

Chairperson
William Derrer

Vice-Chairperson
Richard Horton

Sergeant at Arms
Thomas Utterback

Members
J. Robert Barnes, R. A.
Rolando Diaz, P. E.
Alfonso Fernandez-Fraga, P.E.
Chief Virgil Fernandez.
Carmen T. Garcia
Jesus M. Gomez
John Kurzman
Gregory Pierce
Juan Dalla Rizza, P.E.
Myron Rosner
Enrique Salvador
Edward V. Woodward

Staff
Kathy Charles
Yvonne Bell

Secretary
Herminio F. Gonzalez, P.E.

March 23, 2007

Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Board of Rules and Appeals Waterproofing Guidelines

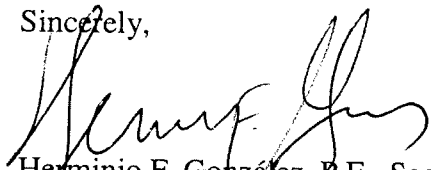
Dear Department of Community Affairs:

This correspondence is prepared to provide additional information with regard to the Guidelines for Waterproofing Plaza Decks, Terraces, and Parking Garage Decks accepted and issued by the Miami-Dade Board of Rules and Appeals in April 2002.

A question arose from Mr. Robert Fine at the Board of Rules and Appeals meeting of January 2007, as to whether the guidelines represented a technical amendment to the Building Code. The Board reiterated via a motion that the guidelines issued in April 2002 were recommendations and were not mandatory guidelines. However, a clarification had to be made to the April 25, 2002 minutes, which reflected in error that these guidelines would become technical amendment to the Building Code. The official transcript was reviewed and the Board corrected the general minutes of April 25, 2002 to reflect the nature of the discussions in the verbatim transcript. Copies of the revised minutes of April 25, 2002, minutes of January and February 2007 board meetings are attached for your information. This information may be useful in considering any pending declaratory statement requests regarding this guideline.

If you need any additional information, please feel free to contact my Office at (305) 375-2904.

Sincerely,



Herminio F. Gonzalez, P.E., Secretary
Board of Rules and Appeals

HFG:kc:yb

Attachments: Board of Rules and Appeals (Revised) Minutes of April 25, 2002
Board of Rules and Appeals Minutes January 18 & February 25, 2007
Memo to Building Officials re: Guidelines for Waterproofing Plazas,
Decks, Terraces and Parking Garages

*REVISED

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 04-25-02

Attendance: Thomas Utterback, CH Richard Horton, VC Jesus M. Gomez Moshe Weitz
John Kurzman Robert Barnes Enrique Salvador Chief Virgil Fernandez
Edward Woodard William Riley Carmen Garcia Arnold Velazquez
Gregory Pierce Capt. William Strachan Rolando Diaz

Excused: Steven L. Johns Justin Manuel

Staff Present: Herminio Gonzalez, Secretary Hugo Benitez, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:25 p.m.

Minutes of March 21st, 2002

Mr. Utterback requested a motion to approve the minutes for the March 21st, 2002 meeting. Mr. Horton made a motion to approve the minutes of the last meeting. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Pierce left the room.

Mr. Utterback requested a motion of the Board to accept the Consent Agenda and Emergency Consent Agenda items.

CONSENT AGENDA

- APPEAL #1: TCO EXTENSION, PERMIT No. BC001050, Dorta
- APPEAL #2: TCO EXTENSION, PERMIT No. 1998107157, Maresma
- APPEAL #3: TCO EXTENSION, PERMIT No. 1993278779, Garcia
- APPEAL #4: TCO EXTENSION, PERMIT No. 00-00000-380, Nestor
- APPEAL #5: TCC EXTENSION, PERMIT No. 90-100-54-48, Cedeno
- APPEAL #6: TCO EXTENSION, PERMIT No. B9902972, Gutman
- APPEAL #7: TCO EXTENSION, PERMIT No. 00-99-00133, Barrow & Burton
- APPEAL #8: TCO EXTENSION, PERMIT No. 94020613, Pasantes
- APPEAL #9: TCO EXTENSION, PERMIT No. 015006023, Zulueta
- APPEAL #10: TCO EXTENSION, PERMIT No. B98-0237, Procter
- APPEAL #11: TCO EXTENSION, PERMIT No. B01-5003600, Giles & Sibley
- APPEAL #12: TCO EXTENSION, PERMIT No. 1997066519, Maresma
- APPEAL #13: TCO EXTENSION, PERMIT No. 19960558847, Maresma
- APPEAL #14: TCO EXTENSION, PERMIT No. BC00104, de la Fuente

EMERGENCY CONSENT AGENDA

- APPEAL #1: TCO EXTENSION, PERMIT No. 01-5003324, Glasser
- APPEAL #2: TCO EXTENSION, PERMIT No. B0000916, Tacoronte
- APPEAL #3: TCC EXTENSION, PERMIT No. 99-5010742, Perez
- APPEAL #4: TCO EXTENSION, PERMIT No. 99090011, Costa
- APPEAL #5: TCO EXTENSION, PERMIT No. 00-5008382, Darder

Mr. Kurzman made a motion to accept the Consent Agenda and Emergency Consent Agenda. Mr. Horton seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

The Board considered, out of agenda order **Discussion Item #1** on the Emergency Agenda.

DISCUSSION #1

Administrative Order 10-3 Building Product Approval Procedures

Mr. Raul Rodriguez, Chief of Product Control informed the Board that Administrative Order 10-3, which outlines the process of Product Approval was now being amended to reflect a review process by the Board of Rules and Appeals. He further added that the County Commission would address this issue on May 7th.

Mr. Salvador informed the members that Mr. Canales was a no show at the Certification meeting and made a motion to reject him for only having 4 years and 3 months for the 5-year requirement with his Master Certificate. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript).

Mr. Salvador further informed the Board that Mr. Longchamps has an AA degree and due to the fact that he only has one temporary structure course pending at FIU, he made a motion to grant Mr. Longchamps New Certification. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript).

REPORT #2

Guidelines for Waterproofing Plaza, Decks, Terraces, and Parking Garage Decks

Mr. Michael Goolsby explained the previous guidelines for waterproofing in regards to plazas, decks, terraces and parking garage decks. Mr. Goolsby informed the Board that ASTM would utilize the latest edition and that as of January 1st 2004 – waterproofing decks would require a current NOA. ~~He further added that this item is a local technical amendment to the Florida Building Code, which would also be accessible on the Internet.*~~

Mr. Pierce stated that he supported the guidelines as presented, however he suggested that there should be a permanent location for such information, Chapter 8 as well, for better accessibility to industry.

After some discussion, Mr. Kurzman made a motion to accept the guidelines as presented by Mr. Goolsby. Capt. Strachan seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY AGENDA APPEALS

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 5787 North Bay Road, Expired Permits

Mr. Cede Davis stated that the structure in question has two open permits, which were issued in 1997. He indicated that he would like the permits reopened under the old code to receive a final.

Mr. Azan explained to the board that there is a hardship with the removal of the door and had no objection to the reinstatement of the permits in question.

After some discussion, Mr. Kurzman made a motion to grant the appeal and reinstate the permits for the garage door and the foundation. Mr. Salvador seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Since Appeal Nos. 2, 3 and 7 are submittals of Mr. Cede Davis and are similar in nature and given that Mr. Azan had no objections, the board ruled on the appeals together.

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, PGN Hotel LC, 1418 Ocean Drive, Expired Permits

Mr. Diaz made a motion to grant the appeal. Mr. Strachan seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 325 North Hibiscus Drive, Expired Permits

Mr. Diaz made a motion to grant the appeal. Mr. Pierce seconded motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #7: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 1600 W. 27 Street, Expired Permits

MINUTES OF THE BOARD OF RULES AND APPEALS
MEETING OF FEBRUARY 15, 2007

Members Present: Robert Barnes
William Derrer, **Chairman**
Rolando Diaz., P.E.
Alfonso Fernandez-Fraga
Jesus M. Gomez
Richard Horton, **Vice Chairman**
John Kurzman
Juan Dalla Rizza, P.E.
Myron Rosner
Enrique Salvador
Thomas Utterback, **Sergeant at Arms**
Edward Woodward

Members Excused: Chief Virgil Fernandez
Carmen Garcia
Gregory Pierce

Staff Present: Michael Goolsby, Acting Secretary to the Board
Erica Zaron, Assistant County Attorney
Yvonne Bell, Board Recording Secretary
Nelly Nieves, Board Recording Secretary

Court Reporter: Janet Taylor-Brown - Metro Dade Court Reporters

The meeting commenced at 1:14 P.M.

MINUTES OF DECEMBER 14, 2006 and FEBRUARY 15, 2007

Mr. Derrer requested a motion to **approve** the minutes of the **December 14, 2006 and February 15, 2007** meetings. A motion was made by Enrique Salvador and to accept the minutes of December 14, 2006 and February 15, 2007 meetings. Thomas Utterback seconded the motion.

The **motion carried unanimously.**

(For a verbatim version of the aforementioned item, refer to the transcript.)

REGULAR AGENDA APPEALS

APPEAL #1: APPEAL OF BUILDING OFFICIAL: City of Aventura, 20301 W. Country Club, #526, Installation of Railing/Sunshades

Mariano Fernandez, Building Official of the City of Aventura, addressed the Board indicating that structural problems with slab would occur if the sunshade is reinstalled after its removal to effectuate required balcony concrete repairs. Further, he indicated that the referenced sunshade does not have a product control approval and does not comply with the present FBC.

David Rodell, representing the Condo Association, stated this is a multi-million dollar concrete restoration and they would like to see the Building Official's decision upheld.

Pearl Rolnick, as the Appellant, presented photographs to the Board members and informed them that this was not a sunshade but a roll-up shutter. She requested that she be allowed to reinstall the same system.

Youssef Hachem, structural engineer on behalf of the Condo Association, advised the Board member this is a sunshade and does not serve as hurricane protection nor does it have a product Notice of Approval.

A motion to grant the appeal was made by Rolando Diaz and then seconded by Richard Horton. Therefore, the reinstallation of the sunshade would be allowed.

Motion carried by a vote of 9 to 3. The motion was opposed by Juan Dalla Rizza, John Kurzman and Myron Rosner.
(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL: Unincorporated Miami-Dade County, Eurossuites, 1700 N.W. 107th Avenue, Permit No. 2006121526, A/C Handlers/FBC Section 306.1

BOARD OF RULES AND APPEALS
Minutes of the Meeting of February 15, 2007
(Continued...)

Jaime Gascon, Chief of Product Control Division, addressed this item stating what is needed is some sort of verification/drawing to review so that the Office may consider acceptance.

After some discussion and deliberation, a motion was made by Rolando Diaz and seconded by Thomas Utterback to grant a 90-day continuance for this submission and review to take place to then be reconsidered for the May 2007 board meeting.
The motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #6: APPEAL OF BUILDING OFFICIAL: City of Miami, 561 S.W. 2 Street, Permit # 04-5009327, Installation of Sprinkler System, FBC 903.6

APPEAL #7: APPEAL OF BUILDING OFFICIAL: City of Miami, 629 S.W. 2 Street, Permit # 04-5009326, Installation of Sprinkler System, FBC 903.6

This appeal is identical to **Appeal # 7** but represents the other building location; however, they are exactly the same. Therefore, these appeals were consolidated and the ruling will apply to both.

Appellant Francisco Cambeyro is appealing the Building Official's request to install automatic sprinkler system on the buildings being constructed. Mr. Cambeyro informed the Board that these buildings were permitted in first half of 2004 and the request is based on 2005 Code, which does not apply. Mr. Cambeyro read 2001 FBC Section 903.5. Additionally, he referred to Section 903.6, which references enclosed garage and indicated the parking garage is fully open because these buildings built on top of columns followed by two stories with five apartments in each story.

Jose Ferras, Building Official for the City of Miami, addressed the Board stating the building permit had the sprinkler system included as mandatory based on the Code and this remains to be our position. He indicated that they were asking to revise the plans in order to remove the sprinkler system because they are now interpreting the Code differently.

Kevin Carrier, Code Compliance Fire Specialist addressed the Board on this item stating the staff's opinion is based on the 2004 Code, however, the 2001 Code was basically the same. Mr. Carrier referenced FBC 2001 Section 903.8. Further, he stated that NFPA 1 out of the 2000 Edition, Chapter 7-3.2.13.1 which was in effect at that time, mandates that all new apartment buildings shall be protected by an automatic sprinkler system with an exception of an exist door opening directly to the street which does not apply here.

After some discussion and deliberation, a motion was made Rolando Diaz to deny these appeals and uphold the Building Officials request for automatic sprinkler system. The motion was seconded by Mr. Horton.

The motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

TCO EXTENSION, PERMIT No. 025018491, Whiteman

A motion was made by Enrique Salvador and seconded by Rolando Diaz to accept the Building Official's recommendation for a 90-day extension.

The motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

DISCUSSION

COUNTYWIDE COMPLIANCE REVIEW BOARD APPEAL: Guidelines for Waterproofing of Plazas Decks, Terraces and Parking Garage Decks – Robert Fine for TRG-Desert Inn Venture, Ltd., Sunny Isles V, Ltd., TRG Sunny Isles VII, Ltd., TRG-Alaska I, Ltd

BOARD OF RULES AND APPEALS
Minutes of the Meeting of February 15, 2007
(Continued...)

Attorney Robert Fine began by stating this is a continuation of the matter heard last month before the Board regarding the approved Waterproofing Guidelines. Mr. Fine stated the outcome of that meeting but indicated had not seen a ruling on this matter.

Mr. Goolsby informed the Board that a memo dated January 31, 2007 had gone out and presented Mr. Fine with a copy. Additionally, Mr. Goolsby suggested a review of the transcript of the meeting of April 25, 2002, to confirm that the on the subject of waterproofing these were recommended guidelines and not a technical amendment to the Code. Additionally, Mr. Goolsby stated the need to revise minutes of April 25, 2002 and strike the sentence "Further added that this item is a local technical amendment to the FBC which should also be accessible to the internet." Mr. Goolsby stated there was a misunderstanding on the part of the recording secretary because during the course of the waterproofing discussion Mr. Pierce asked a question referring to a previous meeting regarding TAS106 and Mr. Goolsby responded to him by stating "any modification of that would require a technical amendment" and that caused the confusion. A motion was made by Richard Horton modify the April 25, 2002 minutes and delete the aforementioned sections. Thomas Utterback seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Further, Mr. Goolsby gave a brief history on why this whole issue of waterproofing as opposed to roofing systems all came about and consequently resulted in the waterproofing guidelines.

Mr. Fine raised the issue of balconies as it relates to waterproofing.

Mr. Goolsby read portions of the FBC Commentary in response. After some discussion, it was determined that further work on the issue of waterproofing was needed to clarify it in the Code.

Mr. Fine asked about staff's report as to whether or not going the County Commission could retroactively adopt the waterproofing guidelines as technical amendments.

Mr. Goolsby responded by stating that staff contacted the Department of Community Affairs, the staff from the Florida Building Commission and informed that such action would be illegal.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORT #1: Certification Subcommittee Report for February 2007

Enrique Salvador indicated that the following individuals are being recommended for **approval** for **Re-Certification** for **2007**.

INSPECTOR:

Menendez, Tomas F.

Perez, Jan Pierre

Tarafa, Rene F.

REPRESENTING:

Village of El Portal

Village of Palmetto Bay

Village of El Portal

Village of Pinecrest

DISCIPLINES:

Electrical Inspector

Plans Examiner Electrical

Chief Electrical Inspector

Chief Mechanical Inspector

Mechanical Inspector

Plans Examiner Mechanical

Building Inspector (Structural)

Plans Examiner Building

Roofing Inspector (Commercial)

Roofing Inspector (Residential)

Jorge Gamoneda informed the members to **add Peter Iglesias** representing South Miami, as Plans Examiner Structural Inspector for **Re-Certification**.

A motion was made by Salvador Enrique and seconded by Myron Rosner to **accept** the **Re-Certification** list for **February 2007**.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

MINUTES OF THE BOARD OF RULES AND APPEALS
MEETING OF JANUARY 18, 2007

Members Present: William Derrer, **Chairman** John Kurzman
Chief Virgil Fernandez Juan Dalla Rizza, P.E.
Alfonso Fernandez-Fraga Myron Rosner
Carmen Garcia Enrique Salvador
Jesus M. Gomez Thomas Utterback, **Sergeant at Arms**
Edward Woodward

Members Excused: Robert Barnes
Rolando Diaz., P.E.
Richard Horton, **Vice Chairman**
Gregory Pierce

Staff Present: Michael Goolsby, Acting Secretary to the Board
Erica Zaron, Assistant County Attorney
Yvonne Bell, Board Recording Secretary
Nelly Nieves, Board Recording Secretary

Court Reporter: Lorena Ramos - Metro Dade Court Reporters

The meeting commenced at 1:15 P.M.

The Chairman welcomed to the Board the newly appointed Assistant County Attorney Erica Zaron.

MINUTES OF DECEMBER 14, 2006

The acceptance of the minutes for the December 14, 2006 meeting did not take place.
(The minutes will be placed on the February 15, 2007 meeting agenda for approval.)

REGULAR AGENDA APPEALS

APPEAL #1: APPEAL OF BUILDING OFFICIAL: Unincorporated Miami Dade County, Master Excavators, Inc., 9950 S.W. 168 Terrace, FS 553.501, Accessibility

Mr. Derrer informed the Board that this appeal was **withdrawn** and referred them to the November 21, 2006, letter from appellant's attorney Mr. Gary B. Goldman.
(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL: City of North Bay Village, Grand View Palace Condominium, 7601 East Treasure Drive, Installation of Doors and Panels

Mr. Derrer informed the Board that this appeal was **deferred** to the next scheduled meeting and referred them to the December 11, 2006, letter from appellant's attorney, Madelyn Simon Lozano.
(For a verbatim version of the aforementioned item, refer to the transcript.)

BOARD OF RULES AND APPEALS
Minutes of the Meeting of January 18, 2007

(Continued...)

COUNTYWIDE COMPLIANCE REVIEW BOARD APPEAL: Guidelines for Waterproofing of Plaza Decks, Terraces and Parking Garage Decks – Robert Fine for TRG-Desert Inn Venture, Ltd., Sunny Isles V, Ltd., TRG Sunny Isles VII, Ltd., TRG-Alaska I, Ltd

Attorney Robert Fine began by stating that the Board is not hearing this particular matter today as the Board of Rules and Appeals but as the Countywide Compliance Review Board referenced in Florida Statute Section 553.73 (4)(b). He indicated that the Review Board's purpose is to review technical limits of the Florida Building Code as to whether or not they have been properly adopted and meet the appropriate requirements.

Assistant County Attorney Erica Zaron then advised that the Board had no jurisdiction on this matter under the referenced statute, as there had been no demonstration that a local technical amendment was adopted by the Commission. However, Ms. Zaron stated that they should allow the speakers to present their jurisdictional argument.

Mr. Fine indicated that he intended to show through information and witnesses, namely Jose Suarez, Mark Mosbat, Mehdi Ashraf and Michael Goolsby, that the guidelines were a local technical amendment to the Building Code, which they are challenging through this appeal.

Assistant County Attorney Hugo Benitez was present and was asked by Thomas Utterback whether this matter was properly before them. Mr. Benitez indicated that the Board had no jurisdiction to consider the item in the manner in which the appeal was being presented. Mr. Benitez indicated, however, that what is important is to clarify what was intended by the Board in 2002; to provide the Waterproofing Guidelines as recommendations or were the guidelines intended as mandatory.

Mr. Fine stated that, although the document is referred to as Waterproofing Guidelines, Building Officials are considering them as mandatory and supported his statement with emails from Miami Beach and City of Miami. Further, Mr. Fine made reference to the April 25, 2002 minutes of the Board of Rules and Appeals wherein it is summarized that waterproofing guidelines would be a local technical amendment to the Florida Building Code. Mr. Fine then questioned Mr. Goolsby, under oath, as to his statements and the presentation at the referenced Board meeting regarding the Waterproofing Guidelines.

Mr. Goolsby provided the Board with evidence that the Miami Beach Building Department considers the Waterproofing Guidelines to be advisory only. Further, Mr. Goolsby provided each Board member with the published guidelines for waterproofing that Miami Beach has developed. Mr. Goolsby made the point that the Miami Beach guidelines differ from the BORA Waterproofing Guidelines, indicating that the BORA guidelines were not considered mandatory. Mr. Goolsby indicated that the presentation of the guidelines were as recommendations and not mandatory on Building Officials.

After further discussion and deliberation, a motion was made by Mr. Utterback to clarify that the existing Waterproofing Guidelines provided were not mandatory but advisory in nature. The motion was seconded by Mr. Gomez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Kurzman moved to request that the County Attorney and staff report back on the technical amendment process and the feasibility of enacting provisions retroactively in the Code. The request was seconded by Mr. Fernandez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORT: Certification Subcommittee Report for January 2007

Jorge Gamoneda, Code Compliance Specialist, directed the members to the Inspector Tracking Report – Applicant's Status 2007 Annual Report and informed the members that those individuals listed are recommended for **approval** for **Re-Certification for 2007**. A motion was made by Enrique Salvador and seconded by John Kurzman to accept the Re-Certification list for January 2007.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)



BUILDING CODE COMPLIANCE OFFICE
METRO-DADE FLAGLER BUILDING
140 WEST FLAGLER STREET, SUITE 1603
MIAMI, FLORIDA 33130-1563
(305) 375-2901 FAX (305)375-2908

CONTRACTOR LICENSING SECTION
(305) 375-2527 FAX (305) 375-2558

CONTRACTOR ENFORCEMENT SECTION
(305) 375-2966 FAX (305) 375-2908

PRODUCT CONTROL DIVISION
(305) 375-2902 FAX (305) 372-6339

MEMO

TO: All Building Officials in Miami-Dade County

FROM: Herminio F. González, P.E., Secretary
Miami-Dade Board of Rules and Appeals

DATE: January 31, 2007

SUBJECT: Board of Rules and Appeals
Guidelines for Waterproofing Plazas Decks, Terraces and Parking
Garages

On April 29, 2002 the Board of Rules and Appeals, again, endorsed guidelines involving waterproofing systems, previously developed under the South Florida Building Code. The guidelines were intended to assist building officials regarding the void in the building code involving the use of waterproofing systems. Fundamentally, the guidelines offered a mechanism whereby waterproofing could be used in lieu of an approved roofing system, where appropriate.

At their meeting of January 18, 2007, the Board of Rules and Appeals discussed the intended purpose of the "Waterproofing Guidelines". The Board reaffirmed that the "Waterproofing Guidelines" were never expected to serve as a local technical amendment. Further, the Board reiterated that the "Waterproofing Guidelines" were intended to provide procedures aiding building officials with the design and installation of compliant waterproofing systems. The Board reaffirmed that the "Waterproofing Guidelines" were intended to be advisory in nature and the use of the guidelines by building officials is discretionary.

If you have any questions, please contact Mr. Michael L. Goolsby, RRC at (305) 375-4496.



"Goolsby, Michael L.
(BCCO)"
<MG045@miamidade.gov>
03/19/2007 08:33 AM

To : <Mo.Madani@dca.state.fl.us>
cc
bcc
Subject

History:

This message has been replied to and forwarded.

Good Morning Mo,

The copy of Mr. Fine's Dec Statement, that I have, does not list a specific address. It appears to be a preemptive attempt to eliminate a future difficulty that has yet to materialize.

Conversations with several building officials indicate that there has been no rejection involving Mr. Fine's client relative to the waterproofing issue. In the event a rejection was to occur, our local Board of Rules and Appeals would resolve the matter consistent with the letter and intent of the code.

For these reasons, it is my opinion that this Dec Statement should not be considered at this time.

Finally, if the decision is that the Dec Statement is to be heard, it seems that the Roofing TAC would be the more proper venue as the petition pertains to Chapter 15 of the Florida Building Code.

Let me know. Thanks.

Michael L. Goolsby, RRC , Chief
Code Compliance Division
140 West Flagler Suite 1603 Miami, Fl 33130
305-375-4496 Phone

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