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Florida Building Codes

USER: Ann Russo, Binding Interpretations Administrator

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Petition #	169
Do you have a Local Board of Appeals	No
If Yes, have they rendered a decision on this issue	No
County	Volusia
Jurisdiction	City of Deltona
<hr/>	
Building Official	Steve Roland
Address/Phone/Email	2345 Providence Blvd DELTONA, FL 32725 (386) 878-8100 sroland@deltonafl.gov
<hr/>	
Petitioner Name	Caroline Shine
Address/Phone/Email	800 Deltona Boulevard DELTONA, FL 32725 (407) 314-4914 greaterfaith@iag.net
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Petitioner Representative's Name	Caroline Shine
Address/Phone/Email	2123 E GLORIA DR DELTONA, FL 32725

Building Code Version	2010
Sub Code	Building
Chapter & Topic	Chapter 9 - Fire Protection Systems
Section	903.2

If permitted, date of permit application

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

Greater Faith AME is a church whose operation is dependent upon church assembly and growth. The church purchased the building for this purpose. The City's interpretation of the codes is limiting the use of the building, church growth and assembly, even though the building is a two-story Type 11A construction, less than 300-person loading, 11,000 square feet, with fire area discharges at grade (ground level).

Date	Attached File
12/11/2018	Pet ID 169 Interest 2012-07-20 800 deltona, city notes.pdf
12/11/2018	Pet ID 169 Interest City of Deltona 61413.pdf
12/11/2018	Pet ID 169 Interest Deltona Letter 1-16-2015 Roland .pdf
12/11/2018	Pet ID 169 Interest Greater Faith 800 Deltona Chronology Final.pdf
12/11/2018	Pet ID 169 Interest Greater Faith Building interpretation-7713 (1).pdf

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)

The Building Official responded via the City managers and fire chief. The Church wrote to the City Fire Chief as the City directed on November 2, 2018 with the Professional Engineer's Certification, the Florida Building Commission interpretation, and the recent architect's updated plans requesting the assembly license. The Church received the fire chief's appeal on November 26 which indicated that the Life Safety Code would not require a sprinkler for a Type 11-A building with less than 300 person, but the building official now indicate this is in conflict to Chapter 9, 903.2.1.3 and referred us to the Florida Building Department statement that "fire area located on the floor other than the exit discharge and a sprinkler system is required" and denied the appeal indicating the building official advised that fire code and building code differed. The building official advised that a sprinkler area is required."

Date	Attached File
12/11/2018	Pet ID 169 BGD Interp 800 Deltona Blvd Appeal.pdf
12/11/2018	Pet ID 169 BGD Interp City of Deltona 091018.pdf
12/11/2018	Pet ID 169 BGD Interp Deltona November 2018.pdf

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

The building is a slab-on-grade building on a level site. It has two exits for the 2nd floor (two internal firewalled stairwell with exits discharge to the ground level (grade). The 1st floor exits door also discharges at ground level (grade). The building is not located on a hill or slope, and does not have a basement The exit discharge serves the occupancy. The City building official interprets the rule to indicated that simply because the building is two story, a sprinkler system is required.

Chapter 2 definition describes the FIRE AREA as the " aggregate floor area" enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building, thus the fire area's floor is located at the level of discharge (grade).

The Church does not see any conflict with the Life Safety Code, Table 13.1.6 Existing Assembly Occupancies determination that no sprinkler is needed and the Florida Building Commission Non-binding interpretation #8168 that no sprinkler required--with the 903.2.1.3 building code; and disagrees with the City interpretation that simply because it is a two- story building a sprinkler is required and that the codes conflicts. Additionally, FBC Chapter 504.4 allows Type IIA A-3 assemblies to have up to three stories without being sprinkled. The City disagrees with the interpretation provided by the Florida Building Commission non-binding interpretation is applicable and seeks the most restrictive posture

The Church requests to be granted assembly license and the civil use of its building.

Date	Attached File
12/11/2018	Pet ID 169 PET Interp 800 Deltona Certifying Building Type letter (003) 110618.pdf
12/11/2018	Pet ID 169 PET Interp City Manager Dec 2018 determination.pdf
12/11/2018	Pet ID 169 PET Interp City of Deltona 091018.pdf
05/23/2019	Pet ID 169 PET Interp FBC Response for more information.pdf
05/23/2019	Pet ID 169 PET Interp FBC Response for more information2.pdf
12/11/2018	Pet ID 169 PET Interp interpretation-8168- NO SPRINKLER.pdf
08/28/2019	Pet ID 169 PET Interp Revised Questions 8-23-19.pdf
12/11/2018	Pet ID 169 PET Interp Updated floor plan.pdf

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

History

Date Paid	12/11/2018
Date Pending Building Official Response	12/11/2018 03:10 PM
Date Building Official Response	05/20/2019
Date Submitted to BOAF	05/20/2019
Date Accepted	08/29/2019

More Information Requested

For the petitioner: send us a clearly articulated code interpretation question for which they desire an answer in order to respond comprehensively to this interpretation process

Date Requested

05/22/2019

Limit the question to an interpretation involving the application of the Florida Building Code, not fire code. If FL Fire Code results in a higher degree of life safety, then it

05/23/2019

must be applied as determined by the local building & fire official.

Set to needs more information by Staff

08/28/2019

Time Waiver Granted

Date Extended To

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