditures are on schedule and on time as of the opening of the funding cycle can apply for CDBG subgrant.

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 Blvd., Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that on August 9, 2011, the Department of Community Affairs, received a petition for waiver (emergency) from Martha Harrell Chumbler on behalf of Modular Space Corporation. It was assigned the number DCA11-WAI-162.

THE RULE NUMBER AND NATURE OF THE RULE FROM WHICH A WAIVER IS SOUGHT: Rule 9B-1.030, F.A.C. This rule governs responsibility for affixing insignia to existing factory built schools and the conditions therefore.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, e-mail: paula.ford@dca.state.fl.us.

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN that on August 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from the Graceville Police Department on behalf of eight current and former officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the eight officers did successfully complete the course of fire, however, the instructor was not an active CJSTC-certified firearms instructor at the time of the requalifications for the 2006-2008

(7/1/06-6/30/08) and 2008-2010 (7/1/08-6/30/10) mandatory requalification periods. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor was not an active CJSTC-certified firearms instructor at the time that he supervised the mandatory requalifications.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

---

NOTICE IS HEREBY GIVEN that on August 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Margate Police Department on behalf of 106 officers for the 2006-2008 mandatory firearms requalification reporting cycle (7/1/06-6/30/08). Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and instructed by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors utilized by the Petitioner during the 2006-2008 reporting cycle were not CJSTC-certified. The two instructors had completed CJSTC Instructor Techniques and the 44 hour Firearms Instructor Course, but, however, they had not completed the required internship nor had they completed paperwork required to become CJSTC-certified firearms instructors. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors were not CJSTC-certified firearms instructors during the 2006-2008 reporting cycle (7/1/06-6/30/08).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

---

NOTICE IS HEREBY GIVEN that on August 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Washington County Sheriff's Office on behalf of part-time Deputy Michael Walker. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire

mandated by Commission rule and instructed by CJSTC-certified firearms instructors. The petition supports the requested waiver by stating that Deputy Walker did successfully complete the course of fire for the 2006-2008 reporting period (July 1, 2006-June 30, 2008), however, the instructor who supervised Deputy Walker's requalification was not a CJSTC-certified firearms instructor at the time he supervised the requalification shoot. Petitioner states that Deputy Walker will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that Deputy Walker did successfully complete the firearms requalification requirement simply because his instructor had failed to complete the CJSTC Instructor Techniques Course and did not file all paperwork necessary to becoming a CJSTC-certified firearms instructor for the 2008 reporting cycle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

---

#### DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that on July 27, 2011, the Department of Transportation, received a petition for waiver from the City of Umatilla. The City is requesting the provisions of Rule 14-43.001, F.A.C., regulating set-back requirements for signs and overhanging structures along state highways be permanently waived for pre-existing structures along State Road 19 in Umatilla.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, deanna.hurt@dot.state.fl.us.

---

#### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on August 4, 2011, South Florida Water Management District (District) received a request for withdrawal of a Petition for Waiver from Timothy James (Adventure Tours of South Florida) regarding Application No.: 06-0412-1 for utilization of Works or Lands of the District known as the L-50 Canal; Section 13, Township 40 South, Range 32 East, Glades County. The District originally received the petition for waiver from Mr. James on July 30, 2008. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 34, No. 34, on August 22, 2008. No public comment was received.

A copy of the withdrawal request may be obtained from: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or e-mail: jurussel@sfwmd.gov.

---

NOTICE IS HEREBY GIVEN that on August 8, 2011, the South Florida Water Management District ("District"), received a petition for waiver from the Town of Davie, Application No.: 11-0802-1, for utilization of Works or Lands of the District known as C-11, for an existing pole/foundation and conduits for intersection safety cameras within the right of way; Section 25, Township 50 South, Range 41 East, Broward County. The petition seeks relief from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition received by end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

---

#### **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 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Seabank Bldg., filed April 25, 2011, and advertised in Vol. 37, No. 18, 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, 3.3.2, 3.11.1(a)(2), 3.4.5(d)&(e), 3.10.3 and 3.10.4(e)&(v) 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, platform guards, two-way communication, emergency lighting, top-of-car operating devices and stop switches on top of the car and in the pit 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 2011-127).

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 2, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Professional Office Bldg., filed May 10, 2011, and advertised in Vol. 37, No. 21, 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 December 31, 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 2011-157, VW 2011-158, VW 2011-159, VW 2011-160, VW 2011-161).

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 2, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Professional Office Bldg., filed May 10, 2011, and advertised in Vol. 37, No. 21, 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 December 31, 2012, 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 2011-162, VW 2011-163).

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 2, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Hilton Longboat Key Beachfront Resort – Room Tower, filed May 12, 2011, and advertised in Vol. 37 No. 21 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies 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 because the Petitioner has failed to demonstrate sufficient hardship to justify the length requested (VW 2011-167).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On August 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Diversified Yacht Services, filed May 18, 2011, and advertised in Vol. 37, No. 22, 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 2.18.5.1, 2.20.4 and 8.11.2.1.3(cc)1&3 ASME A17.1, 2005 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 suspension and governor ropes be no less than 9.5 mm 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 2011-171).

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 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Embassy Suites Orlando LBV, filed May 18, 2011, and advertised in Vol. 37, No. 22, 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 2.20.1, 2.20.9 and 2.24.2 ASME A17.1, 2005 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 use of a coated steel belt 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 2011-173).

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 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from The Atrium Condo, filed May 23, 2011, and advertised in Vol. 37, No. 22, 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 May 29, 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 2011-178).

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 9, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Shands Lake Shore Regional Medical Center, filed May 24, 2011, 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 denies the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.11.1(a)(2), 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, restricted door openings and two-way communication because the features required under the new rules will not be installed within a reasonable time period and no means of meeting the intent of the code have been put forth (VW 2011-186).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, 850-488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On August 9, 2011, the Division issued an order. The Final Order was in response to a Petition for

emergency Variance from Bank of America Plaza, filed June 2, 2011, 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 Rule 2.8.1.2 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 only machinery and equipment used directly in connection with the elevator shall be permitted in the elevator hoistway and machinery room or control space 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 2011-190). 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 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Juarez Building, 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 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 July 1, 2015, 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 2011-221).

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 2, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Southern Breeze Gardens, filed July 11, 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 101.5b and 211.3b ASME A17.1, 1989 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 providing ventilation of the machine room and a smoke detector in the machine room until January 1, 2012, 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 2011-224). 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 9, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Princeton Plaza, filed July 13, 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 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 July 1, 2015 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 2011-228).

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 August 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Whitehall at Camino Real. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.4(u), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires an in-car stop switch 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 2011-258).

A copy of the Petition 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 August 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Venetian Bayview Condo Assoc. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-259).

A copy of the Petition 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 August 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Pavilion Building. Petitioner seeks an emergency 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 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-260).

A copy of the Petition 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 August 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Micro Matic. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, 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 sump pump 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 2011-261).

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 August 5, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Forno E fornelli Trattoria E Pizzeria located in 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.

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 July 28, 2011, the Board of Veterinary Medicine, received a petition for Edwin A. Bayo, Esquire, on behalf of Rita Montano, seeking a variance or waiver of subsection 61G18-11.002(4), Florida Administrative Code, which requires that in order to obtain licensure, the candidate must receive a passing score on each portion of the examination. The candidate must receive a score of 425 on the NAVLE.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Veterinary Medicine within 14 days of publication of this notice.

---

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

The Department of Environmental Protection, South District hereby gives notice:

That it issued a Final Order granting a variance from the requirements of subsection 62-610.865(8), F.A.C., to Hendry County for their Port LaBelle Wastewater Treatment Plant. Notice of receipt of this petition was published in the F.A.W. on April 15, 2011. The petition requested a variance from subsection 62-610.865(8), F.A.C., that requires continuous monitoring of effluent for specific conductance and weekly monitoring of effluent for TSS, fluoride, TDS, chlorides, pH, sodium adsorption ratio, sodium, magnesium, and calcium for wastewater treatment plants that blend demineralization concentrate with reclaimed water. No public comment was received. The Order, OGC number 11-0509, granted the Petition, based on a showing that Petitioner demonstrated 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 had successfully fulfilled the requirements of the underlying statute by other means.

A copy of the Order or additional information may be obtained by contacting: Brandon Ivey, DEP, South District, P. O. Box 2549, Fort Myers, Florida 33902-2549, brandon.ivey@dep.state.fl.us, (239)344-5600.

---

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on August 4, 2011, the Board of Clinical Laboratory Personnel, received a petition for Elin Rasen Wichers. Petitioner is seeking a variance or waiver of paragraph 64B3-5.004(3)(a), Option 3, Florida Administrative Code, which sets forth the requirements for licensure as a technician in the specialties of microbiology, serology/immunology, clinical chemistry, hematology, and immunoematology.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, 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 August 9, 2011, the Board of Medicine, received a petition for waiver or variance filed by Javanshir Janani, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirements for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN that on August 9, 2011, the Board of Medicine, received a petition for waiver or variance filed by Lakkaraj Rajasekhar, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirements for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

The Florida Department of Health, Bureau of Emergency Medical Services hereby gives notice:

On July 21, 2011, St. Petersburg College emailed a request to withdraw their petition for permanent variance of paragraph 64J-1.020(1)(c), Florida Administrative Code. The petition, filed April 25, 2011, requested a permanent variance to the rule allowing paramedic training programs to allow up to 20% of the field internship experience be done aboard an advanced life support permitted vehicle other than an ambulance. The petition requested up to 88% of the field internship experience

be done aboard an advanced life support fire engine. A letter confirming withdrawal of their petition was faxed to Petitioner on July 21, 2011.

A copy of the Order or additional information may be obtained by contacting: John Bixler, Chief, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, Florida 32399-1738, (850)245-4055, Fax: (850)488-9408, email: john\_bixler@doh.state.fl.us.

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

**DEPARTMENT OF STATE**

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: August 29, 2011, 9:00 a.m.

PLACE: Jackson County Health Department, Conference Room, 3045 Forth Street, Marianna, Florida 32446, (850)526-2412, ext.101.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Jackson County Health Department will meet to evaluate submissions and select artwork or artist finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 S. Bronough St., Tallahassee, FL 32399-0250, (850)294-5445.

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 2 days before the workshop/meeting by contacting: Laura Blischke at (850)245-6475. 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.

The **Department of State, Division of Cultural Affairs** announces grant panel meetings, to which all persons are invited.

DATES AND TIME: September 1, 2011, Folk Arts; September 7, 2011, Museums Levels 1, 2 and Projects; September 8, 2011, Museums Level 3; September 9, 2011, Visual Arts; September 12, 2011, Presenter; September 13, 2011, Culture Builds Florida; September 14, 2011, Arts in Education and Underserved Cultural Community Development; September 15, 2011, Community Theatre; September 16, 2011,