

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Essex Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-179).

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 June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Amherst Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-165).

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 June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carr Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-166).

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 June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Forrestal Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-167).

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 June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palmetto Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-168).

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 June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Paul Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-169).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tedder Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.43, 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 restricted door openings 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 2012-170).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Chandler Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-171).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Commodore Bldg. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-172).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Enterprise Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-173).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hollister Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-174).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Independence Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-175).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Porterfield Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-176).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Saratoga Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-177).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bennington Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-178).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Langley Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-180).

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

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NOTICE IS HEREBY GIVEN that on June 4, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lexington Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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, that requires upgrading the elevators restricted door openings 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 2012-181).

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

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NOTICE IS HEREBY GIVEN that on May 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Channelside Apartments. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20, and 2.18 as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 2012-164).

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.

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 6, 2012, the Department received a letter withdrawing the Petition for variance from Corniche, filed October 5, 2011, and advertised in Vol. 37, No. 42 of the Florida Administrative Weekly. The Petition for variance requested a variance from an unspecified Section of 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. The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety is taking no further action on the petition (VW 2011-337).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 1, 2012, the Department issued a Final Order that was in response to a Petition for Variance from 400 Building, filed May 14, 2012, and advertised in Vol. 38, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 102.1, ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that prohibits the electrical conduit in the elevator hoistway because this code edition does not apply to the machine room. The Petitioner has demonstrated that the purpose of the statute underlying the rule has been met. (VW 2012-147).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 31, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from 500 Winderley, filed April 27, 2012, and advertised in Vol. 38, 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 3.11.3 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 September 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 2012-132).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 31, 2012, the Division issued an order. The Final Order was in response to a Petition a Variance from 2400 Maitland, filed April 27, 2012, and advertised in Vol. 38, 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 3.11.3 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 September 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 2012-131).

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

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 11, 2012, the Division of Hotels and Restaurants 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 Adam's Acai & Health kiosk located in Sanford, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and 3-compartment sink.

The Petition for this variance was published in Vol. 38, No. 21 on May 25, 2012. The Order for this Petition was signed on May 31, 2012, 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 sink and 3-compartment sink 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 front handwash sink is provided with hot and cold running water under pressure; and equipped with soap, 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.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 5, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Best Western Altamonte Springs, filed May 8, 2012, and advertised in Vol. 38, No. 20 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.4(e), 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 platform guards, stop car switch on top of car and restricted opening of hoistway doors and/or car doors on passenger elevators because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-140).

A copy of the Order or additional information 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 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Harbour Hall (Harbor). Petitioner seeks an emergency 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 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-162).

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.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 31, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Hyatt Place, filed May 9, 2012, and advertised in Vol. 38, No. 21, 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) 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 governor ropes be no less than 9.5 mm in diameter to allow the installation of EcoSpace® elevator system with 6 mm governor ropes and 8 mm hoist ropes 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 2012-145).

A copy of the Order or additional information 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 May 16, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from IOA Properties, LLC, filed April 23, 2012, and advertised in Vol. 38, 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 3.3.2, 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 providing platform guards and restricted door openings until May 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 2012-124).

A copy of the Order or additional information 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 June 5, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from JEA Northside Generating Station

(Power Park), filed May 8, 2012, and advertised in Vol. 38, No. 20, 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 2.27.3.2.1(a) 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 upgrading the elevators emergency recall operation by fire initiating devices 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 2012-143).

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

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 4, 2012 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Pilar's located in Winter Garden, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 38, No. 20 on May 18, 2012. The Order for this Petition was signed on May 24, 2012, 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 public bathrooms located on the second floor are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

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.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 5, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Regency West 1, filed March 27, 2012, and advertised in Vol. 38, No. 15, 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 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 2012-101).

A copy of the Order or additional information 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 May 22, 2012, the Board of Architecture and Interior Design, received a petition for Jennifer Lang, seeking a variance or waiver of Rule 61G1-21.001 and subsections 61G1-22.002(1), 61G1-22.002(4), Florida Administrative Code, which require that applicants for licensure obtain the diversified interior design experience required by Section 481.209(2), F.S., with a registered interior designer (any state) or registered architect (any state) performing interior design services, unlicensed interior designer (outside of Florida) who has passed the NCIDQ (National Council for Interior Design Qualification) or the AID (American Institute of Designers) examination, or unlicensed interior designer (outside of Florida) who would have met the six-year experience grandfather requirement of Section 21, Chapter 88-383, Laws of Florida. The applicant's experience record shall be based upon written statements as to employment from the employer or supervisors of the applicant. A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783. Comments on this petition should be filed with the Board of Architecture and Interior Design within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on May 10, 2012, the Board of Accountancy, received a petition for Jacquelyn Kay Boehm, seeking a variance or waiver of paragraph 61H1-27.002(4)(a), Florida Administrative Code, which defines upper division to mean courses offered at the junior level or higher, thus precluding community college courses.

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 at the above address, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on May 18, 2012, the Board of Accountancy, received a petition for Arthur Pugliese, seeking a variance or 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 at the above address, within 14 days of publication of this notice.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that on May 10, 2012, the Department of Environmental Protection, received a petition for variance or waiver from the Town of Palm Beach for the Okeechobee Boulevard Landfill in Palm Beach County, Florida. The Petitioner requests a waiver from paragraphs 62-701.500(7)(a), (c), (e) and (f), F.A.C., which require that landfills be compacted, sloped, and covered properly. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

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NOTICE IS HEREBY GIVEN that on May 10, 2012, the Department of Environmental Protection, received a petition for variance or waiver from the Town of Palm Beach for the Skees Road Landfill in Palm Beach County, Florida. The Petitioner requests a waiver from paragraphs 62-701.500(7)(a), (c), (e) and (f), F.A.C., which require that landfills be compacted, sloped, and covered properly. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on May 10, 2012, the Board of Psychology, received a petition for a variance filed by Scott B. Bauer, Psy.D., from Rule 64B19-11.0075, F.A.C., with regard to an extension of time in which to complete the EPPP licensing examination. Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373.

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NOTICE IS HEREBY GIVEN that on May 10, 2012, the Board of Psychology, received a petition for waiver filed by Suchithra Hirode, Ph.D., from Rule 64B19-11.005, F.A.C., with regard to the requirements of the rule regarding appropriate supervised experience. Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on May 24, 2012, the Department of Children and Families, received a petition for waiver of subsection 65C-14.050(1), Florida Administrative Code, from Capital City Youth Services, Inc. Subsection 65C-14.050(1), F.A.C., states, the facility shall have at least one bedroom for each four children. If applicant or licensee can demonstrate that the health and safety of the resident children will not be affected thereby, the Department shall grant a waiver if it determines that the evidence and statement support the applicant's or license request. the bedroom shall have the required square footage and ceiling height.

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

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NOTICE IS HEREBY GIVEN that on May 21, 2012, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Vision Quest. Subsection 65C-14.055(4), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of the direct child care staff shall have a bachelor's degree in social work, or related area of study from a college or

university and at least 2 years of experience in working with children or 2 years of college and 4 years of experience working with children.

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.

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

### DEPARTMENT OF STATE

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 27, 2012, 3:00 p.m.

PLACE: Brevard County Health Department, Conference Room, 2555 Judge Fran Jamieson Way, Viera, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee will evaluate the expansion of this facility and determine potential artwork sites and media.

A copy of the agenda may be obtained by contacting: Lee Modica, 500 S. Bronough Street, Tallahassee, FL 32399-0250, (850)294-5445.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Laura Blischke, (850)245-6476. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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### DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following telephone conference meetings which all persons are invited to attend.

CHAIR & ELECTED OFFICIALS TELECONFERENCES

DATE AND TIME: June 25, 2012, 10:00 a.m. – 10:30 a.m.

PLACE: Conference Call: 1(888)670-3525, Participant Code: 2473154911. Please be advised that meetings and meeting rooms maybe subject to change. For updates please visit: <http://www.cssbmb.com>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting: Bureau of Criminal Justice Programs, (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, contact: Bureau of Criminal Justice Programs, (850)414-3300.

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### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **State Fair Authority**, Marketing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2012, 10:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sonia Velez, (813)627-4221.

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The Florida **State Fair Authority**, Finance Committee meeting announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2012, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.