

State of Florida
Department of Business and Professional Regulation
Florida Building Commission
Petition for Nonbinding Advisory Opinion (553.73(4)(I), Florida Statutes)

If you have any questions or need assistance in completing this petition, please contact the Office of Codes and Standards at **850.487.1824**.

Section I – Petitioner’s Contact Information

CONTACT INFORMATION				
FULL LEGAL NAME				
Last Name	First	Middle	Title	Suffix
Butler	Jack	Allison		
MAILING ADDRESS				
Street Address or P.O. Box				
301 Avalon Road				
City		State	Zip Code (+4 optional)	
Winter Garden		FL	34707	
County (Country		
Orange		USA		
CONTACT INFORMATION				
Primary Phone Number		Primary E-Mail Address		
407-717-0247		jbutler@mp2ero.com		

Section II-Petitioner’s Representative’s Contact Information (If any)

CONTACT INFORMATION				
N.A.				
FULL LEGAL NAME				
Last Name	First	Middle	Title	Suffix
MAILING ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Primary E-Mail Address		

Section III – Local Government Information

NAME OF LOCAL GOVERNMENT			
Broward County			
CONTACT INFORMATION FOR LOCAL GOVERNMENT'S GENERAL COUNSEL OR ADMINISTRATOR			
Last Name	First	Middle	Title Suffix
Meyers	Andrew	J	County Attorney
MAILING ADDRESS			
Street Address or P.O. Box			
115 S. Andrews Ave, Suite 423			
City		State	Zip Code (+4 optional)
Fort Lauderdale		FL	33301
County (if Florida address)		Country	
Broward		USA	
CONTACT INFORMATION			
Primary Phone Number		Primary E-Mail Address	
954-357-7600		ameyers@broward.org	

Section IV – Explanation of how the Petitioner’s substantial interests are being affected by the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision (attach additional sheets if needed).

EXPLANATION
<p>The three subject amendments (see Exhibit A) preclude Petitioner from being able to create construction documents for single-family construction projects costing at least \$30,000 and for other construction projects costing at least \$15,000. Absent these amendments, Petitioner would be permitted to create single-family and other construction documents subject only to the provisions of Chapters 471 and 481, Fla. Stat. As a result, the subject amendments reduce the ability of Petitioner to conduct his design business in the affected portions of Broward County.</p>

Section V – Explanation of why the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision is a technical amendment to the Florida Building Code and which provisions of the Florida Building Code, if any, are being amended by the regulation, law, ordinance, policy, amendment, land use provision, or zoning provision (attach additional sheets if needed).

EXPLANATION

Petitioner asserts the three subject amendments are technical in nature because they modify the Florida Building Code and impose additional requirements on building permit applicants. (See attached additional information sheets.) However, Petitioner asserts, under the provisions of §553.73(4)(i), Fla. Stat., any local amendment – administrative or technical – is subject to Commission review relative to its adoption complying with the procedural requirements of §553.73(4), Fla. Stat. As shown in the attached additional information sheets, the Commission itself can only adopt technical amendments, which implicitly classifies all edits to the FBC as being classified as technical amendments. The subject local amendments modify FBC-Building §107.3.4 Design professional in responsible charge.

Section VI – Local Government’s Response (attach additional sheets if needed).

RESPONSE