

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: May 11, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on May 11, 2010, the Criminal Justice Standards and Training Commission, received a petition for a waiver of subsection 11B-27.002(4), F.A.C., by Chadler Llyman Lawnsdail. The rule requires candidates to complete basic recruit training, pass the state officer certification examination (SOCE), and obtain employment within four years of beginning basic recruit training in order to maintain active status for certification as a criminal justice professional. The Petitioner wishes to waive those portions of the rule requiring him to become employed within four years of starting basic recruit training. The petitioner began basic recruit training on August 2, 1999, passed basic recruit training on February 16, 2000, and passed the SOCE on February 17, 2000. He has never been employed as a criminal justice professional.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. 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 May 7, 2010, the South Florida Water Management District (District), received a petition for waiver from U.S. Geological Survey, Application No.: 10-0330-1, for utilization of Works or Lands of the District known as the C-2 Canal for a proposed monitoring well within the north right of way of the C-2 Canal, Section 32,

Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4), (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent or semi-permanent above-ground encroachments within 40 feet from the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on May 7, 2010, the South Florida Water Management District (District), received a petition for waiver from U.S. Geological Survey, Application No.: 10-0330-2, for utilization of Works or Lands of the District known as the C-2 Canal for a proposed monitoring well within the north right of way of the C-2 Canal, Section 32, Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4), (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent or semi-permanent above-ground encroachments within 40 feet from the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on May 7, 2010, the South Florida Water Management District (District), received a petition for waiver from U.S. Geological Survey, Application No.: 10-0330-3, for utilization of Works or Lands of the District known as the C-2 Canal for a proposed monitoring well within the north right of way of the C-2 Canal, Section 32, Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4), (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent or semi-permanent above-ground encroachments within 40 feet from the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the

end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on May 11, 2010, the South Florida Water Management District (District), received a petition for waiver from U.S. Geological Survey, Application No.: 10-0330-4, for utilization of Works or Lands of the District known as the C-2 Canal for a proposed monitoring well within the north right of way of the C-2 Canal, Section 32, Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent or semi-permanent above-ground encroachments within 40 feet from the top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on May 3, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver of Rule 59A-18.006, Florida Administrative Code, from James Mark. The petition requests a variance or waiver of rule provisions establishing requirements for an individual to be an administrator of a nurse registry. The specific provision on which the waiver is sought is subsection 59A-18.006(1), Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from firefighter's service, 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, Atlantic Coral Harbor, Islamorada, FL, and location of the Serial Numbers 30943, 29868, 31545 & 31309, requests the variance for an extension

of time to complete repairs and for economic/financial hardship. The petition was received from Carolyn J. Padfield (VW 2010-217).

A copy of the Petition for Variance or Waiver 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 April 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Glens Condominium, Inc., Boca Raton, FL, and location of the Serial Numbers 29885-29887, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Leslie Danials (VW 2010-221).

A copy of the Petition for Variance or Waiver 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 April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a petition for a variance from A.S.M.E. A17.1, Sections 2.20.4 & 2.24.2.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Division of Blind Services, Daytona Beach, FL, requests the variance from these rules which require hoisting ropes of a minimum 9.5mm diameter and metallic sheaves. The petition was received from Lee Rigby (VW 2010-231).

A copy of the Petition for Variance or Waiver 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 April 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from firefighter's service, restricted door openings, car emergency signaling devices and platform (apron) guards as required by A17.3, Section 3.11.3, 2.7.4, 3.11.1 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Edwimola Retirement Community, Dade City, FL, and location of the Serial Numbers 33437 & 33438, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder (VW 2010-236).

A copy of the Petition for Variance or Waiver 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 April 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified code, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Narberth Condominium, Inc., Delray Beach, and location of the Serial Number 6975, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Tommy Perry, Manager (VW 2010-239).

A copy of the Petition for Variance or Waiver 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 April 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from firefighter's service, 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, Bahia Del MarIV, St. Petersburg, FL, and location of the Serial Numbers 32767 & 32768, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder (VW 2010-243).

A copy of the Petition for Variance or Waiver 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 April 12, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Karen J. Cochran on behalf of Diamond Isle Condominium, Clearwater, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires Fire Fighter Service Phase I and II and restricted door openings. Petitioner states that time is needed to bid the project, raise the funds and complete the work. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver 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 April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A.S.M.E. A17.3, Section 2.7.4, which requires restricted door openings. The petition was received from Robert Duncan on behalf of Landmark I, Orlando, FL (serial numbers 33324-33327). Petitioner stated it would be a financial hardship to make these corrections now as the elevators are scheduled to be totally remodeled beginning October, 2010.

A copy of the Petition for Variance or Waiver 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 April 12, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for / from Tray Edmonds, Southeastern Elevator Consulting LLC, c/o Bank of America Building, Lakeland, Florida. Petitioner seeks a variance to the requirements of 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), Florida Administrative Code, that requires upgrades to 2 elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 13, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Dianne Falgione, Resource Property Management, c/o Key Capri Condominium Association Inc., Treasure Island, Florida. Petitioner seeks a variance to the requirements of 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), Florida Administrative Code, that requires upgrading 4 elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Mitchell Fusek, Alliant Property Management, c/o Silver Sands, Bonita Beach, Ft. Myers, Florida. Petitioner seeks a variance to the requirements of 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), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Section 509.221(1)(b), Florida Statutes, paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code, subsection 61C-1.004(1), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code from The Hot Dawg Shack. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees and at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the bathroom and mop sink with an adjacent licensed public food service establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for from Mark Milone on behalf of Boca Corporate Center, Boca Raton, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida

Administrative Code, requiring Fire Fighter Service Phase I & II, restricted door openings and two-way communication. Petitioner states that the owners will be doing a major elevator modification next year and will be able to make all the needed upgrades at that time. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver 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 April 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Raymond Nordine, c/o Wage Building, West Palm Beach, Florida. Petitioner seeks a variance to the requirements of 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), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for from Peter Northrup on behalf of Ocean Optics, Dunedin, FL. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, which requires Fire Fighter Service Phase I & II. Petitioner states that this upgrade will require a major retrofit at considerable expense. The additional time is needed to raise the funds needed and complete the work. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver 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 April 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from

William Snyder, c/o The Links Condominium Phase II, Seminole, Florida. Petitioner seeks a variance to the requirements of A17.3, Section 3.11.3, 3.11.1, 4.5, and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses an undue significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for temporary variance from Brian Vaas on behalf of FL-1200 Corporate LLC, Boca Raton, FL. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code. Petitioner states that due to high vacancies and tenants in arrears the building does not have the funds necessary to make the required upgrades at this time. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver 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 April 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(6), Florida Administrative Code, Subparagraph 6-101.11 (A)(1) & (3), 2001 FDA Food Code, Paragraph 6-201.11, 2001 FDA Food Code from The Vineyard Wine Bar. The above referenced F.A.C. addresses the requirement that ceilings in a public food service establishment must be smooth, nonabsorbent and easily cleanable. They are requesting to operate with a ceiling that is not smooth and easily cleanable.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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 April 26, 2010, the Department of Environmental Protection, received a petition for JRW Bioremediation, LLC seeking a variance from the prohibition from a zone of discharge under subsection 62-522.300(3) (renumbered as subsection 62-520.310(9)), F.A.C., for the use of CHITOREM® to cleanup sites that are contaminated with halogenated aromatic and aliphatic hydrocarbons and other chemicals. The petition has been assigned OGC File No.: 10-1502.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS #3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654. Written comments must be received by Cathy McCarty at the above address no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edward A. Bayo, Esq. on behalf of Laura Hernandez, D.D.S. The Notice of Petition for Variance was published in Vol. 36, No. 10, of the March 12, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on April 9, 2010. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-2.013(3)(i), F.A.C., as to an applicant who fails to pass the Practical or Clinical Examination in three (3) attempts, the applicant shall not be eligible for reexamination unless she or he completes additional education requirements as specified by the Board.

The Board's Order, filed on May 6, 2010, denies the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved or will be achieved by other means. Additionally, Petitioner has not demonstrated that strict application of paragraph 64B5-2.013(3)(i), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of paragraph 64B5-2.013(3)(i), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on May 10, 2010, the Department of Health, received a petition for a Permanent Waiver from subparagraph 64E-13.004(6)(a)5., Florida Administrative Code, from Southwest Florida College, 950 Tamiami Trail, Units 106, 107, and 108, Port Charlotte, Florida. This school sanitation rule requires that all group toilet rooms shall be provided with at least one floor drain and one hose bib. The floor shall be sloped to the drain. Stall urinals do not serve for the required floor drains. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida, 32399-1710, (850)245-4277.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Florida Low Income Housing Associates, Inc.

DATE PETITION WAS FILED: March 22, 2010.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.018(1)(c), F.A.C. – Credit Underwriting and Loan Procedures.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, April 9, 2010, Vol. 36, No. 14.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED ORDER CLOSING FILE: April 30, 2010.

THE GENERAL BASIS FOR THE DECISION: This petition was withdrawn.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk, (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website: www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Florida Low Income Housing Associates, Inc. (Marylane)

DATE PETITION WAS FILED: March 22, 2010.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.018(1)(c), F.A.C. – Credit Underwriting and Loan Procedures.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, April 9, 2010, Vol. 36, No. 14.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED ORDER CLOSING FILE: April 30, 2010.

THE GENERAL BASIS FOR THE DECISION: This petition was withdrawn.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk, (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website: www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: North Central Heights, LLC

DATE PETITION WAS FILED: March 30, 2010.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.0072(4)(c), F.A.C. (2007) – Credit Underwriting and Loan Procedures.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, April 9, 2010, Vol. 36, No. 14.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: April 30, 2010.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk, (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website: www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Villa Aurora, LLLP

DATE PETITION WAS FILED: March 1, 2010.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.004(1), F.A.C. – Universal Application Instruction Part III.F.2. (2005 Cycle and 2007 Cycle)

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, March 12, 2010, Vol. 36, No. 10.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: April 30, 2010.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk, (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website: www.floridahousing.org.

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: June 8, 2010, 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.

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to

Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the **Office of Insurance Regulation** concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Agency for Enterprise Information Technology** will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The **Department of Veterans' Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The **Department of Law Enforcement** will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.