



4575 Acorn Way
Edgewater, FL 32141
June 8, 2020

COA:32284

(386) 210-4472
PE #: 80662

DBPR Petition #186

4204 Quail Nest Lane, New Smyrna Beach FL

The owner of the property located at 4204 Quail Nest Lane was in the process of a roof overlay. The existing roof system was aged and it was determined by the owners to be the most cost effective method to protect the home at this time. The Volusia county building department (VCBD) sited the owners with a stop work order due to the lack of a permit. In the process of acquiring a permit, the VCBD insisted that it could not issue an overlay permit due to the home needing to having to meet section 706.3 FBC-Residential or 708.3 FBC-EB. This section requires that for an overlay, section 1504 must be met. Specifically the nailing of the roof sheathing. Section 706.3 opening statement is as follows:

[BS] 706.3 Recovering Versus Replacement- New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck where any of the following conditions occur:

Note section 1-4 did not apply

5. Where the existing roof is to be used for attachment for a new roof system and compliance with the securement provisions of [Section 1504.1](#) of the *Florida Building Code, Building* cannot be met.

After reviewing the code, it is understood that under roof sections, it was my belief that if the roof is not being removed then section 1504.1 did not apply. The section in question is item 5. The issue is does the building need to meet section 1504.1 since the home is older and the roof can be inspected to determine the nailing of the roof sheathing. The VCBD insisted the roof could not meet section 1504.1 without a full replacement of the shingles and re-nailing of the decking. Even reviewing section 1504 did not yield a mandate to replace the roof shingles in order to meet rules.

1504.1 Wind Resistance of Roofs- [Roof decks](#) and [roof coverings](#) shall be designed for wind [loads](#) in accordance with [Chapter 16](#) and Sections [1504.2](#), [1504.3](#) and [1504.4](#).

1504.1.1 Wind Resistance of Asphalt Shingles- Asphalt shingles shall be designed for wind speeds in accordance with [Section 1507.2.7](#).

As long as the shingles had a design from the manufacture or were approved for use for an overlay, then the shingles could be applied over the existing roof system. The shingles were designed for an overlay with the use of a longer nail, 1.5 inch.

An appeal was applied for with VCBD Board. The Board found in favor of the VCBD and the owners were told to remove the shingles. Shortly after the hearing, a notice of violation was received by the owners informing them that they must replace the roof or pay fines for everyday that they did not comply. The owners applied for a new permit after being advised to do so by legal counsel and replaced the roof.

The owner's and ACE would like to be vindicated and clarify to the VCBD that there was no violation. This is mainly so that in the future the VCBD will not miss understand what the code provisions are. The owners were legally allowed to overlay the roof without removing the old roof.

The figure illustrates proper gusseting for damaged trusses. Two sheets of plywood are normally used when wood members are removed. In this case the wood members were not removed with additional wood members added to strengthen the fire damaged trusses members. ACE is not the Engineer of record for the repair and will not comment on the repair method.

If you have any additional questions, please feel free to call me.

George Miles
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