

12DER08-06 Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., is Not Required Until March 1, 2009.

(1) The constitutional amendment and SB4D require that all non-homestead residential property and certain residential and non-residential property be assessed at just value as of January 1, 2008. Thereafter, the property must be reassessed annually and any change resulting from the reassessment of such property may not exceed 10 percent of the assessment in the prior year.

(2) Section 193.1556, F.S., as created by section 14 of SB 4D requires that owners of property subject to the 10 percent assessment limitation shall, on or before March 1 of each year, apply with the county property appraiser. Failure to apply constitutes a waiver of the assessment limitation unless the failure was due to postal error or unless the Value Adjustment Board accepts a late application due to particular extenuating circumstances.

(3) While 2008 is the base year for the limitation, the application required by Section 193.1556, F.S., is not required to be made until March 1, 2009.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Law Implemented 193.1556 FS. History—New 2-12-08.

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: February 12, 2008

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**

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Joseph Carrafiello to waive Rule 11B-27.00213, F.A.C. The rule waiver request was received on January 28, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 6, February 8, 2008. Mr. Carrafiello requested that the CJSTC waive the requirement that an officer have a four year break in service between the time he breaks one Temporary Employment Authorization and begins another. The CJSTC denied Mr. Carrafiello's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-3 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Carrafiello.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Joshua Holloway to waive paragraphs 11B-30.007(6)(a), (c), F.A.C. The rule waiver request was received on January 30, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 7, February 15, 2008. Mr. Holloway requested that the CJSTC permit him to use his examination fee for the State Officer Certification Examination from December 12, 2007, to be applied to another examination date in the future because of an injury that prevented Mr. Holloway from attending the examination for which he had registered. The CJSTC granted Mr. Holloway's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-4 has been issued by the Commission commemorating its vote to grant the requested rule waiver received from Mr. Holloway.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Gary D. Jordan, to waive subsection 11B-27.002(4), F.A.C. The rule waiver request was received on November 26, 2007. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 33, No. 50, December 14, 2007. Mr. Jordan requested that the CJSTC waive the requirement that an officer become employed within four years of beginning basic recruit training. The CJSTC denied Mr. Jordan's request for a rule waiver at its regularly scheduled business agenda meeting on

February 7, 2008. A final order in CJSTC Case No. VAR 07-27 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Jordan.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Criminal Justice Standards and Training Commission has issued an order.

The CJSTC has taken action on a request by Benjamin Kirkpatrick to waive subsection 11B-27.002(4), F.A.C. The rule waiver request was received on January 15, 2008. Notice of the receipt of the request for rule waiver was published in the F.A.W., Vol. 34, No. 5, February 1, 2008. Mr. Kirkpatrick requested that the CJSTC waive the requirement that an officer become employed within four years of beginning basic recruit training. The CJSTC denied Mr. Kirkpatrick's request for a rule waiver at its regularly scheduled business agenda meeting on February 7, 2008. A final order in CJSTC Case No. VAR 08-1 has been issued by the Commission commemorating its vote to deny the requested rule waiver received from Mr. Kirkpatrick.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, FDLE, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on January 25, 2008, the Agency for Health Care Administration has issued an order.

The Agency granted the Petition for Variance from subparagraph 59A-24.006(1)(a)2., Florida Administrative Code, as filed by Doctors Laboratory, Inc. on September 17, 2007. Notice of the filing of this Petition appeared in the October 5, 2007 edition of F.A.W., pp. 4655 of Vol. 33, No. 40. The Petition sought a variance from the requirements subparagraph 59A-24.006(1)(a)2., Florida Administrative Code, for Richard E. Struempler as to the qualifications for a Director of a forensic urine drug testing laboratory as licensed by the Agency for Health Care Administration for the Florida Drug Free Workplace Program. By Final Order dated January 25, 2008, the Petition was granted and a variance was issued to Doctors Laboratory, Inc. based on the unique academic background and work experience of Richard E. Struempler. Said Variance is limited in scope to the duration of Richard E.

Struempler's employment as Director of forensic urine drug laboratories at Doctors Laboratory, Inc. and is not transferable to any other entity or individual.

A copy of the Order may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 30, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Exquisite Subs and Deli located in Tampa. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has two unisex bathrooms for patrons and they are requesting a variance to have a seating capacity of twenty-four (24) and two bathrooms with a unisex designation. A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on January 31, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Rod's Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

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

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 29, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Allie's Ice Cream and Goodies located in Crawfordville. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (25) which includes inside and outside seating. All provisos and plan review deficiencies shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 29, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Becky’s Philly-ing Station located in Pensacola. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of thirty (30).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (30) which includes inside and outside seating. All provisos and plan review deficiencies shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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

NOTICE IS HEREBY GIVEN that on February 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 16, 2008, for a Routine Variance for subsections 61C-4.010(7) and 61C-4.010(5), Florida Administrative Code, from Sunside Café located in Destin. The above referenced F.A.C. state that all bathrooms shall be of easy and convenient access to both patrons and employees and Chapter four in the 2001 Federal Food and Drug Administration (FDA) Food Code. The Chapters in the 2001 FDA Food Code refer to required equipment in food service establishments. The Petitioner is requesting to share bathrooms; warewashing facilities and

service sink equipment with a licensed food service establishment on the same premises but with separate ownership.

This variance request was approved and is contingent upon the Petitioner ensuring a sufficient number of three-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for Sunside Café and Copper Grill. The Petitioner may use the mop sink located in Copper Grill as long as it is equipped with a floor drain for the disposal of mop water and similar liquid waste and it is sufficient to keep both the facility’s floors clean from food and dust debris. Approval is also contingent upon the Petitioner ensuring the bathrooms located inside of the Copper Grill are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. If operating hours or accessibility for Copper Grill changes, this variance request will be re-evaluated. All provisos shall be met prior to final licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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

NOTICE IS HEREBY GIVEN that on February 4, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 22, 2008, for an Emergency Variance for subsection 61C-4.010(7), paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and subsection 61C-4.010(6), Florida Administrative Code (F.A.C.), from Cocoa Palms located in Orlando. The above referenced F.A.C.s state that all bathrooms shall be of easy and convenient access to both patrons and employees; the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C.; and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. They are requesting a variance to use centrally located bathroom facilities inside the food court and to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours

of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. Seating shall not exceed four (4) seats. Approval is also contingent upon Petitioner using a sufficiently sized potable water tank and utilizing a waste water holding tank that is at least 15% larger than the potable water holding tank. Waste water holding tanks are to be emptied at a frequency as to not create a sanitary nuisance. Petitioner must adhere strictly to the following operating procedures: Supply for potable water tank must be from an approved source with written documentation provided and sanitize the fresh water tank at least once every 24 hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner or operating hours or accessibility for the janitor common area changes, this variance request will be re-evaluated. All provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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

NOTICE IS HEREBY GIVEN that on February 4, 2008, Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Domino's Pizza located in Miami. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees... They are requesting a variance to share bathroom facilities with an adjacent establishment, Westchester Barber Shop.

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

NOTICE IS HEREBY GIVEN that on February 4, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on January 15, 2008, for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Sabor Latino located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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

NOTICE IS HEREBY GIVEN THAT on February 5, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quiznos Subs located in Maitland. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

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

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(1) and

61C-4.010(6), Florida Administrative Code, from Antojos Latinos Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

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

NOTICE IS HEREBY GIVEN THAT on February 13, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from the Prince of Wales located in St. Augustine. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of forty-two (42).

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

NOTICE IS HEREBY GIVEN that on November 30, 2007, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued an order.

The Final Order was in response to a Petition for Variance and/or Waiver from NCR Corporation, Petitioner, filed October 16, 2007, and advertised in the issue Vol. 33, No. 44, F.A.W.

The Final Order advises that the department will not waive the requirement for licensure but hereby grants a specific variance to the Petitioner for application and licensure under the circumstances of the instant case with conditions pursuant to Rule 61D-14.006, F.A.C., Occupational License Application Requirements for Business Entities. The Petitioner, upon availing itself of this specific variance, thereby agrees to subject its entire corporate entity to the regulatory requirements and mandates of Chapter 551, Florida Statutes, and applicable rules. This provision of the variance specifically instructs that any disciplinary action taken as to the Petitioner's Field Operations Director conduct or actions shall be applied to the Petitioner's corporate record of performance within this state as it relates to slot machine gaming licensure. The basis for this department action is that all requirements for investigation, licensure and enforcement shall be met under the proposed waiver without harm or impediment to the ongoing regulation of gaming within the state.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT on January 31, 2008, the Board of Accountancy, received a petition for John Mort O'Sullivan III, seeking a variance or waiver of subsection 61H1-33.003(6), F.A.C., which requires that each CPA shall, on or before July 15 prior to the licensee's biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-31.001(4), F.A.C., which requires a fee of \$250.00 for reactivation of a delinquent status license.

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.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on September 26, 2007, by Elizabeth Miller. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 42, of the October 19, 2007, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), F.A.C., entitled "Concentrations in Accounting and Business" which requires that an applicant for licensure must hold a baccalaureate degree from an accredited college or university and that 36 semester or 54 quarter hours earned in accounting education must be above the elementary level. The Board considered the instant Petition at a duly-noticed public meeting, held December 7, 2007, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306(2), Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on February 7, 2008, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 8, 2007, by Elizabeth Perry. The Notice of Petition for Waiver or Variance was published in Vol. 33, No.

44, of the November 2, 2007, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken. The Board considered the instant Petition at a duly-noticed public meeting, held December 7, 2007, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner had established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Department of Environmental Protection has issued an order.

Petitioner withdrew the petition for variance under Section 120.542, F.S., received from TransMontaigne Limited Partners on December 12, 2007. The notice of receipt of this petition was published in the F.A.W., on December 28, 2007. The petition requested a variance from the requirement to install an impervious dike field area around new aboveground field-erected tanks under subparagraph 62-762.501(2)(c)1., Florida Administrative Code, and requested to install overflow retention and shell monitoring systems on the four new aboveground tanks at its Tampa Terminal. On February 4, 2008, Petitioner withdrew its petition for variance and requested an alternate procedure pursuant to subsection 62-762.851(2), F.A.C. An order was issued granting the alternate procedure on February 5, 2008.

A copy of the Order may be obtained by contacting: John Svec, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8845, e-mail john.svec@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on February 13, 2008, the Bureau of Beaches and Coastal Systems has issued an order.

Gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., subsections 62-302.700(1), 62-312.080(3), F.A.C., to the U.S. Army Corps of Engineers, Mobile District, P. O. Box 2288, Mobile, Alabama 36628-0001, (File No. 0129413-003-EV) to allow a maximum allowable turbidity level of 2 Nephelometric Turbidity Units (NTU) above background for work within Class III Waters of the Gulf of Mexico, St. Andrews Aquatic Preserve, Outstanding Florida Water (OFW).

A copy of the Order may be obtained by contacting: Matthew Mask during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, FL 32304, (850)488-7731.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on January 31, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F. A. C., by Edwin A. Bayo on behalf of Ernesto Ganaim, D.D.S., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and that experience obtained by an individual pursuant to a permit issued under Rule 64B5-7.003, F.A.C., and Section 466.025, F.S., is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Board of Dentistry, received a petition for a waiver or variance of Rule 64B5-15.030, F.A.C., by Maurice Goldberg, D.D.S., with respect to the following licensure requirement: that all licensees, whether active or inactive, must pay a one time fee on March 1, 2008.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 4, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C., by Edwin A. Bayo on behalf of Hossein Panahi, D.M.D., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and that experience obtained by an individual pursuant to a permit issued under Rule 64B5-7.003, F.A.C., and Section 466.025, F.S. is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 5, 2008, the Board of Dentistry, received a petition for a waiver or variance of subsection 64B5-2.0146(2), F.A.C., by Lan-Chen, D.D.S., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 11, 2008, the Board of Hearing Aid Specialists, received a petition for a waiver or variance of subsection 64B6-8.003(5), F.A.C., filed by Rick Stegbauer seeking regarding the requirements to take the first licensure examination upon completion of the training program and the filing of the complete report as required.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on February 6, 2008, the Board of Occupational Therapy, received a petition for a waiver or variance, filed by Carla Kurtz, of Rule 64B11-5.001, F.A.C., regarding the requirements for license renewal of an active license and continuing education.

Comments on this petition should be filed with the Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Susan Love, Executive Director, at the above address or telephone (850)245-4444.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67ER06-27(14)(j) and 67ER06-27(14)(k), Florida Administrative Code, from Eclipse West Associates, Ltd., ("Petition"). The Petition is seeking a waiver of the restriction on changing the number of residential units and Total Set-Aside Percentage in the application.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records 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 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 February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(g), F.A.C., and Part III.A.4. of the Universal Application Instructions Florida Administrative Code from Madison Manor, Ltd., ("Petition"). The Petition is seeking a waiver to change the development type from Garden Style Development to Mid-Rise with Elevator.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. 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 February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(j), Florida Administrative Code, from Maple Crest Limited Partnership, (“Petition”). The Petition is seeking a reduction of the total number of units.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records 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 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 February 12, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of paragraphs 67ER06-27(14)(g) and 67-21.003(14)(g), Florida Administrative Code, from Notre Dame Apartments, LLC, (“Petition”). The Petition is seeking a waiver of the restriction on changing the development type from a Mid-Rise with elevator to a High-Rise building.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records 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 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 February 12, 2008, the Florida Housing Finance Corporation, received a petition for Amended Petition for Waiver of paragraphs 67-48.004(14)(e), (j) and (m), Florida Administrative Code, from Oviedo Town Center Partners, Ltd., (“Petition”). The Petition is seeking a waiver of the total number of units, a reduction in the requested SAIL Loan and a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records 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 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.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection
- DATE AND TIME: March 11, 2008, 9:00 a.m.
- PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration