

CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE
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JANUARY 25, 2024
10:00 A.M.

Minutes

CODE ADMINISTRATION TAC PRESENT:

Don Brown, Chairman
Bob Boyer
Shane Gerwig
Michael Guerasio

Grey Marker
Kyle Sawchuk
Tim Tolbert

CODE ADMINISTRATION TAC NOT PRESENT

STAFF PRESENT:

Mo Madani
Justin Vogel
Marlita Peters

Jeff Blair
Jim Hammers
Sabrina Evans

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: facilitatedsolutions.org

Time: 10:00 a.m.

Mr. Blair welcomed everyone to the meeting of the Code Administration TAC.

Roll Call:

Mr. Blair performed roll call for the Code Administration TAC. A quorum was determined with 7 members present at roll call.

Agenda Approval:

Mr. Boyer entered a motion to approve the agenda for today's meeting as posted. Commissioner Marker seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Approval of the minutes from December 1, 2023:

Mr. Boyer entered a motion to approve the minutes from December 1, 2023, as posted. Mr. Guerasio seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Proposed Errata/Glitches submitted pursuant to Section 553.73(8), Florida Statutes and to provided recommendation to the Commission regarding those Errata/Glitches that are needed to correct demonstrated errors/conflicts in the 8th Edition (2023) Florida Building Code as applicable:

Mr. Blair provided an overview of the process for making recommendations on the proposed errata/glitches submitted.

Mr. Madani reviewed details on the proposed errata/glitches submitted.

1) CA-FBC-B - Ch. 1 – Glitch #1 by staff

Staff:

Mr. Madani provided details on staff recommendations on CA-FBC-B - Ch. 1 – Glitch #1.

Public Comment:

Scott McAdams, BOAF, spoke in support on CA-FBC-B - Ch. 1 – Glitch #1.

Motion:

Mr. Boyer entered a motion to recommend approval of CA-FBC-B - Ch. 1 – Glitch #1 based on it being a glitch. Commissioner Tolbert seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Declaratory Statement:

DS 2023-053 by Jack Bulter, Butler & Butler, LLC

TAC:

Mr. Guerasio recused himself on the basis of his conflict of interest as an employee of Broward County.

Presenter:

Jack Butler, Butler & Butler, LLC, provided details on DS 2023-053.

Staff:

Mr. Madani and Mr. Vogel provided a brief description of the petition for declaratory statement and staff analysis.

Question #1:

Does the phrase “special conditions,” as used in FBC-Building Section 107.1, refer to a residential structure larger than 5,000 square feet?

Answer/Option #1/Petitioner:

No. “Special conditions” are not established by the size of a proposed detached single-family residence. The term means the presence of an element of the construction site and/or design that is outside the parameters upon which the Florida Building Code is based or exceed the prescriptive guidance found in the code, and that are unique to the proposed construction rather than generally applicable within a local jurisdiction. There is no component of the FBC that is dependent on the livable space and there is no limitation based on the size of the structure found in Section 481.229(1)(b), Florida Statutes, which includes the exception from licensure for residential home design.

Answer/Option #2/Staff:

The square footage “5,350” limitation of the project in question falls outside the scope of Section 105.3.1.2 of the 8th Edition (2023) Florida Building Code, Building, which requires specific documents to be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes. In addition, there is no prescribed provision in the 8th Edition (2023) Florida Building Code, Building, which Characterizes the square footage of the project in question as “special condition.” However, determination of whether special conditions exist specific to the project in question is subject to review and determination by the building official.

Question #2:

Does the phrase “special conditions,” as used in FBC-Building Section 107.1 refer to a residential structure that costs more than \$30,000 to build?

Answer/Option #1/Petitioner:

No. “special conditions,” are not established by the construction cost of a proposed detached single-family residence. There is no component of the FBC or Florida Statutes that is dependent of the cost of construction except for exemptions from permitting based on a low cost of construction. In addition, Section 481.229(1)(b), Florida Statutes, specially says the exemption from licensure as an architect for designing a detached single-family home is “regardless of cost.

Answer/Option #2/Staff:

Answer to the Petitioner’s question is not possible. This question is general in nature and falls outside the specific facts provided regarding the project in question.

Question #3:

Does the phrase “special conditions,” as used in FBC-Building Section 107.1 refer to a residential structure that is located within a high-velocity hurricane zone that conforms to the regional design parameters addressed in the FBC?

Answer/Option #1/Petitioner:

No. “Special conditions,” are not established by the permitting jurisdiction’s being located within a high-velocity hurricane zone, as the construction requirements for such a single-family house are contained in the FBC’s regional guidance that is specific to such a location.

Answer/Option #2/Staff:

Answer to the Petitioner’s question is not possible. This question is general in nature and falls outside the specific facts provided regarding the project in question.

Question #4:

Are the “additional construction documents” referenced in FBC-Building Section 107.1 limited to documents that only address any such special conditions that may exist for the project or construction site and do not include the standard construction documents that are to be submitted with a building permit application, as contained in FBC-Building Sections 107.2.1 through 107.2.7.

Answer/Option #1/Petitioner:

Yes. The standard construction documents required for all detached single-family home construction do not include those referenced in Section 107.1 as “additional construction documents.” Such additional documents include one or more documents beyond those standard documents that are needed to address the special conditions related to the particular project.

Answer/Option #2/Staff:

Answer to the Petitioner’s question is not possible. This question is general in nature and falls outside the specific facts provided regarding the project in question.

Public Comment:

Charles Kramer, BORA provided a response from BORA regarding the petition for declaratory statement.

Motion:

Mr. Boyer entered a motion to recommend that the Commission adopt staff’s analysis. Commissioner Tolbert seconded the motion. The motion passed unanimously with a vote of 6 to 0 with Mr. Michael Guerasio recusing himself on the basis that he is an employee of BORA.

Public Comment:

None.

Adjourn:

There being no further business before the Committee, Chairman Brown adjourned the meeting at 10:43 a.m.