

**MKA** Madsen, Kneppers & Associates, Inc.  
Construction Consultants & Engineers

July 28, 2008

VIA: Email

Mr. Mo Madani  
The Florida Building Commission  
Florida Department of Community Affairs  
Building Codes and Standards Office  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

DCA08-DEC-216

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, with the designated  
Agency Clerk, receipt of which is hereby  
acknowledged.

*Miriam Snipes*  
Miriam Snipes  
Deputy Agency Clerk

7/28/08  
Date

**Subject:** Request for Declaratory Statement

Dear Members of the Commission,

The purpose of this letter is to request your interpretation of the code in reference to the 2004 Florida Building Code, Existing Building, Chapter 3, "Classification of Work" and the delineation between alteration levels. Furthermore, we would request a determination as to the classification of the work as it is described below.

We are an engineering and construction consulting firm that works throughout the state of Florida. Our work normally involves high value commercial and residential structures that have incurred some sort of physical loss, while under construction or post construction.

We are currently consulting regarding a hotel with beachfront property in Ormond Beach, Florida, that was damaged by hurricanes in 2004. The hotel was originally constructed in 1975 and an addition constructed in 1986. Damage sustained from the 2004 hurricanes included a loss of the roof membrane, broken windows and guest room water damage.

We do not believe repairs to the hotel to its pre-storm condition will require any change to room configuration, layout, or arrangement. The scope of work would include replacement of broken windows, the removal and replacement of drywall throughout the structure, the replacement of some exterior doors, replacement of carpeting, replacement of affected fan coil PTAC units, limited structural repair and the installation of a new roof membrane. The repairs would not require any reconfiguration of any interior rooms or other spaces.

Mr. Mo Madani

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In conclusion, please answer the following questions:

- Explain differences between Alteration Levels 1, 2 and 3.
- Would it make any difference if repairs had to be made to more than 50% of the area if there is no change to room layout or arrangement?
- What impact would pre-existing conditions (i.e., deteriorated metal studs) have (in addition to hurricane damage) on the determination of alteration level if there is no change to room layout or arrangement?
- What Alteration Level would you consider the removal and replacement of materials of like kind to return a property to pre-existing condition with no change to wall assembly/layout or floor plan?

Very truly yours,

*Madsen, Kneppers & Associates, Inc.*



Vincent C. Vaulman, CCE  
Regional Manager

VCV/hat

cc: