



**Florida Building Codes**

**USER:** Joe Bigelow, Department of Business & Professional Regulation, DBPR Personnel

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Petition # 263

Do you have a Local Board of Appeals Yes

If Yes, have they rendered a decision on this issue Yes

Date	Attached File
08/16/2023	<a href="#">Pet_ID_263_FNLOrder_Appeal_23-01_Final_Order_Accent_Closets.pdf</a>

County Broward  
Jurisdiction City of Pompano Beach

Building Official Michael Rada  
Address/Phone/Email 100 West Atlantic Boulevard  
Room 360  
Pompano Beach, FL 33060  
(954) 786-4672  
Michael.Rada@copbfl.com

Petitioner Name Accent Closets  
Address/Phone/Email 2266 NW 30th Place  
Pompano Beach, FL 33316  
(954) 561-8800  
accentrva@yahoo.com

Petitioner Representative's Name Ryan A. Abrams, Esq.  
Address/Phone/Email 888 SE 3rd Ave.  
Suite 400  
Fort Lauderdale, FL 33316  
(954) 332-2358  
rabrams@abrams-law.com

Building Code Version 2020  
Sub Code Building  
Chapter & Topic Chapter 9 - Fire Protection Systems  
Section 903.2.4.1

If permitted, date of permit application

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

In 2013, Accent Closets leased an approximately 7,700 sq. ft. within an approximately 55,000 sq. ft. warehouse. Accent intended to, and does use, the space to operate its closet assembly business. Prior to entering into the lease, Accent initiated a voluntary fire inspection to ensure it could use the space for its intended purposes. Accent was cleared following the fire inspection and has passed every fire inspection annually up until 2021. In 2019, Accent entered into a new 5-year lease. In July of 2021, the City failed Accent, claiming that because it operates a saw within the space Accent is required to install automatic sprinklers pursuant to 903.2.4.1. Accent's "woodworking" operations, as categorized by the City, does not exceed 2,500 sq. ft. In fact, its "woodworking" operations occur in 1,319 sq. ft. Accent Closets applied for a building permit in or around June 2022. The Fire Prevention division maintained its position that sprinklers are required and rejected the permit application. At this juncture, the City will not issue the permit unless fire sprinklers are installed. Accent Closets cannot install automatic fire sprinklers without a fire line, in a building it does not own. Further, Accent Closets cannot enclose a fire area smaller than 2,500 sq. ft. as it would restrict movement and access to the machinery in a way that would negatively impact the operation of its business. (See attached narrative for more details)

Date	Attached File
08/16/2023	<a href="#">Pet ID 263 Interest Narrative final updated 5.23.23.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)

Please see attached interpretation drafted by Michael Rada, Building Official for the City of Pompano Beach, Florida.

Date	Attached File
08/16/2023	<a href="#">Pet ID 263 BGD Interp Rada Interpretation 4.9.23.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

FBC Section 903.2.4.1 states that: "An automatic sprinkler system shall be provided throughout all Group F1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in areas which generate finely divided combustible waste or use finely divided combustible materials. Is an automatic sprinkler system required where the woodworking area noted above comprises 2,500 square feet or less of the overall F-1 fire area?"

Petitioner is seeking a Binding Interpretation which is consistent with the informal interpretation (attached). Specifically, Petitioner seeks a Binding Interpretation which states that: "[t]he extent of sprinkler coverage is only intended to be for the Group F-1 occupancy involved in the woodworking activity. If the fire area is larger than 2,500 square feet (232 m<sup>2</sup>) but the woodworking area is 2,500 square feet (232 m<sup>2</sup>) or less, sprinklers are not required. It is not the intent to require the installation of sprinklers throughout the building but rather in the fire area where the hazard may be present."

Date	Attached File
08/16/2023	<a href="#">Pet ID 263 PET Interp Ex F simeon letter.pdf</a>
08/16/2023	<a href="#">Pet ID 263 PET Interp IBC Commentary.pdf</a>
08/16/2023	<a href="#">Pet ID 263 PET Interp interpretation-8804.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

Please reference (2) attachments.... Acknowledging petition and the Florida Building Code interpretation determination. I disagree with the petitioners presentation and statements relating to the woodworking operations of this tenant space as it relates to the requirements of the 2020 Florida Building Code 7th edition, Building. The attachment dated 02.27.2023 clearly outlines my reasoning for the determination of a change of use, resulting in the installation of an Automatic Fire Sprinkler System &quot;or&quot; reducing the fire area of the woodworking operations to less than 2500 sq.ft.

Date	Attached File
08/24/2023	<a href="#">Pet ID 263 Response Accent Closets20230731 16094528.pdf</a>

**History**

Date Paid	08/16/2023
Date Pending Building Official Response	08/23/2023 01:50 PM
Date Building Official Response	08/24/2023
Date Submitted to BOAF	08/24/2023
Date Accepted	09/05/2023

**More Information Requested**

Please clarify the question by entering a 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

**Date Requested**

08/29/2023

Time Waiver Granted 

Date Extended To

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