



Re: 715 S. Ocean Drive Unit D

To whom it may concern:

At the Technical Review Committee meeting dated August 15, 2019 the owner expressed her intention to utilize the dwelling unit at 715 S. Ocean Drive Unit D for short term rentals (less than 31 days). The occupancy (per section 310.4 the Florida Building Code) is a **Residential Group R-2**, "where the occupants are permanent in nature." Your desire to utilize the property for short term rentals changes the use and occupancy classification from **R-2 to R-3** "Boarding House (Transient)," (FBC 310.5). This change triggers the requirement to legally change the use and occupancy classification of this dwelling unit from R-2 to R-3 per section 202 of the FBC Existing Building Code. The process for changing the use and occupancy classification begins by having a qualified design professional, that is licensed in the State of Florida, prepare a signed and sealed drawing that accommodates all of the code requirements for the new R-3 use and occupancy classification, to include:

- **Life Safety Plan** (FBC 1001.1)
- **Fire Requirements**
 - Fire Sprinklers are required (per FBC 903.2.8.1)
 - Review and approval by the SLC Fire Prevention Dept. to assure compliance with the National Fire Prevention Code.
- **Accessibility**
 - Means of Egress (FBC 1001)
 - Accessible Route
 - Handicap Parking Space
 - Accessible bathroom
 - Egress windows in sleeping rooms.

Upon completion of this plan the design professional or contractor may apply for a change of use and occupancy permit through the Building Department. Upon approval by all pertinent agencies, issuance of the permit, completion of all required work and approved final inspections, a new certificate of occupancy will be issued documenting that the occupancy was legally changed from R-2 to R-3.

Thank you for referencing the guidelines from the Department of Hotels and Restaurants. Please be informed that only the Building Official is authorized by the Florida Building Commission to enforce the Florida Building Code, thus the Department of Hotels and Restaurants has no jurisdiction over administering or interpreting the Florida Building Code. If you feel that there is a conflict between the Florida Building Code and the Department of Hotels and Restaurants' rules for licensing, contact the Florida Building Commission for clarification. If you disagree with my interpretation of the Florida Building Code, you may appeal my interpretation to the Florida Building Commission pursuant to Florida State Statute 553.775.

Since you have been provided with my official position and the appropriate recourse for appealing my interpretation, I am no longer amenable to discuss this issue with you further unless it involves changing the use and occupancy of this unit. Thank you for your inquiry.

Sincerely,

A handwritten signature in blue ink that reads "Paul Thomas". The signature is fluid and cursive, with the first name "Paul" being larger and more prominent than the last name "Thomas".

Paul Thomas, CBO, CFM
Building Official

PT/km

cc: Nicholas Mimms, P.E., City Manager
Linda Cox, City Clerk
Ed Roseberry, Deputy Building Official
Jennifer Hofmeister, Planning Director