

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on July 12, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Crestview Police Department on behalf of certain officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the firearms instructor who supervised the requalification shoots was not CJSTC certified at the time. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

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 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on July 15, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Gadsden County Sheriff's Office on behalf of certain officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the firearms instructor who supervised the requalification shoots was not CJSTC certified at the time. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

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 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on July 15, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Pembroke Pines Police Department on behalf of certain officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

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 or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 19, 2011, the South Florida Water Management District (District), received a petition for waiver from Miami-Dade County Parks and Recreation Department, Application No. 09-0311-5, for utilization of Works or Lands of the District known as the C-9 Canal for a new shared-use trail, landscaping, shelters with appurtenances, signage and access control features (fencing, bollards, vehicular gates and guardrail) within the south right of way of C-9 beginning at the Florida Turnpike and ending at Miami Gardens Drive, Sections (multiple), Township 51 & 52 South, Range 41 & 42 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District, and paragraph 40E-6.221(2)(j), Florida Administrative Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within designated equipment staging areas 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 1414, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Spectrum Building, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.3.2 and 2.7.4 ASME A17.3, 1996 edition, 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 elevators for firefighters' emergency operations, platform guards and restricted door openings until January 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-116).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Park Ryal Psychiatric Hospital, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4 and 8.11.2.1.3(cc)1&3 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-117).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from FAMU Sampson Hall, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the pit be 5' deep because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-118).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from FAMU Sampson Hall, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.10.2.1 and 2.4.6.2(c) ASME A17.1, 2000 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 42" high handrail because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-119).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from FAMU Young Hall, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME

A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 5' deep pit because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-120).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from FAMU Young Hall, filed April 18, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.10.2.1 and 2.4.6.2(c) ASME A17.1, 2000 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 42" high handrail because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-121).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Tampa Theatre Office Building, filed April 19, 2011, and advertised in Vol. 37, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 elevators for firefighters' emergency operations until December 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-124).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Regency Square, filed April 21, 2011, and advertised in Vol. 37, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4 and 3.3.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards and restricted door openings until April 21, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-133).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Pipers Ten Condo Assoc., filed April 22, 2011, and advertised in Vol. 37, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.1(a)(2) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires two-way communication until June 1, 2016, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-135).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Pendleton School, filed April 26, 2011, and advertised in Vol. 37, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 9.5 mm steel rope

and a metallic sheave because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-136).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Winter Park Professional Building, filed June 7, 2011, and advertised in Vol. 37, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.10.4(u), 3.3.2 and 2.7.4 ASME A17.3, 1996 edition, 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 elevators for firefighters' emergency operations, emergency stop switch, platform guards and restricted door openings until June 2, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-196).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Crosswinds Colony One Condo Assoc., filed June 10, 2011, and advertised in Vol. 37, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 8.6.5.8 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a safety bulkhead on the bottom of the hydraulic jack until February 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-199).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Forestbrook I Assoc., filed June 10, 2011, and advertised in Vol. 37, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 elevators for firefighters' emergency operations until June 30, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-201).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 6, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Rivergate Tower, filed June 13, 2011, and advertised in Vol. 37, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.8.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that restricts the installation of electrical equipment and wiring because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-202).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On July 19, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Children's Health Center, filed June 24, 2011, and advertised in Vol. 37, No. 27, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.10.4(t) and 2.7.4 ASME A17.3, 1996 edition, 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 elevators for firefighters' emergency operations, keyed stop switch and restricted door openings until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-216).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On July 19, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from UF Research & Academic Center, filed June 27, 2011, and advertised in Vol. 37, No. 27, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of 9.5 mm steel rope and a metallic sheave because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-217).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On July 19, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Fleur De Lis Condo Assoc., filed June 20, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by Rule 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until June 1, 2016, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-213).

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 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tampa Racquet Club Condo. 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, 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 (VW 2011-230).

A copy of the Petition 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 11, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Steiner Stone LLC. 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, that requires upgrading the elevators with 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 (VW 2011-232).

A copy of the Petition 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 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Columbia Hospital. 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, 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 (VW 2011-233).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on June 17, 2011, the Department received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Yogulala located in Cutler Bay, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the 3-compartment and handwashing sinks.

The Petition for this variance was published in Vol. 37, No. 26 on July 1, 2011. The Order for this Petition was signed on July 7, 2011, and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tanks for the handwash and three-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information 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 July 5, 2011, the Board of Accountancy, received a petition for Brian Sullivan, seeking a variance or waiver of paragraphs 61H1-27.0041(1)(b) and (c), Florida Administrative Code. Paragraph (1)(b) of the rule, lists the requirements for work experience supervision as the subjection of the applicant, during employment, to oversight, guidance and evaluation by a supervisor who had the right to control and direct the applicant as to the result to be accomplished by the work and also as to the means by which the result was to be accomplished. Paragraph (1)(c) of the rule, lists the requirements for work experience supervisor as a licensed certified public accountant in good standing with any regulating body or a chartered accountant recognized by the International Qualifications Appraisal Board (IQAB). Petitioner is also seeking a variance of waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public

accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on July 18, 2011, the Board of Medicine, received a petition for waiver or variance filed by Shimareet Kumar, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

The Board of Optometry hereby gives notice:

that the Board of Optometry has issued an Order to Grant on the Amended Petition for Waiver or Variance filed on May 2, 2011, by Gary Leesue, O.D. The following is a summary of the agency's disposition of the petition. The Notice of Petition for Variance was published in Vol. 37, No. 19, May 13, 2011, Florida Administrative Weekly. The petition seeks a variance from Rule 64B13-4.002, F.A.C., with regard to an extension of time to allow a second retake due to the dates of the tests not being within the two year period by one and one-half weeks. The Board considered the petition at its meeting held on June 8, 2011, by telephone conference. The Board's Order, filed on July 5, 2011, approved to issue a waiver or variance in response to this petition because it would violate principles of fairness to deny the Petitioner to retake the examination.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Optometry hereby gives notice:

that the Board of Optometry has issued an Order to Grant on the Petition for Waiver or Variance filed on April 14, 2011, by Rachel de la Riva Marcy, O.D. The Notice of Petition for Variance was published in Vol. 37, No. 17, April 29, 2011, Florida Administrative Weekly. The petition seeks a variance from Rule 64B13-4.002, F.A.C., with regard to an extension of time to allow a second retake due to the dates of the tests not

being within the two year period by only 12 days. The Board considered the petition at its meeting held on June 8, 2011, by telephone conference. The Board's Order, filed on July 5, 2011, approved to issue a waiver or variance in response to this petition because it would violate principles of fairness to deny Petitioner a retake of the examination when the deadline was affected by the date the exam was scheduled.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Optometry hereby gives notice:

that the Board of Optometry has issued an Order to Grant on the Petition for Waiver or Variance filed on May 5, 2011, by Lieta Diaz Padron, O.D. The Notice of Petition for Variance was published in Vol. 37, No. 20, May 20, 2011, Florida Administrative Weekly. The petition seeks a variance from Rule 64B13-4.002, F.A.C., with regard to an extension of time to allow a second retake due to the dates of the tests not being within the two year period by 13 days. The Board considered the petition at its meeting held on June 8, 2011, by telephone conference. The Board's Order, filed on July 5, 2011, approved to issue a waiver or variance in response to this petition because it would violate principles of fairness to deny Petitioner a retake of the examination when the deadline was affected by the date the exam was scheduled.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Optometry hereby gives notice:

that the Board of Optometry has issued an Order to Grant on the Petition for Waiver or Variance filed on April 12, 2011, by Ann Morgan Tarter, O.D. The Notice of Petition for Variance was published in Vol. 37, No. 17, April 29, 2011, Florida Administrative Weekly. The petition seeks a variance from Rule 64B13-4.001, F.A.C., with regard to the licensure requirement of Rule 64B13-4.001, F.A.C., that applicants submit scores on the national licensing exam taken no longer than 5 years prior to application. The Board considered the petition at its meeting held on June 8, 2011, by telephone conference. The Board's Order, filed on July 5, 2011, approved to issue a waiver or variance in response to this petition because it would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Optometry hereby gives notice:

that the Board of Optometry has issued an Order to Grant on the Petition for Waiver or Variance filed on April 12, 2011, by Kristine-Hue T. Van, O.D. The Notice of Petition for Variance was published in Vol. 37, No. 17, April 29, 2011, Florida Administrative Weekly. The petition seeks a variance from Rule 64B13-4.002, F.A.C., with regard to an extension of time to allow a second retake due to the dates of the tests not being within the two year period by only 12 days. The Board considered the petition at its meeting held on June 8, 2011, by telephone conference. The Board's Order, filed on July 5, 2011, approved to issue a waiver or variance in response to this petition because it would violate principles of fairness to deny Petitioner a retake of the examination when the deadline was affected by the date the exam was scheduled.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN that on July 5, 2011, the Department of Health, Bureau of Radiation Control, received a petition for variance from the Collier County Sheriff's Office. The petitioner is seeking a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., which prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Don Steiner, Environmental Administrator, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, Florida 32073, (904)278-5730. Comments on this petition should be filed with the Bureau of Radiation Control within 14 days of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on July 8, 2012, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(j)3., Florida Administrative Code, from Geoff and Donna Butler. Subparagraph 65C-13.030(5)(j)3., F.A.C., which provides that a caregiver in a licensed foster home may not have a DUI-related driving offenses within the past five years.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that on July 5, 2011, the Florida Fish and Wildlife Conservation Commission, received a petition for a variance from the Additional Specifications for Information, Danger, and Regulatory Markers rule (subsection 68D-23.109(3), Florida Administrative Code), which requires the size of a sign used for information, danger, or regulatory markers on the waterway shall be no smaller than three feet by three feet. The petition was submitted by the Florida Fish and Wildlife Conservation Commission, Office of Recreation Services and seeks a permanent variance from the size restriction for signs posting paddling trails. Signs installed to mark a paddling trail are generally located on narrow, twisting waterways inaccessible to or less often used by motorized vessels but which appeal to small, non-motorized boats such as canoes and kayaks. The signs convey information such as the paddling trail direction or campsite locations. Petitioner requests that a permanent variance be granted which allows for smaller information signs to be permitted to mark paddling trails as follows:

9" x 12" size signs posted on waterways less than 30' wide

15" x 20" size signs posted on waterways more than 30' wide

Comments regarding the petition will be accepted for no more than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)488-5600 or Richard.Moore@myfwc.com.

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: August 16, 2011, 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.