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**Florida Building Codes**  
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Petition # 179

Do you have a Local Board of Appeals No  
 If Yes, have they rendered a decision on this issue No  
 County Saint Lucie  
 Jurisdiction City of Fort Pierce

Building Official Paul Thomas  
 Address/Phone/Email 1000 North US Highway 1  
 Fort Pierce, FL 34950  
 (772) 467-3849  
 pthomas@cityoffortpierce.com

Petitioner Name Nicholas Danaluk  
 Address/Phone/Email 1425 SW Edinburgh Drive  
 Port St Lucie, FL 34953  
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Petitioner Representative's Name Michelle Longarzo  
 Address/Phone/Email 1425 SW Edinburgh Drive  
 Port St Lucie, FL 34953  
 (772) 708-4557  
 sliceofparadiseflorida@gmail.com

Building Code Version 2017  
 Sub Code Building  
 Chapter & Topic Chapter 3 - Use and Occupancy Classification  
 Section 310

If permitted, date of permit application 10/21/1919

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

In March 2019, through good fortune, I purchased a beach access condo in Hutchinson Island. Instead of letting the condo remain mostly vacant, my spouse who had a cousin pass away from childhood cancer, contacted Kid's Cancer Foundation to receive referrals for Childhood Cancer Families in need of a respite vacation. We began offering gratis respite vacations to several local families and have started a non profit, Awareness of Hope, Inc to support this cause. Upon arrival at the condo, the families receive a platter from Jimmy Johns, Fort Pierce, the mother receives flowers from a local florist, tickets to all the museums on the island, toys for each child in the family, access to the beach, dining vouchers and scheduled activities from local vendors. To offset the cost of the condo, we need to rent the condo a few times throughout the month to support the charity while awaiting new referrals.

Date	Attached File
01/07/2020	<a href="#">Pet ID 179 Interest AOH INC DOCS 01-06-20.pdf</a>
01/07/2020	<a href="#">Pet ID 179 Interest document explaining how affected (1).pdf</a>
12/31/2019	<a href="#">Pet ID 179 Interest FINAL 715 Chart.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)

See attached undated letter (received 9/24/19) from Paul Thomas, CBO, CFM, Building Official and letter dated 10/20/19 from LePauleon Thomas, CBO, CFM, Building Official.

Date	Attached File
12/31/2019	<a href="#">Pet ID 179 BGD Interp 715 S Ocean Dr. D ltr. 9.24.19.sgnd.docx.pdf</a>
12/31/2019	<a href="#">Pet ID 179 BGD Interp 715 S Ocean Drive Draft Letter to BO digitally signed.pdf</a>
12/31/2019	<a href="#">Pet ID 179 BGD Interp CO 715 S Ocean Dr..pdf</a>
12/31/2019	<a href="#">Pet ID 179 BGD Interp longarzo.interpretation fbc.11.20.19.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

See attached questions and formal statement of Jeff Collins, PE.

The questions for consideration to the Florida Building Commission follows:  
Does utilizing one unit within a thirteen unit existing condominium building, currently classified as R-2 per the certificate of occupancy, as a vacation rental by owner as outlined in Florida Statute Chapter 509 change the use of the building to "Boarding house(s) transient with 10 or fewer occupants" pursuant to the Florida Building Code Section 310.5, 6th edition (FBC) and if the answer is "no;" does utilizing one unit within a thirteen unit existing condominium building, currently classified as R-2 per the certificate of occupancy, as a vacation rental by owner as outlined trigger the requirement to legally change the use and occupancy classification of this dwelling unit from R-2 to R-3 Use and Occupancy Classification per the FBC?

Date	Attached File
01/07/2020	<a href="#">Pet ID 179 PET Interp 715 S Ocean Drive Draft Letter to BO digitally signed.pdf</a>
01/07/2020	<a href="#">Pet ID 179 PET Interp questions to be answered.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

See attached letter dated January 16, 2020.

Date	Attached File
01/17/2020	<a href="#">Pet ID 179 Response Building Officials Response 715 S Ocean Dr. Unit D.pdf</a>

#### History

Date Paid	01/07/2020
Date Pending Building Official Response	01/13/2020 11:36 AM
Date Building Official Response	01/17/2020
Date Submitted to BOAF	01/17/2020
Date Accepted	02/18/2020

#### More Information Requested

Clarify the question you are asking, phrasing it into one sentence.

#### Date Requested

01/17/2020

Limit the question to provisions of the Florida Bldg Code only and not Florida Statute.

02/05/2020

Time Waiver Granted

Date Extended To

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