

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NOS.:	RULE TITLES:
69I-20.001	Registration
69I-20.0022	Proof of Ownership and Entitlement to Unclaimed Property
69I-20.0026	Claimant Affidavit
69I-20.0037	Reporting and Remitting Abandoned Property by Mail-in Secondhand Precious Metals Dealers
69I-20.090	Orders or Settlements Requiring Restitution

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the Proposed Rule Development, page 345 in Vol. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

The correction is as follows:

The rule numbers and rule titles were inadvertently omitted from the notice:

RULE NOS.:	RULE TITLES:
69I-20.001	Registration
69I-20.0022	Proof of Ownership and Entitlement to Unclaimed Property
69I-20.0026	Claimant Affidavit
69I-20.0037	Reporting and Remitting Abandoned Property by Mail-in Secondhand Precious Metals Dealers
69I-20.090	Orders or Settlements Requiring Restitution

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V**

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

NOTICE IS HEREBY GIVEN THAT on January 20, 2010, the Department of Highway Safety and Motor Vehicles has issued an order.

The Department of Highway Safety and Motor Vehicles (DHSMV) issued an Order Granting Emergency Rule Variance or Waiver under Section 120.542, Florida Statutes, to Christine Holmes with David Lawrence Mental Health Center, Inc., 2806 South Horseshoe Dr., Naples, FL 34104. The petition requesting the variance or waiver was received by DHSMV on November 4, 2009. Notice of receipt of the petition requesting the waiver was published in Vol. 35, No. 49 of the Florida Administrative Weekly on December 11, 2009. No public comment was received. The Petitioner sought a variance from or waiver of paragraph 15A-10.022(4)(b), Florida Administrative Code. The Order rules that the Petitioner may continue to act as temporary clinical supervisor for the DUI Program at David Lawrence Mental Health Center through May 31, 2010.

A copy of the Order may be obtained by contacting: Judson M. Chapman, Senior Assistant General Counsel, Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, Room A-432, Tallahassee, Florida 32399-0504.

**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 MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT on January 21, 2010, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by the Early Learning Coalition of Brevard County, Inc., 1018 Florida Ave., Rockledge, FL 32956.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, FL 32399.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has met its burden by not providing the necessary information to the Division to allow for an informed decision, as submitted by Margorie F. Smith, Bermuda High West and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-035).

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 January 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Cove Harbor I Condo Assoc., Inc., Panama City, FL, and location of the Serial Number 32140, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Wayne Turk, President (VW 2010-012).

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 January 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Lakeside at Delray, Delray Beach, FL, and location of the Serial Number 36241-42 and 36553-54, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Joseph W. La Rue, President (VW 2010-013).

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 January 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.74, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Tahitian Towers Condo Assoc., Inc., Indian Rocks Beach, FL, and location of the Serial Number 21961-62, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Joseph Tawil, President (VW 2010-014).

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 January 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Ft. Myers News Press, Ft. Myers, FL, and location of the Serial Number 7817 and 29925, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Matt Paradiso, Manager (VW 2010-015).

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 January 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), FAC. The petitioner, Hyatt Regency of Miami, and location of the Serial Number 14681-83 and 41692, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Robert 'Chip' Duncan, Manager (VW2010-016).

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 January 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Newport Building #23, St. Petersburg, FL, and location of the Serial Number 30968,

requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Rebecca Riva, CAM (VW 2010-017).

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 January 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Phipps Plaza, Palm Beach, FL, and location of the Serial Number 26675, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Thomas Campaniello, President (VW 2010-018).

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 January 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Florida Rock Industries, Inc., Jacksonville, FL, and location of the Serial Number 6421-22, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from James Frampton, Agent (VW 2010-019).

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 January 12, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Tequesta Towers of Tequesta, and location of the Serial Number 11831-32, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Hassan Ghalam, Property Manager (VW 2010-020).

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 January 13, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Westcott Station, Tallahassee, FL, and location of the Serial Number 38408, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2010-021).

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 January 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Colonial Square Bldg., Lakeland, FL, and location of the Serial Number 5970, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Bryce J. Philpot, Manager (VW 2010-022).

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 January 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Courthouse Square, St. Petersburg, FL, and location of the Serial Number 8815-16, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mario J. Perry, Owner (VW 2010-023).

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 January 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, 1601 Ocean Dr. South, Jacksonville Beach, FL, and location of the Serial Number

11918-19, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Rebecca J. Finn, CAM (VW 2010-024).

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 January 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Palm Beach Airport of West Palm Beach, and location of the Serial Number 34313-14 and 34569-70, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Paul Komie, Agent (VW 2010-025).

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 January 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, One Memorial Center, Tampa, FL, and location of the Serial Number 33580, 33583 and 38328, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Tray Edmonds, Agent (VW 2010-026).

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 January 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 2.2.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Imperial Building, Winter Haven, FL, and location of the Serial Number 9332, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Irene Bryan, Agent (VW 2010-027).

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 January 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Flagler Center Properties, West Palm Beach, FL, and location of the Serial Number 33607-10, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard S. Johnson, Jr. (VW 2010-028).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Duval Co. Unified Courthouse, Jacksonville, FL, to not comply with Rules 2.20.4 and 2.24.2.1, ASME A17.1, 2005 edition (VW 2009-602).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Mark Stich, Early Learning Coalition, Daytona Beach, FL, to not comply with Rules 3.11.3, 3.11.1 and 2.7.4, ASME A17.3, 1996 edition until December 1, 2011 (VW 2009-630).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. The Request for Variance is withdrawn by the petitioner, Susan Moak, Bethesda Memorial Hospital, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-646).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Rebecca Riffle, Bram Towers, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2015 (VW 2009-649).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tray Edmonds, Saratoga Bldg. at Bay Island, South Pasadena, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-662).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tray Edmonds, Presidential Bldg. at Bay Island, South Pasadena, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-663).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tray Edmonds, Lexington Bldg. at Bay Island, South Pasadena, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-664).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tray Edmonds, Heritage Bldg. at Bay Island, South Pasadena, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-665).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Anthony Maldonado, Envision Credit Union, Tallahassee, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2012 (VW 2009-671).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Hazel E. King, Mariner's Boathouse & Beach Resort, Ft. Myers Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-672).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Paul Komie, The Anthony Bldg., West Palm Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition (VW 2009-676).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Vanessa Mundy, The Madrid Club, Naples, FL, to not comply with Rules 3.3.2 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-679).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Anne

Hutter, 1900/2000 N. W. Corporate Blvd., Boca Raton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-680).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Sherri L. Fogel, Seville Condo #14, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 14, 2011 (VW 2009-683).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to James U. Wade, The 600 Center, Palmetto, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2012 (VW 2009-684).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Bill B. Berke, RLLP, Cape Coral, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-685).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by Ernest Hepler, Shipwatch Two Condo and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-690).

NOTICE IS HEREBY GIVEN THAT on January 19, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

received an order. That order granted a variance to Ellen Brown, Desoto Square Villas Owners Assoc., Inc., Bradenton, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 1, 2011 (VW 2009-691).

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

NOTICE IS HEREBY GIVEN THAT on January 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to James W. Lewis, Jr., Holiday Inn, Lakeland, FL, to not comply with Rules 3.11.3, 3.11.1 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-692).

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

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Paul Komie, Island House Condo Assoc., Palm Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2014 (VW 2009-693).

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

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to The Board of Directors, Harbor House, West Condo Assoc., Inc., Sarasota, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-696).

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

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to William Snyder, The Henderson Bldg., Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition (VW 2009-697).

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

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to The Board of Directors, Marina View Condo Assoc., Golden Point, Inc., Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-698).

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

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NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Jeanne Moschella, Pelican Harbour & Beach Club Assoc., Inc., Longboat Key, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until July 1, 2011 (VW 2009-699 and 2009-760).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tarun Patel of Days Inn, Ft. Myers, FL, to not comply with Rules 3.11.1(a)(2) and 2.7.4, ASME A17.3, 1996 edition and Rule 204.2(a)(4), ASME A17.1, 1996 edition until January 1, 2012 (VW 2009-765).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by Sherry K. Clifton, Oceanside Inn Beach Resort and Condo Assoc., Inc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW2009-796).

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NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Stephen Dilluvio, Island Winds, Ft. Myers Beach, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-799).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Vitin Matos, Airport Executive Center, Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 30, 2013 (VW 2009-805).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, The Enclave Hotel & Suites, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 31, 2012 (VW 2009-806).

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 January 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Richard Voakes, Cosme Water Treatment Plant, St. Petersburg, FL, to not comply with Rule 5.7.12.2, ASME A17.1, 2000 edition (VW 2009-808).

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 November 24, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Ritz Resort Motel, Clearwater Beach, FL, and location of the Serial Number 18001, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Weronika Giadla, Owner (VW 2009-831).

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 December 31, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.74, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Tequesta Financial Center, LLC, Tequesta, FL, and location of the Serial Number 40101, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Stacey Zuckerman, Property Manager (VW 2009-832).

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Embarq, Ocala, FL, and location of the Serial Number 10727, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2009-833).

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Intrepid Condo Assoc., St. Pete Beach, FL, and location of the Serial Number 28933-34, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-834).

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, 2.7.4 and 3.10.4(t), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Weatherly Condo Assoc., St. Pete Beach, FL, and location of the Serial Number 24323-24, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-835).

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.3.2, 3.9.1, 3.10.3, 3.10.4(t), 3.11.1 and 4.7.8, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Town Shores Condo – Chatham House of Gulfport, and location of the Serial Number 9560, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-836).

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 November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and A17.1, Section 3.14 and 2.27.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Ironwood Eleventh Condo Assoc., Inc., Bradenton, FL, and location of the Serial Number 30621, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Scott Bole, CAM (VW 2009-837).

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 January 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2

Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Oceanside Inn Beach Resort Condo Assoc., Inc., Daytona Beach, FL, and location of the Serial Number 11193, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sherry K. Clifton, CAM (VW 2010-002).

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 January 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from various Sections of A17.3 and A17.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Riverside Land Trust, Cocoa, FL, and location of the Serial Number 7863, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Stan Shull, Senior Vice President (VW2010-003).

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 January 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Veranda Beach Club of Longboat Key, and location of the Serial Number 32366 and 32369, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Grace Denton, Resort Manager (VW 2010-004).

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 January 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, University of Florida of Gainesville, and location of the Serial Numbers 1901, 1904, 2210, 4819, 11442, 23893, 24133, 26176-77 and 37394, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from K. Wayne Wainwright, Construction Projects Specialist (VW 2010-005).

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 January 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, St. Petersburg Kennel Club, Inc., St. Petersburg, FL, and location of the Serial Number 6882-83 and 23676-78, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Maggie M. Schultz, Esq. (VW 2010-006).

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 January 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, 2.7.4, 3.10.4(t) and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, World Center Marriott, Orlando, FL, and location of the Serial Number 35174-84, 35187-96, 35281-85 and 38062, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mark S. Stich, Agent (VW 2010-007).

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 January 14, 2010, the 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) and paragraph 61C-1.004(2)(a), Florida Administrative Code, from Cold Stone Creamery, Orlando, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located on the same level over 300 feet away for customers.

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.

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NOTICE IS HEREBY GIVEN THAT on January 15, 2010, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Section 509.221(1)(b), Florida Statutes, paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from IHOP, Daytona Beach, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share bathroom facilities with an adjoining establishment located within the same structure.

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.

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#### 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."

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on November 3, 2009, the Board of Pharmacy has issued an order.

The Order is on the Petition for Variance or Waiver filed on August 7, 2009, by Amy Larissa DeDea. Petitioner was seeking a variance or waiver of Section 465.009(1), F.S., entitled, "Continuing Professional Pharmaceutical Education" which requires that the licensee submit satisfactory proof to the board that during the 2 years prior to her or his application for renewal, the licensee has participated in not less than 30 hours of continuing professional pharmaceutical education in courses approved by the board. The Notice of Petition published on August 21, 2009, in Vol. 35, No. 33, of the Florida Administrative Weekly.

The Board of Pharmacy considered the Petition at a duly-noticed meeting held on October 14, 2009, Tallahassee, Florida. The Board's Order denied the petition finding that statutes cannot be waived.

A copy of the Order may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

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NOTICE IS HEREBY GIVEN THAT on November 3, 2009, the Board of Pharmacy has issued an order.

The Order is on the Petition for Variance or Waiver filed on August 28, 2009, by Jaemin Hwang. Petitioner was seeking a variance or waiver of paragraph 64B16-26.2031(4)(b), Florida Administrative Code, entitled "Licensure by Examination;

Foreign Pharmacy Graduates," which requires that applicants pass the Test of English as a Foreign Language (TOEFL) with a score of at least 550 for the pencil and paper test or 213 for the computer version and by passing the Test of Spoken English (TSE) with a score of 50 on the recalibrated TSE. Petitioner also seeks a variance or waiver of subsection 64B16-26.2031(5), F.A.C., which requires the applicant to complete 2080 hours of supervised work activity, of which a minimum of 500 hours must be completed within the State of Florida. The Notice of Petition published on September 11, 2009, in Vol. 35, No. 36, of the Florida Administrative Weekly. The Board of Pharmacy considered the Petition at a duly-noticed meeting held on October 14, 2009, in Tallahassee, Florida. The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 465.007, Florida Statutes, would be met by granting a variance or waiver from paragraph 64B16-26.2031(4)(b), F.A.C. The Board further finds that the Petitioner had not established that applying the requirements of the aforementioned rule to Petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

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NOTICE IS HEREBY GIVEN that on May 26, 2009, the Board of Pharmacy has issued an order.

The Order is on the Petition for Variance or Waiver filed on March 10, 2009, by Millennium Pharmacy Systems, Inc. Petitioner was seeking a variance or waiver of paragraph 64B16-28.606(2)(a), Florida Administrative Code, entitled, "Class II Institutional Dispensing," which requires that all pharmacists participating in remote medication order processing be Florida licensed pharmacists. The Notice of Petition published on March 20, 2009, in Vol. 35, No. 11, of the Florida Administrative Weekly.

The Board of Pharmacy considered the Petition at a duly-noticed meeting held on April 14, 2009, in Tampa, Florida. The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 465.019, Florida Statutes, would be met by granting a variance or waiver from paragraph 64B16-28.602(2)(a), F.A.C. The Board further finds that the Petitioner has not established that applying the requirements of the aforementioned rule to Petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

The Board of Psychology hereby gives notice that it has received a petition, filed on January 13, 2010, filed by T. A. Delegal, III, Esq. on behalf of Karina Jefeiz-Zagagi, Ph.D., seeking a variance or waiver of Rule 64B19-11.005, F.A.C., which requires that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with this rule.

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

Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

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#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on January 22, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from subsection 67-48.002(116), F.A.C., from Creative Choice Homes XXVII, Ltd. The petition is seeking a waiver from the provision of the Land Use Restriction Agreement and the Extended Use Agreement requiring that roll-in showers be provided in 15% of the New Construction units, but allowing that 5% of that requirement could be met with walk-in shower stalls with a permanently affixed seat.

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

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NOTICE IS HEREBY GIVEN THAT on January 22, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from subsection 67-48.002(111), F.A.C., from Creative Choice Homes XXIX, Ltd. The petition is seeking a waiver from the provision of the Land Use Restriction Agreement and the Extended Use Agreement requiring that roll-in showers be provided in 15% of the New Construction units, but allowing that 5% of that requirement could be met with walk-in shower stalls with a permanently affixed seat.

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 [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of

publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

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#### **DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT on January 13, 2010, the Department of Financial Services, received a petition for Variance or Waiver submitted by Shola Ayide Stephens seeking a temporary waiver or variance from paragraphs 69B-211.042(3)(a), (4), (8)(a), (9)(a), (9)(b), (21)(qq), and subsection 69B-211.041(11), F.A.C., with regard to the restriction on the licensure of persons who have been found guilty of or have pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of one (1) year or more. Comments on this petition should be filed: Department of Financial Services, 200 East Gaines Street, Suite 612, Tallahassee, Florida 32399-0333, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robyn Blank Jackson, Assistant General Counsel, Department of Financial Services, at the above address, or telephone (850)413-4269.

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#### **BROWARD COUNTY PERMITTING, LICENSING AND CONSUMER PROTECTION**

NOTICE IS HEREBY GIVEN THAT on January 22, 2010, the Broward County Elevator Section has issued an order.

The petition for a temporary variance dated October 13, 2009, has been granted to Irving Kahn, Somerset Phases 4 & 5 LLC, Lauderdale Lakes, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 22, 2013, in order to have adequate time to raise funds and have the work performed necessary to bring its elevators into compliance with the rule.

A copy of the Order may be obtained by contacting: Richard S. Walter, Broward County Elevator Section Supervisor, Permitting, Licensing and Consumer Protection Division, 1 North University Drive, Plantation, Florida 33324.

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### **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