

available, prior to determining whether to grant the requested extension. The Corporation shall charge a fee of 1 percent of the CWHIP loan amount if the loan is extended.

(3) If a 2006 CWHIP Development that is not de-obligated is unable to meet the specific program requirements in subsections (1) and (2) above, then those CWHIP funds will be offered to the highest ranking unfunded eligible 2006 CWHIP Development, including those Developments that have been de-obligated, based on the final ranking approved by the Board at its January 26, 2007 meeting, provided the Applicant has not (i) withdrawn its request for funding, or (ii) closed on its CWHIP loan, or (iii) failed to pay the extension fee required by subsection 67-58.020(6) or 67-58.070(6), F.A.C.

(4) If a 2007 CWHIP Development that is not de-obligated is unable to meet the specific program requirements in subsections (1) and (2) above, then those CWHIP funds will be offered to the highest ranking unfunded eligible 2007 CWHIP Development, including those Developments that have been de-obligated, based on the final ranking approved by the Board at its May 2, 2008 meeting, provided the Applicant has not withdrawn its request for funding.

(5) CWHIP Developments funded under the provisions of subsection (3) or (4) above, will be required to meet the following specific program requirements.

(a) If the CWHIP funds that become available are less than the amount requested by an Applicant for an eligible Development, the Applicant may choose to accept the lesser amount or have the funds offered to the next highest ranked eligible unfunded application. In the event that there are no Developments that choose to accept the lesser amount, then the funds will be held until a time that additional funds may become available as a result of a funded Development being unable to proceed or until they are allocated as the Board deems appropriate.

(b) Within 90 Calendar Days from the award of funding, the Applicant must have received Board approval of a final credit underwriting report.

(c) The CWHIP loan must close within 60 Calendar Days of the issuance of the firm commitment, with the option of one (1) 60 Calendar Day extension. All extension requests must be submitted in writing to the program administrator and contain the specific reason for requesting the extension. The Corporation shall consider the facts and circumstances of each Applicant's request and any credit underwriting report, if available, prior to determining whether to grant the requested extension. The Corporation shall charge a fee of 1 percent of the CWHIP loan amount if the loan is extended.

Failure to meet the requirements in paragraphs (b) and (c) above shall result in de-obligation of the funding.

Except as provided above, the Applicant shall be governed by the provisions of Rule Chapter 67-58, F.A.C.

Rulemaking Authority ch. 2009-2, s. 12, L.O.F. Law Implemented ch. 2009-1, s. 44, 45, 46, and 47, L.O.F. History—New 8-19-09.

67ER09-10 State Apartment Incentive Loan Program. SAIL Developments that were funded prior to the 2007 Universal Application Cycle that are not de-obligated under the provisions of paragraph 67ER09-8(5)(c) above to meet the requirements of Chapter 2009-1, section 47, Laws of Florida, will be required to meet the following specific program requirements. Failure to meet these requirements shall result in de-obligation of the funding.

(1) Upon approval of the de-obligation by the Board, the Corporation will issue a notice to such Developments. Within 90 Calendar Days of the date of the notice, the Applicant must have received Board approval of a final credit underwriting report; and

(2) The SAIL loan must close within 60 Calendar Days of the issuance of the firm commitment, with the option of one (1) 60 Calendar Day extension. All extension requests must be submitted in writing to the program administrator and contain the specific reason for requesting the extension. The Corporation shall consider the facts and circumstances of each Applicant's request and any credit underwriting report, if available, prior to determining whether to grant the requested extension. The Corporation shall charge a fee of 1 percent of the SAIL loan amount if the loan is extended.

Except as provided above, the Applicant shall be governed by the provisions of Rule Chapter 67-48, F.A.C.

If there is a conflict between this rule chapter and Rule Chapter 67-48, F.A.C., this rule chapter will govern.

Rulemaking Authority ch. 2009-2, s. 12, L.O.F. Law Implemented ch. 2009-1, s. 44, 45, 46, and 47, L.O.F. History—New 8-19-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: August 19, 2009

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN THAT on August 14, 2009, the Department of State, received a petition for Variance of subparagraph 1T-1.001(15)(b)9., Florida Administrative Code, which requires that organizations approved by the Department of State for a \$240,000 Cultural Endowment state matching share, but have not yet received funding due to lack of appropriation, may be placed on a priority list to maintain their eligibility. However, in order to maintain eligibility, organizations may not expend their \$360,000 matching shares and there are no exceptions to this requirement. This Petition is seeking a variance from this rule requirement so that it may

spend its matching share until such time that funds are appropriated by the legislature for the Cultural Endowment Program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Charlotte Wheeler, Agency Clerk, Office of the General Counsel, Department of State, 500 Bronough Street, Tallahassee, FL 32399-0250, (850)245-6536.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on August 6, 2009, the Criminal Justice Standards and Training Commission has issued an order.

A petition for waiver of subsection 11B-27.002(4), F.A.C., was received from Orange County Sheriff's Office and Deputy Clemente Martin on June 20, 2009. Notice of the petition was published in the Florida Administrative Weekly, Vol. 35, No. 28, July 17, 2009. Deputy Martin requested a waiver of subsection 11B-27.002(4), F.A.C. He wished to waive that portion of the rule requiring an officer to become employed within four years of starting basic recruit training. Deputy Martin completed cross-over correctional to law enforcement basic recruit training on August 14, 2000. At that time he had four years from August 14, 2000, to obtain employment. He applied for employment as a deputy with the Orange County Sheriff's Office (OCSO) on June 24, 2004. Deputy Martin was conditionally employed by OCSO on August 2, 2004. He was officially hired on October 1, 2004. He believed that he had four years from the date he passed the State Officer Certification Examination to become employed. Deputy Martin was employed continuously as a deputy after his initial employment and met all of the mandatory requirements for continuing as an active duty law enforcement officer. The Commission met on August 6, 2009, and considered Deputy Martin's petition. The Commission found that Deputy Martin's circumstances are unique and that he demonstrated a that strict application of the rule in his case would violate the principles of fairness. Specifically, Deputy Martin was employed actively as a certified law enforcement officer by his agency from the inception after laboring under a misunderstanding concerning the timeframe under which he was to become employed. Neither the deputy, nor his agency, were aware of the problem until an audit disclosed the timing issue. Deputy Martin demonstrated that the requirements of the underlying statute have been met and will continue to be met through granting this waiver. Accordingly, the Commission granted Deputy Martin's request for a waiver of subsection 11B-27.002(4), F.A.C., on August 6, 2009, at its regularly scheduled Business Agenda meeting in Ponte Vedra Beach, Florida. Deputy Martin's law enforcement certification will be activated retroactive to November 5, 2004, the date his processed fingerprints were received. His employment date, October 1,

2004, is the valid and correct hiring date. He is eligible to resume his duties as a law enforcement officer as of August 6, 2009, following the Commission's action.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, FL 32302, (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on August 11, 2009, the Suwannee River Water Management District has issued an order.

This Order (2009-0010) denies variance under Section 120.542, F.S., to Ryan Bell, for a Works of the District existing deck (ERP08-0245). A petition for variance was received on June 29, 2009. Notice of receipt of petition requesting variance was published in F.A.W. in Vol. 35, No. 28, July 17, 2009. No public comment was received. This Order denies variance of SRWMD's criteria for paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirements within Township 10 South, Range 14 East, Section 31, Dixie County. SRWMD denied the petition because the petitioner did not demonstrate that underlying statute will be or has been achieved by other means.

A copy of the Order may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Suwannee River Water Management District, received a petition for variance from Village Properties, LLC, P. O. Box 4329, Dowling Park, FL 32064, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to reconstruct a retaining wall in the same location of the existing structure, in Suwannee County, in Township 3 South, Range 11 East, Section 5. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060,

within 14 days of publication of this notice. The petition has been assigned ERP Number 09-0159, and the project name is Advent Christian Village Carter House Project.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

The St. Johns River Water Management District (District) announces its intent to deny a petition for a variance from paragraph 40C-4.302(1)(c), F.A.C., and Section 12.2.5(c) of the Applicant's Handbook: Management and Storage of Surface Waters, from Warren T. Michael on behalf of Channel Marker 71 Barrier Island Inn & Restaurant, LLC (f/k/a Channel Marker 71 Barrier Island Bed and Breakfast, LLC). Pursuant to Section 373.414(17), Florida Statutes, the Petitioner sought a variance with respect to Environmental Resource Permit application 4-109-56595-2 to construct a floating dock adjacent to an existing dock at the Barrier Island Bed and Breakfast in St. Johns County. Notice of receipt of the Petition for Variance was published in the Florida Administrative Weekly on May 16, 2003. The District's Governing Board is scheduled to take final action on the Petition for Variance and the related permit application at its September meeting, which begins at 1:00 p.m., September 8, 2009, or at the next Governing Board meeting thereafter.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of: District Clerk, District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid Street, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within 19 days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice) or within 14 days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, Florida Statutes, is not available.

If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the

petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described above, within 19 days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within 14 days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.

Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

Failure to observe the relevant time frames for requesting a hearing or seeking judicial review will result in waiver of that right to review.

The Petition for Variance and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at: St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177. Request for copies or inspection of those files should be made to: Tara E. Boonstra, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)328-4448.

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the South Florida Water Management District (District or SFWMD) Governing Board has issued an order.

SFWMD Order No. 2009-202-DAO-ROW was issued to Collier County Transportation Services (Application No. 09-0227-1). The petition for waiver was received by the SFWMD on May 15, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 22, on June 5, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow a bus shelter, concrete pad, rip-rap and pathway located within the west right of way of Airport Road Canal; Section 11, Township 49 South, Range 25 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative 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. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as

follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the County from suffering a substantial hardship.

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

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the South Florida Water Management District (District or SFWMD) Governing Board has issued an order.

SFWMD Order No. 2009-203-DAO-ROW was issued to Collier County Board of County Commissioners (Application No. 09-0309-2). The petition for waiver was received by the SFWMD on March 30, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 15, April 17, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing bus shelter and concrete sidewalk located within the west right of way of Airport Road Canal; Section 11, Township 49 South, Range 25 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative 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. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the County from suffering a substantial hardship and violate principles of fairness.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on August 11, 2009, the Agency For Health Care Administration has issued an order. The Final Order is an order denying the Petition for Variance from or Waiver of Rule 59A-18.006, F.A.C. The Order concerned the Petition for Waiver or Variance, filed on May 29, 2009, by Burke Consulting Corporation d/b/a Granny Nannies of Sarasota. The Petitioner requested a variance from or waiver of: Rule 59A-18.006, F.A.C., with regard to that

portion of Rule 59A-18.006, F.A.C., which limits a nurse registry administrator from serving as the administrator of only one nurse registry at a time.

The basis for the Agency's denial of the petition is the failure of the petitioner to establish that the requirements for a variance or waiver under Section 120.542(2), F.S., had been met.

A copy of the Order may be obtained by contacting: Richard Joseph Saliba, Esquire, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, FL 32308, (850)922-4445, Fax: (850)921-0158, salibar@ahca.myflorida.com. Written comments should also be sent to this contact person.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTE: This notice was printed incorrectly in the August 21, 2009, Vol. 35, No. 33 issue, Florida Administrative Weekly.

NOTICE IS HEREBY GIVEN THAT on June 18, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

That order granted a variance to Matthew Golden of Thyssen Krupp Elevator on behalf of Metropolitan, West Palm Beach, FL, SN 88271 through 88274 to not comply with Chapter 3001.2, 2004 Florida Building Code: Referenced Standards. Rule 2.20.4, A.S.M.E. 17.1, 2000 edition: Minimum Number and Diameter of Suspension Ropes. Rule 2.20.4, A.S.M.E. 17.1, 2000 edition: Minimum number and Diameter of Suspension Ropes. Rule 2.24.2.1, A.S.M.E. 17.1, 2000 edition: Material and Grooving, (VW 2009-060) as advertised in F.A.W., Vol. 35, No. 15.

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 July 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 as per Section 120.542, Florida Statutes. The petitioner, L&W Commercial Property Management, on behalf of Realty Associates Fund VIII, and location of Reo, 405 North Reo Street, Tampa, FL, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sara M. Sneen, RPA, Senior Property Manager (VW 2009-367).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 31, 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, Collier Association Management, 3400 Tamiami Trail North, Suite 300, Naples, FL 34103, and location of the Fairway Building, 1000 Tamiami Trail, North, Naples, FL, Serial Number 31962, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Keith Tompkins, Association Manager (VW 2009-368).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 28, 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Midtown Centre Office Park, 3947 Boulevard Center Drive, Suite #5, Jacksonville, FL 32207, and location of the same, Serial Number 05714, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Michael D. McLaughlin, Chief Engineer (VW 2009-369).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Midtown Centre Office Park, 3947 Boulevard Center Drive, Suite #5, Jacksonville, FL 32207, and location of The 1100 Building, 3947 Boulevard Center Drive, Suite #5, Jacksonville, FL 32207, Serial Number 37970 and 37971, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. Michael D. McLaughlin, Chief Engineer (VW 2009-370).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Midtown Centre Office Park, 3947 Boulevard Center Drive, Suite #5, Jacksonville, FL 32207, and location of The 2200 Building, Serial Number 06347, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. Michael D. McLaughlin, Chief Engineer (VW 2009-371).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 3, 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C., involving Bureau of Elevator Safety violation codes H105A, H118A and H603F. The petitioner, City of Brooksville, 201 Howell Avenue, Brooksville, FL 34601-2041, and location of the same, Serial Number 23823, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lindsay A. Morgan, Administrative Assistant II/Records Manager (VW 2009-372).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 4, 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 1.2, Section 3.11.3, and Section 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, Elevator Consulting Services Inc., 3389 Sheridan Street, Suite 508, Hollywood, FL 33021, on behalf of CNL SP Plaza Partners, LLC, and location of the Wachovia Bank Building, 150 Second Avenue, North, St. Petersburg, FL 33701-3339, Serial Number 37188, requests

the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Consultant (VW 2009-373).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 4, 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 1.2, Section 3.11.3, and Section 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, Elevator Consulting Services Inc., 3389 Sheridan Street, suite 508, Hollywood, FL 33021 on behalf of CNL SP Plaza Partners, LLC, and location of the Wachovia Bank Building, 150 Second Avenue, North, St. Petersburg, FL 33701-3339, Serial Number 37186, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Consultant (VW 2009-374).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 4, 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 1.2, Section 3.11.3, and Section 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, Elevator Consulting Services Inc., 3389 Sheridan Street, suite 508, Hollywood, FL 33021 on behalf of CNL SP Plaza Partners, LLC, and location of the Wachovia Bank Building, 150 Second Avenue, North, St. Petersburg, FL 33701-3339, Serial Number 37190, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Consultant (VW 2009-375).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 4, 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 1.2, Section 3.11.3, and Section 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, Elevator Consulting

Services Inc., 3389 Sheridan Street, suite 508, Hollywood, FL 33021 on behalf of CNL SP Plaza Partners, LLC, and location of the Wachovia Bank Building, 150 Second Avenue, North, St. Petersburg, FL 33701-3339, Serial Number 37187, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Consultant (VW 2009-376).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 4, 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 1.2, Section 3.11.3, and Section 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, Elevator Consulting Services Inc., 3389 Sheridan Street, Suite 508, Hollywood, FL 33021, on behalf of CNL SP Plaza Partners, LLC, and location of the Wachovia Bank Building, 150 Second Avenue, North, St. Petersburg, FL 33701-3339, Serial Number 37189, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Consultant (VW 2009-377).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 31, 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, Blake Medical Center, 2020 59th Street, West, Bradenton, FL 34209, and location of the Serial Number 33491, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from David Lee Matthews, Director of Plant Operations (VW 2009-379).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 31, 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, Blake Medical Center, 2020 59th Street, West, Bradenton, FL 34209, and location of the Serial Number 33492, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from David Lee Matthews, Director of Plant Operations (VW 2009-380).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 3, 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 2.7.4, Section 3.11.1 and 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 Hospital Memorial Medical Center, Reflections Building, 770 West Granada Blvd., Ormond Beach, FL 32174, and location of the same, Serial Number 36376 and 36377, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Joe Longo, Director Facilities (VW 2009-381).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 3, 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, Ocean Sands South Condominium Association, 2725 Highway A1A, Indialantic, FL 32903, and location of the Ocean Sands South, Serial Number 32465, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from James E. O'Grady, President, Ocean Sands South, Board of Directors (VW 2009-383).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 3, 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 A17.1 and A17.3, Section 1.3, as adopted by Chapter 30, Section

3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Austin Companies, 1211 North Westshore Boulevard, P. O. Box 22197, Tampa, FL 33622, and location of the Team Staff Building, 1211 North Westshore Blvd., Tampa, FL 33607, Serial Number 07977, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Nelson J. Guagliardo, Vice President, A. S. Austin Company (VW 2009-384).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 3, 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Bermuda Cay Condominium Association, Inc., 641 S. E. 15th Avenue, Boynton Beach, FL 33435, and location of buildings 611, 621 631, 641 and 651 S. E. 15th Avenue, Boynton Beach, FL 33435, Serial Number(s) 21384, 21385, 21386, 21387, 21388, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Alex Cohen, President (VW 2009-385).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 3, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance. The petitioner, Plant City Towers, U.S. Department of Housing and Urban Development, 103 West Mahoney Street, Plant City, Florida 33563 and location of the same, Serial Number 33586, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jeanne Anne Ratliff, Administrator (VW 2009-386).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN that on August 4, 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 A17.1, Section 2.20.21, 2.20.9 and 2.24.2 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Barker Barrios Architects, 100 E. Madison Street, Suite 100, Tampa, FL

33602, and agent for petitioner is Otis Elevator Company, 55 West Pineloch Avenue, Orlando, FL 32806 and location of building is Outpatient Building, LLC, 1222 S. Orange Avenue, Orlando, FL 32806, requests the variance due to "Application of Rules to New Technology". The petition was received from Colleen Ansell, Project Manager (VW 2009-387).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 5, 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 3.27.4 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, District Court of Appeal, First District, State of Florida, Tallahassee, FL 32399-1850 and location of 301 South Martin Luther King, Jr., Tallahassee, FL, requests the variance due to the construction of a new building at a new location next summer. The Florida State University School of Law will be receiving the existing building in question and renovations will be legislatively funded for their use. The petition was received from Stephen M. Nevels, Marshal, First DCA (VW 2009-388). A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 5, 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 A17.1 and A17.3, (specific codes unspecified), 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 Condominium Association, Inc., 400 Beach Rd., Tequesta, FL 33469 and location of the same, Serial Number(s) 11831 and 11832, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from H. Ghalam, Property Manager (VW 2009-389).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 6, 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 2.7.4, Section 3.4.5, Section 3.10.3 Section 3.10.4(q), Section 3.10.4(u), Section 3.11.1, Section 3.11.3 and A17.1 8.6.5.8 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C.

The petitioner, Vertical Assessment Associates, on behalf of, Florida A&M University (Housing), 8830 Freedom Road, Tallahassee, FL 32305 and locations of Copper Hall, Serial Number (SN) 31241, Diamond Hall-SN 31239, Truth Hall-SN 31238, Paddyfote A-SN 03917, Paddyfote C-SN 03918, and Gibbs Hall-SN 33468, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. Lee S. Rigby, President, Vertical Assessment Associates (VW 2009-390).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 6, 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 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, High Point Country Club Group XII, c/o Resort Management, 2685 Horseshoe Drive, South, #215, Naples, FL 34104, and locations of the same, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. G. A. (Geoff) Young, CAM, Manager (VW 2009-392).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 6, 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Boca Bayou Condominium Association, Inc., 30 Royal Palm Way, Boca Raton, FL 33432, and location of Building 1-The Antigua-Serial Number (SN) 09718; Building 2-The Barbados-SN 09773; Building 3-The Curacao-SN 09896; Bldg. 4-The Dominique-SN 09598; Bldg. 6-The Finisterre-SN 10875; Bldg. 7-The Grenada-SN 10950; Bldg. 8-The Harbor Cay-SN 21556; Bldg. 9-The Islander-SN 21557; Bldg. 10-The Jamaican-SN 21259; Bldg. 11-The Kingston-SN 21260; Bldg. 12-The Largo-SN 21558; Bldg. 13-The Montego-SN 21559; Bldg. 14-The Nassau-SN 21560; Bldg. 15-The Oceana-SN 21561; Bldg. 16-The Port au Prince-SN 26415; Bldg. 17-The Queens Towne-SN 26416; Bldg. 18-The Roseau-SN 28771; Bldg. 19-The St. Thomas-SN 29050; Bldg. 20-The Trinidad-SN 29049; Bldg. 21-The Ultera-SN 29986; Bldg. 22-The Vista Rio-SN 32214, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Ms. Lisa Heide, LCAM, Property Manager (VW 2009-393).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 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, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Holiday Inn Select Hotel, 2001 Martin Luther King Blvd., Panama City, FL 32405, and location of the same, Serial Numbers 35733 and 35734, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Kevin J. Gazia, General Manager (VW 2009-403).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on August 6, 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, High Point Country Club Group XII, c/o Resort Management, 2685 Horseshoe Drive South, #215, Naples, FL 34104, and location of the same, Serial Number 36284, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. G. A. (Geoff) Young, CAM, Manager (VW 2009-405).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 11, 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 1.2A, Section 3.11.3, Section 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. and Section 120.542, Florida Statutes. The petitioner, Constellation Condominium Association, 9425 Blind Pass Road, St. Pete Beach, Florida 33706, and location of the same, SN 26490 and 26491, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mr. William Snyder, Florida Certified Elevator Inspections, Inc. (VW 2009-406).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 13, 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, Island Winds Association, 6610 Estero Boulevard, Ft. Myers, FL 33931, and location of the same, Serial Numbers 20804 and 20805, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Stephen Dilluvio, CAM, Property Manager (VW 2009-415).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on July 21, 2009 for a Routine Variance for subsection 61C-4.010(5), Florida Administrative Code, Paragraph 4-301.12(A), 2001 FDA Food Code, Paragraph 5-204.11(A), 2001 FDA Food Code and subsection 61C-1.004(1), Florida Administrative Code, from Best Western University Inn located in Boca Raton. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils and an accessible hand wash sink in the food preparation area. They are requesting to utilize the food preparation area, dishwashing facility and hand wash sink located within another licensed establishment.

This variance request was published in Vol. 35, No. 31, August 7, 2009, and approved contingent upon the Petitioner ensuring the three-compartment sink and food preparation are located within Bentley's Seafood & Grill Restaurant are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of Bentley's Seafood & Grill Restaurant (First Nova Star Enterprises, LLC) changes, an updated signed agreement for use of the three-compartment sink and food preparation are is required immediately. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 5, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on July 30, 2009 for an Emergency Variance for subsection 61C-4.010(5), Florida Administrative Code, Paragraph 4-301.12(A), 2001 FDA Food Code, Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1) and paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Cantina located in Lake Buena Vista. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils and requirement that each establishment must discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize the dishwashing facilities located within another licensed establishment and use holding tanks to provide potable water and to collect waste water at the hand wash sink.

The variance request was published in Vol. 35, No. 32, August 14, 2009, and approved contingent upon the Petitioner ensuring the three-compartment sink located within San Angel Inn Restaurant and Lounge and hand wash sink in the temporary Cantina are maintained in a clean and sanitary manner and provided with hot and cold running water under pressure and available during all hours of operation. The waste water holding tanks must be emptied at a frequency as to not create a sanitary nuisance; and the potable water provided must come from an approved source and be protected from contamination during handling. If the owner of San Angel Inn Restaurant and Lounge (San Angel Inn LLC) changes, an updated signed agreement for use of the three-compartment sink is required immediately. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 5, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition on June 26, 2009 for a routine Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Vend PSL located in Port St. Lucie. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

This variance request was published in Vol. 35, No. 2, July 24, 2009. However, on August 5, 2009 the variance order was corrected and approved contingent upon the Petitioner maintaining the casters in good repair. No additional equipment is to be installed. The unit must report to its commissary each day of operation for support services. The operation of this unit is restricted to the Home Depot, 220 Southwest Gatlin Boulevard, Port St. Lucie. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 1, 2009, the Electrical Contractors' Licensing Board, received a petition for Brian Prat, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on August 6, 2009, the Department of Environmental Protection has issued an order. The order, OGC No.: 08-2125, granted a petition for variance received on August 21, 2008, from the City of Tallahassee ("Petitioner") to reduce the water treatment plant staffing requirements in paragraph 62-699.310(2)(e) and subsection 62-699.311(4), F.A.C., and a request for variance received on May 14, 2009, from the Petitioner to reduce the water

treatment plant staffing requirements in subsection 62-699.311(10), F.A.C. Petitioner petitioned for, and requested, the variance in order to provide a level of water treatment plant operator staffing that is less than what is required or allowed by the above rules. The notice of receipt of the petition was published in the Florida Administrative Weekly on September 19, 2008. No public comment was received. Petitioner demonstrated that this variance was appropriate and meets the underlying purpose of the statutes, which is protection of public health, because Petitioner can properly operate its water treatment plants by staffing them at the level discussed in the Petition and request. Petitioner demonstrated a substantial hardship because a strict application of the above rules would result in a significant amount of unneeded staffing at Petitioner's water treatment plants, resulting in a financial hardship to the Petitioner.

A copy of the Order may be obtained by contacting: Virginia Harmon, DEP, MS #3520, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8630.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on August 14, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, received a petition for permanent waiver from paragraph 64E-2.004(3)(c), Florida Administrative Code, (converted to paragraph 64J-1.004(3)(c), F.A.C., effective 10/1/2008) from Florida State Hospital.

Nature of Rule: Requires a medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in perceptual care and hold an ACLS certificate or equivalent as determined in Rule 64J-1.022, F.A.C. Prehospital care experience shall be documented by the provider.

Petitioner is a state mental facility that provides ground Basic Life Support ambulance service to residents of both Florida State Hospital and the Agency for Persons with Disabilities in rural Gadsden County. The Medical Director, who was previously board-certified and is currently board-eligible, is certified as an Advanced Cardiac Life Support provider and has served as the Medical Director for Petitioner's ambulance service since March 2008. He is requesting a permanent waiver from this rule requirement.

All comments and requests for copies of the petition must be received in writing by September 11, 2009.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax: (850)488-9408, email lisa_walker2@doh.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance From paragraph 67-48.020(2)(b), F.A.C. The petition is seeking a waiver to allow North Central Heights to qualify for a 0% interest rate HOME loan.

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: www.floridahousing.org.

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

Section VI

Notices of Meetings, Workshops and Public Hearings

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

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: September 15, 2009, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.