

**Petition for Declaratory Statement Before Feasterco Construction, Inc**

**Company:** Feasterco Construction, Inc.  
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**Petitioner:** Tom Files

**DS 2016-080**

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>10/31/2016</b>
File #	

**Statute(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on which the Declaratory Statement is sought.**

Florida Building Code 5th Edition (2014)  
Portions of Chapters 4 & 5

My name is Tom Files and I am a principle at Feasterco Construction, Inc. My firm has recently found what appears to be a conflict in design criteria as it relates to fire protection systems on a hotel development that we are working on per the FBC 2014 Edition. The hotel is a Type V-A, four story, R-1 occupancy, with interior corridors that access stairwells at both sides of the building that have doors to the exterior. The first floor is 15,352 s.f. but the building has open space exceeding 20' around the entire perimeter. It also has two-way drive isles around the entire building. Below is the information conflict in design criteria that I am submitting for a Declaratory Statement.

**Footnotes for table 503:**

- a. See the following sections for general exceptions to Table 503:
  1. Section 504.2, Allowable building height and story increase due to automatic sprinkler system installation.
  2. Section 506.2, Allowable building area increase due to street frontage.
  3. Section 506.3, Allowable building area increase due to automatic sprinkler system installation.
  4. Section 507, Unlimited area buildings.
- b. See Chapter 4 for specific exceptions to the allowable height and areas in Chapter 5.

**Section 504 Building Height**

**504.2 Automatic sprinkler system increase-** (I have shortened to the pertinent sentence)

For Group R buildings equipped throughout with an approved *automatic sprinkler system* in accordance with Section 903.3.1.2, the value specified in Table 503 for maximum *building height* is increased by 20 feet (6096 mm) and the maximum number of *stories* is increased by one, but shall not exceed 60 feet (18 288 mm) or four stories respectively.

**903.3.1.2 NFPA 13R sprinkler systems**

*Automatic sprinkler systems* in group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with **NFPA 13R**.

Per the above our project would be able to be protected with a NFPA 13R system. This approach saves monies due to not needing monies associated with a Fire Pump, added coverage requirements, etc. Footnote b. for table 503 also refers to Chapter 4 for specific exceptions to the allowable height.

## SECTION 461 TRANSIENT PUBLIC LODGING ESTABLISHMENTS

### 461.1

Any transient public lodging establishment, as defined in Chapter 509, *Florida Statutes*, and used primarily for transient occupancy as defined in Section 83.43(10), *Florida Statutes*, or any timeshare unit of a timeshare plan as defined in Chapters 718 and 721, *Florida Statutes*, which is of three stories or more and for which the construction contract has been let after the effective date of this code, with interior corridors which do not have direct access from the guest area to exterior means of egress and on buildings over 75 feet (22 860 mm) in height that have direct access from the guest area to exterior means of egress and for which the construction contract has been let after the effective date of this code, shall be equipped with an automatic sprinkler system installed in compliance with the provisions prescribed in the **NFPA 13**, *Standards for the Installation of Sprinkler Systems*. Each guestroom and each timeshare unit shall be equipped with an approved listed single-station smoke detector meeting the minimum requirements of NFPA 74, *Standards for the Installation, Maintenance and Use of Household Fire Warning Equipment*, powered from the building electrical service, notwithstanding the number of stories in the structure, if the contract for construction is let after the effective date of this code. Single-station smoke detectors shall not be required when guest-rooms or timeshare units contain smoke detectors connected to a central alarm system which also alarms locally.

Our hotel has interior corridors but I believe the paragraph associated with section 461.1 to be a dated criteria developed prior to the inception of NFPA 13R.

Question:

Can an NFPA 13R system be used in a transient lodging facility with interior corridors that meets all applicable criteria of Chapter 5 of the F.B.C. 2014 addition allowing it to be protected under 903.3.1.2 NFPA 13R?

Summary:

Petitioner respectfully believes the answer is "Yes". If the answer were "No" than why would the criteria and allowable exceptions as listed in Chapter V be outlined as they are. The use of Chapter 5 criteria saves a great expense on this particular type of commercial project and seems to meet the intent of the NFPA 13R and Florida Building Code for the building and occupancy type. This has also been submitted for an unofficial interpretation through the B.O.A.F. website.

Respectfully,

Tom  
Files

Digitally signed by Tom Files  
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Date: 2016.10.28 17:14:19  
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