

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 5-11-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE:  
EFFECTIVE DATE: May 11, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <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 EDUCATION**

The Commission for Independent Education hereby gives notice of the issuance of an Order regarding the Petition for Variance for Florida School of Holistic Bodywork, Inc., License #3071. The Notice of Petition for Variance was published in Vol. 32, No. 5, of the February 3, 2006, Florida Administrative Weekly. The Commission considered the instant Petition at a duly-noticed public meeting held on March 22, 2006. The Commission’s Order, filed on April 19, 2006, denies the Petition, finding that Petitioner has not established that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 6E-2.004(6), Florida Administrative Code, which is entitled “Standards and Procedures for Licensure.” The Commission further finds that Petitioner has failed to establish that applying the requirements of the aforementioned Rule to the institution’s circumstances would violate principles of fairness or impose substantial hardship.

A copy of the Commission’s Order may be obtained by contacting: Samuel L. Ferguson, Executive Director, Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 W. Gaines St., Suite 1414, Tallahassee, Florida 32399-2400.

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on May 5, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from The Crepevine located in Tallahassee. 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 add an additional twelve (12) seats for a total of twenty-two (22) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

A copy of the Petition can be obtained from: Rhonda Steele, 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.

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 15, 2006 and advertised in FAW Vol. 32, No. 15, by Steve Powell of KONE, Inc. regarding Laguna at Riviera Dunes IV in Palmetto, FL (VW 2006-080). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 15, 2006 and advertised in FAW Vol. 32, No. 15, by Steve Powell of KONE, Inc.

regarding Laguna at Riviera Dunes III in Palmetto, FL (VW 2006-079). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 9, 2006 and advertised in FAW Vol. 32, No. 15, by Steve Powell of KONE, Inc. regarding Parking Structure Phase I: University of South FL in St. Petersburg, FL (VW 2006-077). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 10, 2006 and advertised in FAW Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Dolecevita at Singer Island in Palm Beach Shores, FL (VW 2006-063). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 10, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding The Boulevard in Jacksonville Beach, FL (VW 2006-064). The variance granted a waiver from Rules

2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed March 6, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Boca Lago at Vivante in Punta Gorda, FL (VW 2006-061). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed February 17, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Madison Ave Complex in Tampa, FL (VW 2006-051). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed February 17, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding City of Deland, 120 S. Florida Ave in Deland, FL (VW 2006-052). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code.

The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed February 17, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Bella Vista in Daytona Beach Shores, FL (VW 2006-053). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed February 17, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Bay Club I in Palmetto, FL (VW 2006-054). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Request in response to a petition filed February 13, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Steve Powell of KONE, Inc. regarding Hampton Inn in Pinellas Park, FL (VW 2006-043). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the

petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 4, 2006, it issued an Order Granting Variance Request in response to a petition filed February 3, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by Steve Powell of KONE, Inc. regarding Advance Medical Imagine in Port St. Lucie, FL (VW 2006-020). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by Patricia Serley of Otis Elevator regarding Ocean Reef in Panama City Beach (VW2006-026). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by LeLaine Koutebera of Otis Elevator regarding The Residence at Sandpearl in Clearwater Beach (VW2006-027). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by leLaine Koutebera of Otis Elevator regarding The Sandpearl Resort in Clearwater Beach (VW 2006-028). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by leLaine Koutebera of Otis Elevator regarding The Water's Edge in Clearwater (VW 2006-029). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by leLaine Koutebera of Otis Elevator regarding Harbour Watch at Island Estates in Clearwater (VW 2006-030). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 9, 2006 and advertised in the F.A.W. Vol. 32, No. 8, by leLaine Koutebera of Otis Elevator regarding The University of Tampa Residence Hall VI in Tampa (VW 2006-031). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 13, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Jim Childers of Otis Elevator regarding Meridian at One North Ocean Group 1 in Boca Raton (VW 2006-040). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued three Orders Granting Variance Requests in response to a petitions filed on February 13, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Jim Childers of Otis Elevator regarding Meridian at One North Ocean Group 2, Group 3 and Group 4 in Boca Raton (VW 2006-037 through 039). The petitions sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Orders can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 22, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Robert Gerdt of Otis Elevator regarding Palms at Riviera Dunes in Palmetto (VW 2006-056). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on March 7 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Presidio Condominium in Ft. Walton Beach (VW 2006-062). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on March 1, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Sailmaker's Place Condominium in Pensacola (VW 2006-060). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 20, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Lost Key-Galia in Pensacola (VW 2006-055). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 16, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Splash Condominium in Panama City Beach (VW 2006-049). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 16, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Palms Resort and Conference Center in Destin (VW 2006-050). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 14, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Capri Condominium in Perdido Key (VW 2006-045). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 14, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Marina Landing Condominium in Panama City Beach (VW 2006-044). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 10, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Grand Panama Beach Resort in Panama City Beach (VW 2006-035). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on March 27, 2006 and advertised in the F.A.W. Vol. 32, No. 15, by Patricia Serley of Otis Elevator regarding Magnolia Bay Club in Panama City Beach (VW 2006-081). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on February 10, 2006 and advertised in the F.A.W. Vol. 32, No. 12, by Patricia Serley of Otis Elevator regarding Palazzo Condominium Tower in Panama City Beach (VW 2006-036). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that on May 5, 2006, it issued an Order Granting Variance Requests in response to a petition filed on March 22, 2006 and advertised in the F.A.W. Vol. 32, No. 15, by leLainya Koutebera of Otis Elevator regarding USF Health-South Pavilion in Tampa (VW 2006-076). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that April 17, 2006, it issued an Order Granting Variance Request in response to a petition filed January 17, 2006 and advertised in the F.A.W. Vol. 32, No. 5, by Steve Powell of KONE, Inc. regarding The Hammocks at Cape Haze in Englewood, FL (VW 2006-007). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

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

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The Bureau of Elevator Safety hereby gives notice that April 12, 2006, it issued an Order Denying Emergency Variance Request in response to a petition filed March 16, 2006 and advertised in the F.A.W. Vol. 32, No. 13, by John X. Michelena of Architectural Resource Group, Inc. regarding Westwood Center, License Number 87138 (VW 2006-073). The order denied the variance request from Chapters 101.3c(4), 101.3c(5) and 101.3b(1), A.S.M.E. 17.1, 1996 Edition with 1999 addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, requiring a permanent, fixed stair/ladder at a maximum 60 degree inclination from horizontal, a platform of fixed size at the top of the access stair/ladder and a vertical door at the top of the access stair/ladder. The petitioner had requested to not have a permanent, fixed stair/ladder at a maximum 60 degree inclination from horizontal, a platform of fixed size at the top of the access stair/ladder and a vertical door at the top of the access stair/ladder. The petition was denied as the petitioner failed to demonstrate how the proposed configuration would achieve the purpose of the underlying rule.

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

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NOTICE IS HEREBY GIVEN that on May 9, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from Chapter 300.8g, A.S.M.E. 17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, requiring a 42 inch refuge space at the top of the elevator car enclosure. The petition was received

from Mitchell Cox of Control Dynamics, Inc. on behalf of Greer Live/Work, located in Rosemary Beach, Florida (Petition VW 2006-131).

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

The Bureau of Elevator Safety 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 May 9, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance Request for subsection 61C-4.010(7), Florida Administrative Code, from the LarryQ BBQ located in Deerfield Beach. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for thirty (30).

A copy of the Petition can be obtained from: Rhonda Steele, 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 May 5, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance Request for subsection 61C-4.010(7), Florida Administrative Code from the Pelican Bay Cafe located in Boca Raton. The above referenced Florida Administrative Code, states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for twenty-three (23).

A copy of the Petition can be obtained from: Rhonda Steele, 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 May 9, 2006, the 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 Juan J.J. 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 can be obtained from: Rhonda Steele, 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.

The Board of Accountancy hereby gives notice that it has received a petition, filed on May 9, 2006, by Pamela Childers, seeking a variance or waiver of subsection 61H1-33.006(2), Florida Administrative Code, and the requirement that required continuing professional education hours have been completed in the 24 months immediately proceeding the date of an application for reactivation.

Comments on this petition should be filed with: The Board of Accountancy/MQA, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, within 14 days of publication of this notice.

For a copy of the petition, contact John Johnson, Division Director, Board of Accountancy, at the above address or by telephone at (352)333-2505.

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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#### **DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has received a petition filed on behalf of Daniel Logan, M.D., on April 24, 2006, seeking a waiver or variance from Rule 64B8-4.004, F.A.C., with regard to the requirement that one year of approved residency training be completed in a single program. Comments on this petition should be filed with: The Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

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The Board of Osteopathic Medicine hereby gives notice that it has received a Petition for Variance or Waiver filed on April 17, 2006 on behalf of Virtual Medical Group, Inc., a physician owned California corporation providing medical services to

patients through physicians located in various states. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of the provisions of Rule 64B15-14.008, F.A.C. ("Standards for Telemedicine Practice"). Specifically, the Petitioner requests a waiver and variance from the portion of Rule 64B15-14.008, F.A.C., that requires a documented physical examination by the prescribing physician which includes a face to face encounter before any prescription or treatment recommendation may be made for minor, non-emergent conditions on the grounds that such a requirement eliminates the ability of Petitioner's physicians to provide necessary medical services to a growing population of patients who prefer the privacy and convenience of their personal computers and telephones to in-person office visits for aforementioned minor, non-emergent conditions.

Copies of the petition may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

#### **DEPARTMENT OF STATE**

The **Department of State, Division of Historical Resources**, Bureau of Historic Preservation announces a public meeting to which all persons are invited.

#### **FOLKLIFE APPRENTICESHIP ADVISORY COMMITTEE MEETING**

**DATE AND TIME:** Friday, June 9, 2006, 1:00 p.m. – 5:00 p.m.

**PLACE:** Spoonbill Room, Eckerd College, 4200 54th Avenue, South, St. Petersburg, Florida 33711

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review of applications for the 2006-2007 Florida Folklife Apprenticeship Program.

A copy of the agenda may be accessed by contacting: Tina Bucuvalas, Florida Folklife Program, Bureau of Historic Preservation, 500 S. Bronough St., Tallahassee, FL 32399-0250, (850)245-6333 or [tbucuvalas@dos.state.fl.us](mailto:tbucuvalas@dos.state.fl.us)

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Historical Resources will not record this meeting.