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March 8, 2021

Mo Madani, Technical Director

Building Codes & Standards office

2601 Blair Stone Road

Tallahassee, Florida 32399

RE: DS 2021-005 (ID # 24227125)

Dear Mr. Madani:

Thank you for taking time to speak with me and describing the process for this petition for a DEC statement that is pending for the Florida Building Commission. St. Lucie County believes we have a direct interest in the outcome as the question appears to relate specifically to a property located in St. Lucie County.

The development where the structure is being proposed contains existing residences and residences under construction which are both seaward and landward of the Coastal Construction Control Line (CCCL). The buildable envelopes are located landward of the primary dune and all FEMA “V” zone Special Flood Hazard Areas (SFHA) are located to the east of any buildable envelope. Some of the area is identified as a Special Flood Hazard Area and shows on the FIRM as zone “AE” for rising water. It is important to note that there is no identified Coastal High Hazard Area at this location. Please see the attached flood zone identification on the attached map.

If this is an area of discussion, the Watersong development is an ongoing development that has multiple phases. A portion of the development is seaward of the CCCL and a portion is landward of the CCCL. Some of the lots in the development have a buildable envelope that is partially or wholly located in a FEMA AE zone. The FEMA AE zones in this area require a Base Flood Elevation (BFE) of 5 or 6 NAVD. St Lucie County requires one (1) foot of freeboard and the proposals submitted to date have been designed with the lowest slab, generally the structural garage slab at an elevation of 8 (NAVD). It is important to note that none of the buildable portions of the property within this development are located in a FEMA “V” Special Flood Hazard Area nor is any portion of the property located in a Coastal High Hazard Zone.

As such, where no portion of the property is identified as being in an SFHA “V” or Coastal High Hazard Zone, those sections of R322 of the Florida Building Code – a residential volume which is specific to those zones – are not applicable. Neither are other portions of the petition’s documentation applicable to the properties where the cited zones do not exist. The applicant has submitted to St. Lucie County for a proposed residence landward of the CCCL which is currently pending second review. While our desire and charge under the licensing act is to protect the public, we may only enforce the applicable sections of the governing codes. St. Lucie County has applied the codes as we believe they are written and applicable.

By definition, found in the Florida Building Code, Building Volume, areas defined as Coastal A and Coastal High Hazard Areas are designated on the FIRM and located in St. Lucie County along the river and inlet areas as shown at the extent of the Limit of Moderate Wave Action (LIMWA). Please see the definition from the code inserted here:

**[BS] COASTAL A ZONE.**Area within a *special flood hazard area*, landward of a V zone or landward of an open coast without mapped *coastal high hazard areas*. In a coastal A zone, the principal source of flooding must be astronomical tides, storm surges, seiches or tsunamis, not riverine flooding. During the base flood conditions, the potential for breaking wave height shall be greater than or equal to 11/2feet (457 mm). The inland limit of the coastal A zone is (a) the Limit of Moderate Wave Action if delineated on a FIRM, or (b) designated by the authority having jurisdiction.

**[BS] COASTAL HIGH HAZARD AREA.**Area within the *special flood hazard area* extending from offshore to the inland limit of a primary dune along an open coast and any other area that is subject to high-velocity wave action from storms or seismic sources, and shown on a Flood Insurance Rate Map (FIRM) or other flood hazard map as velocity Zone V, VO, VE or V1-30.

We have provided a file from the FEMA map set for the County which shows the LIMWA delineated as a line with small triangles along it. This delineation could be used to establish the Coastal A zone and/or the Coastal High Hazard Area where those areas could then be identified. The area of construction is not located within this area and is not identified as such. A screenshot from the County Geographic Information System (GIS) is attached indicating the applicable flood zone.

A site plan one of the lots in the development indicates the location of the property, the CCCL and the FEMA flood zones which apply. As this structure is proposed to be constructed in an AE zone and at or above the Design Flood Elevation (DFE) of Base Flood Elevation (BFE) (plus any applicable minimum freeboard), the finished floor elevation of the structure is considered to be above the required flood elevation. The lower floor is considered non-habitable space and the habitable portion of the structure is located above the Lowest Horizontal Structural Element (LHSE) as defined the Department of Environmental Protection as stated on the DEP permit.

We hope you will find this information useful in your deliberations and we plan attend the meeting to be available for any questions. Thank you for your time and expertise in this matter. We look forward to working with the Florida Building Commission to ensure proper application of the rules and to provide the level of safety that is required by the governing code sections.

Doug

Douglas Harvey

Building Official

772-462-2186

BU763

