

**CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE
TELECONFERENCE MEETING FROM TALLAHASSEE, FLORIDA**

WEB UR: <https://global.gotomeeting.com/join/446366661>

AUDIO: DIAL-IN NUMBER 1 877-309-2073

CONFERENCE CODE: 446-366-661

Wednesday, March 28, 2018

2:00 PM

Minutes

CODE ADMINISTRATION TAC PRESENT:

Hamid Bahadori
Bob Boyer
Don Brown
Shane Gerwig

David Gilson
John O'Connor
Diana Worrall

CODE ADMINISTRATION TAC NOT PRESENT:

Richard Goff

Michael Guerasio

STAFF PRESENT:

Mo Madani
Justin Vogel
Jim Hammers

Thomas Campbell
Chris Howell
Marlita Peters

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Welcome:

Time: 2:00 p.m.

Ms. Peters welcomed everyone to the teleconference call of the Code Administration Technical Advisory Committee.

Roll Call:

Mr. Peters performed roll call for the Code Administration Technical Advisory Committee. A quorum was determined with 6 of 9 members present at roll call.

Agenda Approval:

Mr. O'Connor entered a motion to approve the agenda for today's meeting as posted. Mr. Boyer seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Approval of the Minutes from October 31, 2017

Mr. Boyer entered a motion to approve the minutes from the October 31, 2017 meetings as posted. Mr. O'Connor seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Mr. Brown joined the call bring the total members present to 7.

Declaratory Statement:

DS2018-012 by Robert Czyszczon of the Plaza Motel, Inc.:

The petitioner Robert Czyszczon was present on the call with his legal counsel Mr. Dix. Mr. Dix provided a brief summary of the declaratory request.

Mr. Madani provided a total summary of the request with staff analysis as follows:

Question1:

To be exempt under the Florida Building Code, a chickee must not "incorporate any nonwood features." Would merely placing non-wood items underneath a chickee – including aluminum or plastic chairs and tables, a tiled countertop-height bar, and food/beverages – mean that Petitioner is incorporating nonwood features into its chickee so as to lose its exemption under Florida Statue 553.73(10)(i) and Florida Building Code 102.2(h)?

Answer:

Option #1/Petitioner:

Petitioner respectfully believes that the answer to Question 1 is “No.” Incorporating non-wood features into a chickee only refers to the makeup of the chickee’s structure. Indeed, when describing the various exemptions to the Florida Building Code, the language refers to “the following buildings, structures, and facilities.” Nothing in the language of the statute or the Florida Building Code purports to regulate what may or may not be brought inside and placed underneath the chickee. Such items would not makeup or constitute part of the structure itself.

Option #2/Staff:

For the level of work in question, the answer is “No.” Adding the items (aluminum or plastic chairs and tables, and a tiled, counter-top height bar) within the footprint of the “chickee” in question will not void its exemption status as per section 102.2(h) of the 6th Edition (2017) Florida Building Code, Building .

Question 2:

Does the Florida Building Commission consider the use of a chickee for purposes of determining whether a chickee may be exempt under Florida Statute 553.73(10)(i) and Florida Building Code 102.2(h)?

Answer:

Option #1/Petitioner:

Petitioner respectfully believes that the answer to Question 2 is “No.” Nothing in the language of the exemption purports to regulate the use of a chickee. The exemption only specifies how a chickee is to be built, i.e. a wooding hut with a thatched roof of palm or palmetto and no other nonwood features. Accordingly, Petitioner believe that issues relating to the use of a chickee is not a matter within the jurisdiction of the Florida Building Commission for purposes of the exemption.

Option #2/Staff:

Answer to question 2: No; neither section 553.73(10)(i), F.S., nor section 102.2(h), Florida Building Code, Building (2017), condition the exemption of chickees from the Florida Building Code based upon their use. Note that this does not preclude the possibility that other legal authority may restrict the possible uses of chickees.

TAC Comments:

Discussion was held in regards to the coolers types to be used and the seating available under structure and provisions for handicap patrons.

DS2018-012 by Robert Czyszczonek of the Plaza Motel, Inc. (cont.):

Public Comment: none

Mr. O'Connor entered a motion to approve staff responses on both questions (Option #2). Mr. Gerwig seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Review and accept draft interim report for research project titled, "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes":

Mr. Madani provided the background on this research project.

Dr. Issa, UF provided an update and the interim report.

Mr. Boyer entered a motion to accept the interim draft report for the research project titled "Webinar Workshops on Evaluation of the Cost Impact of Prescriptive Code Changes." Ms. Worrall seconded the motion. The motion passed unanimously with a vote of 7 to 0.

TAC Comments: none

Public Comments: none

Final Roll Call:

Ms. Peters performed a final roll call 7 members were remaining on the line.

Adjournment:

There being no further business the meeting was adjourned at 2:37 p.m.