

purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 657, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a SUPER GOLD lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for SUPER GOLD lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 7-28-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 28, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V**

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

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

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

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on July 24, 2006, South Florida Water Management District (District) received a petition for waiver from Yoandy Perez, Application No. 06-0724-1, for utilization of Works or Lands of the District known as the C-7 Canal, Miami-Dade County for a proposed concrete wall enclosure within the north right of way of C-7 at the rear of 40 West 53rd Terrace, Section 31, Township 52 South, Range 41 East. The petition seeks relief from subsections 40E-6.011(4), and (6), Fla. Admin. Code, which

governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov). The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on July 14, 2006, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, from Big C’s Downtown Pizzeria located in Pompano Beach. The above F.A.C. states that public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. They are requesting a variance to not add an additional bathroom facility for customer access, instead use an adjacent establishment’s bathroom facility.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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.

NOTICE IS HEREBY GIVEN that on July 14, 2006, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, from Big C’s Downtown Pizzeria located in Pompano Beach. The above F.A.C. states that public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. They are requesting a variance to not add an additional bathroom facility for customer access, instead use an adjacent establishment’s bathroom facility.

This variance request was approved July 28, 2006, and is contingent upon Petitioner ensuring public bathrooms have running water at all times, kept in a clean and sanitary manner, and they are available during all hours of operation. Petitioner shall ensure directional signage is installed within the establishment clearly stating the location of the bathrooms. All plan review deficiencies and provisos must be complied 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.

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NOTICE IS HEREBY GIVEN that on July 3, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Eduardo Herrera 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.

This variance request was approved July 28, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is 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 paragraph 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 each 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.

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NOTICE IS HEREBY GIVEN that on July 18, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Milene'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.

This variance was approved July 28, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is 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 paragraph 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 variance and operating procedures are to be present on each 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.

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NOTICE IS HEREBY GIVEN that on June 29, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Latin quarters located in Riverview. 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.... They are requesting a variance to not add an additional bathroom facility for customer use and have a seating capacity of twenty-eight (28).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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.

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NOTICE IS HEREBY GIVEN that on June 29, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Latin quarters located in Riverview. 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.... They are requesting a variance to not add an additional bathroom facility for customer use and have a seating capacity of twenty-eight (28).

This variance request was approved July 28, 2006, and is contingent upon Petitioner ensuring the public bathroom inside Latin Quarters 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 twenty-eight (28) which includes inside and outside seating. 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.

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The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 13, 2006, by David Powers. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 10, of the March 10, 2006, FAW. Petitioner sought a waiver or variance of subsection 61H1-27.002(3), F.A.C. entitled "Concentration in Accounting and Business" with regard to the requirement that three of the six business law credits required for licensure have been taken at the upper level. The Board considered the instant Petition at a duly-noticed public meeting, held April 21, 2006, in Tampa, Florida.

The Board's Order, filed on July 19, 2006, denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 473.306(2), F.S., would be met by granting a variance or waiver from subsection 61H1-27.002(3), F.A.C. The Board further found that Petitioner had not established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

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The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 14, 2006, by Timothy Redetzke. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 10, of the March 10, 2006, FAW. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(a), F.A.C., entitled "Concentration in Accounting and Business" with regard to the requirement that, to be eligible for licensure, an applicant has completed 36 semester or 54 quarter hours in accounting education above the elementary level. The Board considered the instant Petition at a duly-noticed public meeting, held April 21, 2006, in Tampa, Florida.

The Board's Order, filed on July 19, 2006, denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 473.306(2), F.S., 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 had not established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

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The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on April 17, 2006, by Yiren Ren. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 18, of the May 5, 2006, F.A.W. Petitioner sought a waiver or variance of paragraph 61H1-27.002(2)(b), F.A.C. entitled "Concentration in Accounting and Business" with regard to the requirement that, to be eligible for licensure, an applicant have completed 39 semester or 58 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which include coverage of the uniform commercial code, contracts and torts. The Board considered the instant Petition at a duly-noticed public meeting, held June 9, 2006, in Tampa, Florida.

The Board's Order, filed on July 31, 2006, denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 473.306, F.S., would be met by granting a variance or waiver from paragraph 61H1-27.002(2)(b), F.A.C. The Board further found that Petitioner had not established that applying the requirements of the aforementioned Rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on March 16, 2006, by Julie Ann Woelfel Williams. The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 14, of the April 7, 2006, FAW. Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that the required continuing professional education hours have been completed in the 24 months immediately preceding the date of the application for reactivation. The Board considered the instant Petition at a duly-noticed public meeting, held April 21, 2006, in Tampa, Florida.

The Board's Order, filed on July 17, 2006, denied the petition finding that Petitioner had not established that the purpose of the underlying statutes, Sections 473.312 and 473.313, F.S., would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner had not 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 Board's Order may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy/MQA, 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."

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

NOTICE IS HEREBY GIVEN that on July 28, 2006 Florida Housing Finance Corporation, received a petition for Waiver of subsection 67ER05-10(14), and Part II.A.2.b and Part II.B.1 of the Rental Recovery Loan Application from Gulf Breeze Apartments Partners, Ltd. ("Petition"). The Petition is seeking a waiver from the prohibition on changing the identity of Petitioner's Developer and Petitioner's Ownership Structure.

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 July 26, 2006 Florida Housing Finance Corporation, received a petition for Amended Petition for Waiver of Rule 67-48.007, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from Wakulla Trace Apartments, Ltd./Wakulla Trace Apartments ("Petition").

The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

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.

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

#### **DEPARTMENT OF STATE**

The **Department of State, Division of Historical Resources**, Florida Main Street Designation Selection announces a public meeting to which all interested persons are invited.

DATE AND TIME: August 24, 2006, 9:30 a.m. – 3:30 p.m.

PLACE: Melbourne-Palm Bay Area Chamber of Commerce, 1005 E. Strawbridge Avenue, Melbourne, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ad hoc Florida Main Street Advisory Committee will meet to consider applications received and formulate recommendations to the Secretary of State for designation of 2006 Florida Main Street Communities. Up to (3) applicants may be named as "Designated" communities, eligible to receive up to thirty-six (36) months of technical assistance and apply for a one-time ten thousand dollar (\$10,000) grant.

A copy of the final agenda and procedures may be obtained by writing: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or by calling 1(800)847-7278.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.