



**Florida Building Codes**

**USER:** Ann Russo, Binding Interpretations Administrator

[Binding Interpretations Menu](#) > [Manage Petitions for Binding Interpretations](#) > **Petition Detail**

OFFICE OF THE SECRETARY

Petition #	267
Do you have a Local Board of Appeals	No
If Yes, have they rendered a decision on this issue	No
County	Walton
Jurisdiction	County of Walton
<hr/>	
Building Official	Billy Bearden
Address/Phone/Email	47 N. 6th Street DeFuniak Springs, FL 32435 (850) 892-8160 billy@co.walton.fl.us
<hr/>	
Petitioner Name	Jerry Scott
Address/Phone/Email	211 John Knox Rd Suite 105 Tallahassee, FL 32303 (850) 385-9200 Ext. 2 jj@mldarchitects.com
<hr/>	
Petitioner Representative's Name	
Address/Phone/Email	
<hr/>	
Building Code Version	2020
Sub Code	Existing Building
Chapter & Topic	Chapter 8 - Alterations - Level 2
Section	804.2.2
If permitted, date of permit application	06/05/2023

Enter explanation of how the Petitioner's substantial interests are being affected by the local interpretation of the Florida Building Code

The client, Walton County, will be required to install a fire pump assisted sprinkler system into the renovated building (currently under construction) at a cost of over \$519,000, (Low Bid Proposal Attached) which is about 20% of the original renovation budget.

Date	Attached File
11/21/2023	<a href="#">Pet_ID_267_Interest_2023.11.14 Revised Fire Sprinkler System CO.pdf</a>

Enter statement of the interpretation given to provisions of the Florida Building Code by the local building official and the manner in which the interpretation was rendered  
(If information is entered, it must be exactly as it appears in the hardcopy)

The following interpretation was provided by the building official via email 11/2/23, after the approved permit was issued 6/15/23. The design professional nor the contractor were provided official plans review comments of non-compliance. The following is a cut and paste copy of the body of the email.

"Good Morning All,

I have read the letter attached and the references provided. This building was built many years ago and I'm not sure what the Code stated back then, but the current Code requires all S-1 Occupancy classifications that are this large to be sprinklered. The reference that the Occupancy classification is a S-1 is correct, but there is also a separate section about repair garages. The Code also states that a change of Occupancy can occur within a Group, which is happening here. The hazard for a repair garage is much greater than a clothing warehouse, ( which would also require a sprinkler system when it is this large). When a building is purchased for 3 million dollars and then 2.5 million dollars are spent on a renovation, then this is certainly a substantial improvement to that building. Based on this, I stand behind the requirement for a sprinkler system to be installed. If you desire to request a binding interpretation from the Building Commission and the State Fire Marshall's office, please feel free to do so. If that happens, I will need a letter from both parties stating that a sprinkler system is not required if that happens to be their decision. If you decide to go this route, please make sure that the situation is explained in detail to them. Thanks!"

Please see the attached:

- 1) Check list provided to the contractor along with the approved permit.
- 2) Time line of events.
- 3) Cover sheet stating the building is unsprinkled and no Fire Sprinkler sheets listed in the index.
- 4) Screenshot of Email interpretation from Code Official

Date	Attached File
11/21/2023	<a href="#">Pet ID 267 BGD Interp 2023.06.15 Building Dept CHECK LIST.pdf</a>
11/21/2023	<a href="#">Pet ID 267 BGD Interp CD Submittal - Cover - Walton County Fleet Operations Renovations - 220808 - SEAL.pdf</a>
11/21/2023	<a href="#">Pet ID 267 BGD Interp Email Screenshot.pdf</a>
11/21/2023	<a href="#">Pet ID 267 BGD Interp Fire Sprinkler System discussion timeline.pdf</a>

Enter statement of the interpretation that the petitioner contends should be given to the provisions of the Florida Building Code and a statement supporting the petitioner's interpretation

The client, Walton County, is renovating an existing S-1 occupancy building (clothing distribution facility) into a, S-1 (Vehicle Maintenance Facility). It is a Level 2 Alteration. This alteration level (2) and proposed use (Motor Vehicle-related occupancies) via Chapter 1002 Special Use and Occupancy must comply with FBC, Building, standards which states in Chapter 9 that a repair facility of this size would require an Automatic Fire Sprinkler System. However, we contend that this project qualifies for the following exemption via FBC, Existing Building, Chapter 8 Alterations Level 2, "If the building does not have sufficient municipal water supply...without installation of a fire pump, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces...". A recent flow test was conducted and found to have inadequate flow to support the system thus necessitating the installation of a fire pump system.

Considering the circumstances, conditions and reasoning noted above, in association with the Project's close proximity (800 feet) to Liberty Fire Department and on-site hydrant, the petitioner contends granting this exemption will not only adequately protect the health, safety, and welfare of the occupants of the building but it will also allow for the county to escape the undue financial burden of installing a pump assisted fire sprinkler system. Does the board agree the exemption should be allowed?

Please see the attached document for further explanation, details, and references...

Date	Attached File
11/21/2023	<a href="#">Pet ID 267 PET Interp Petitioner Contends statement.pdf</a>

Enter local building official response by providing a statement admitting or denying the statements contained in the petition and a statement of the interpretation of the provisions of the Florida Building Code which the local jurisdiction or the local building official contends is correct, including the basis for the interpretation

#### History

Date Paid	11/21/2023
Date Pending Building Official Response	11/21/2023 04:00 PM
Date Building Official Response	12/12/2023

Date Submitted to BOAF  
Date Accepted

12/12/2023

**More Information Requested**

**Date Requested**

Please clarify the question in the "Enter statement of the interpretation that the petitioner contends" field, you may reference at attachment, but type in the statement as you contend that it should be interpreted.

12/12/2023

The interpretation as provided by the Building official does not elaborate or provide any information regarding the application of section 804.2.2 condition 2 (Exception) to the project in question. Please provide more information regarding the building official interpretation as it relates to section 804.2.2 condition 2 (Exception). 12/14/2023

The interpretation as provided by the Building official does not elaborate or provide any information regarding the application of section 804.2.2 condition 2 (Exception) to the project in question. Please provide more information regarding the building official interpretation as it relates to section 804.2.2 condition 2 (Exception). 12/14/2023

More Information Requested

Time Waiver Granted

Date Extended To

[Need More Information](#) [Accept Petition](#)  
[Cancel](#) [Print](#) [Submit](#)

[Contact Us](#) :: 2601 Blair Stone Road, Tallahassee FL 32399 Phone: 850-487-1824

The State of Florida is an AA/EEO employer. [Copyright 2007-2013 State of Florida](#). :: [Privacy Statement](#) :: [Accessibility Statement](#) :: [Refund Statement](#)

Under Florida law, email addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. \*Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public. To determine if you are a licensee under Chapter 455, F.S., please click [here](#).

