



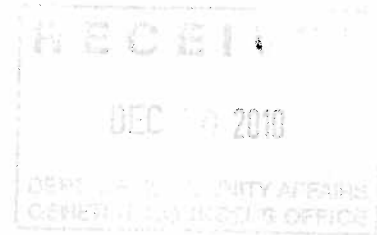
EXPERT

SHUTTER SERVICES INC.

"We're Taking The Shutter Industry By Storm"

November 30, 2010

Paula Ford
Clerk of the Commission
Department of Community Affairs
Building Codes and Standards Office
2555 Shumard Oak Blvd
Tallahassee, FL 32399-0300



Petition for Declaratory Statement Before the Florida Building Commission

Petitioner:

Name: Michael Heissenberg
Expert Shutter Services, Inc
President

Address: 1626 SW Biltmore Street
Port St. Lucie, FL 34984-3411

Tel No. 772-871-1915
Fax No. 772-871-0990
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DCFA10 DEC-270
FILING AND ADMINISTRATION
FILED, on this date, by the designated
Clerk, receipt of which is hereby
acknowledged.
Paula Ford 12/10/10
Paula F. Ford Date
Commission Clerk

Statutory Provision on which the Declaratory Statement is sought:

As the manufacturing company bearing Florida Product Approval No. 13363 as **Expert Shutter Services, Inc**, the petitioner is requesting clarification as to the applicability and scope of Rule 9B-72, Florida Administrative Code (F.A.C.).

General information/ Summary:

The purpose of this letter is to address a situation that is currently happening to applications made by Product Manufacturers in order to obtain a State Approval for High Velocity Hurricane Zones. Even though, manufacturers did obtained the corresponding State Approval, Approval was later objected by Mr. Jaime Gascon P.E. from Miami Dade County, claiming that product failed under the category of shutters and had deflections which exceeded maximum limits covered by Section 1613.1.19 of the 2007 edition of the Florida Building Code.

I need to emphasize that all products filed by this manufacturer was named as "Hurricane Abatement", not shutters, which meant products that provide protection under hurricane wind and impact loads, but that because of their intrinsic flexibility, deflect in such way that maximum limits required for shutter under section 1613.1.9 of the 2007 edition of the Florida Building Code will be exceeded. However, this product would be installed with such separation to glass that product, on its maximum deflected configuration under wind and impact loads will never



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touch the glass that it was actually protecting as shutters do. In other words, hurricane abatement products are mandatorily build out from the glass they are protecting, performing at the end, the same exact job that a hurricane shutter performs, which is to impede breakage of glass under wind and impact loads thru separation.

The concept above explained is not the corresponding one for hurricane shutters where only very controlled deflections are allowed. Because of this, I am respectfully requesting the Florida Building Commission to add a new category different than shutters on their Website call "**Flexible Wind Abatement**" or "**Flexible Hurricane Abatement**". This new category of product will perfectly cover the above described performance and will allow manufacturers to get the Florida Building Commission to issue High Velocity Hurricane Zones approvals for this kind of products.

This new category of products that I am requesting is already included on the Miami Dade County Website where Products are being approved under this new category in accordance with the High Velocity Hurricane Zones provisions of the Florida Building Code. Products that have been approved this way by Miami Dade County are identical to the ones the State of Florida approved and that Mr. Gascon rejected later.

I believe as a manufacturer, that I should have the opportunity to obtain High Velocity Hurricane Zones approval for this kind of product thru the State of Florida or thru Miami Dade County as a local approval. I therefore, expect the State of Florida to add this new category to its Website so that a fair treatment is given to the manufacturers when they decide which entity they would like to use for when looking to obtain a High Velocity Hurricane Zone Approval.

Supporting Documentation:

Attached please find Miami Dade County Web page indicating Category and Subcategory (Marked as exhibit A), where Category includes Flexible Wind Abatement System, while the Florida Building Code Commission only includes Shutter as a category (Marked as exhibit B).

Request:

I am respectfully requesting that this Product Approval be reconsidered as satisfactory as submitted and previously approved for the HVHZ.

Respectfully Submitted,

Mr. Michael Heissenberg
Expert Shutter Services, Inc

President

Florida State Approval FL No. 13363



Building Code Compliance Office

Product Control Search

You can search our database for products, certificates and listings that have been approved for use on buildings in both Miami-Dade County and throughout the country.



Basic Search

To find a particular item, enter the File Number (i.e.: 01-0712.04).

Search by File

Advanced Search

Choose values for one, several or all search parameters. Each value that you choose narrows the scope of your search.

| | | |
|--|----------------------|-----------------------------------|
| File Classification . | Unknown / Unselected | ▼ |
| Applicant | All | (Select All) ▼ |
| Category | All | Flexible Wind Abatement Systems ▼ |
| Subcategory | All | Storm Panels ▼ |
| Material | All | (Select All) ▼ |
| Impact Rating | All | (Select All) ▼ |
| <input type="checkbox"/> Maximum Design Pressure (+) | 0.00 | |
| <input type="checkbox"/> Maximum Design Pressure (-) | 0.00 | |

To start a new search, use your browser's Back button to go back to this search page and click on "Reset" to clear your search parameters.

Exhibit A



[BCIS Home](#)
[Log In](#)
[User Registration](#)
[Hot Topics](#)
[Submit Surcharge](#)
[Stats & Facts](#)
[Publications](#)
[FBC Staff](#)
[BCIS Site Map](#)
[Links](#)
[Search](#)



Product Approval
USER: Public User

[Product Approval Home](#) > [Product or Application Search](#)

You may select values for any of the search criteria. Each criteria selected narrows the scope of your search. If you have the FL#, enter the FL# and the appropriate code version of the application and click search. If you are searching for the FL#, select the product manufacturer and the code version and click search. Please note that the default code version is 2007 Florida Building Code which becomes effective March 1, 2009. In addition to selecting the appropriate code version, you must also select one of either FL#, manufacturer, application status or category to be able to search.

Search Criteria

Application

Generate Output

• HTML Crystal Report

Code Version

2007

FL #

FL

(Application: ##### or Product: #####)

Application Type

(Select All)

Product Manufacturer

(Select All)

Category

Shutters

Subcategory

Storm Panels

Application Status

(Select All)

Compliance Method

(Select All)

Quality Assurance Entity Contract Expired

Product

Product Model, Number or Name

Product Description

Approved for use in HVHZ

(Select All)

Approved for use outside HVHZ

(Select All)

Impact Resistant

(Select All)

Design Pressure

+ / - N/A

Other

Exhibit B

Department of Community Affairs
Florida Building Code Online
Codes and Standards
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100
 (850) 487-1824, Fax (850) 414-8436
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Product Approval Accepts:





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Product Approval
USER: Public User

[Product Approval Menu](#) > **Product or Application Search**

- COMMUNITY PLANNING
- TRAINING & EDUCATION
- REGULATORY
- OFFICE OF THE ATTORNEY GENERAL

You may select values for any of the search criteria. Each criteria selected narrows the scope of your search. If you have the FL#, enter the FL# and the appropriate code version of the application and click search. If you are searching for the FL#, select the product manufacturer and the code version and click search. Please note that the default code version is 2007 Florida Building Code which becomes effective March 1, 2009. In addition to selecting the appropriate code version, you must also select one of either FL#, manufacturer, application status or category to be able to search.

Search Criteria

Application

Generate Output: HTML Crystal Report

Code Version:

FL #: (Application: ##### or Product: #####)

Application Type:

Product Manufacturer:

Category:

Subcategory:

Application Status:

Compliance Method:

Quality Assurance Entity Contract Expired:

Product

Product Model, Number or Name:

Product Description:

Approved for use in HVHZ:

Approved for use outside HVHZ:

Impact Resistant:

Design Pressure: + / - N/A

Other:

Exhibit B

Department of Community Affairs
Florida Building Code Online
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2555 Shumard Oak Boulevard
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(850) 487-1824, Fax (850) 414-8436
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Product Approval Accepts:

