

DCA05-DEC-178

All American Shutters
16145 Old US Hwy 1
Fort Myers, FL 33912
Phone (239) 433-4100
Fax (239) 433-4199

Fax Cover Sheet

Send to: <i>Monica Ross</i>	From: <i>Paul Quintana</i>
Attention:	Date: <i>9/20/05</i>
Fax Number: <i>850 414 - 8436</i>	Phone Number:

- Urgent
- Reply ASAP
- Please comment
- Please Review
- For your Information

Total pages, including cover: _____

Comments:

Mrs. Ross,

I will be e-mail you the complete photo package when my e-mail comes back up. The storm has knocked out my e-mail, please accept this request & call upon Receipt.

DCA05-DEC-178
 FILING AND ACKNOWLEDGEMENT
 FILED, on this date, with the designated
 Clerk, receipt of which is hereby
 acknowledged.

Paula P. Ford 9/21/05
 Paula P. Ford Date
 Commission Clerk

THIS INFORMATION IS INTENDED ONLY FOR THE USE OF THE ENTITY NAME ABOVE. THE INFORMATION MAY BE PRIVILEGED AND CONFIDENTIAL. IF IN AWARE OF THIS BEFORE READING THE INTENDED RECIPIENT, YOU ARE HEARBY NOTIFIED THAT ANY DISSEMINATION, COPIED OR DISTRIBUTION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND DISPOSE OF FAX. THANK YOU.

Petition for Declaratory Statement before the Florida Building Commission, Florida Department of Community Affairs

Petitioner: All American Shutters, Inc.
Paul Quintana, Production Manager

Address: 16145 Old U.S. 41, Ft. Meyers, Florida 33912

Phone: 239-433-4100

Date: 09/15/05

To: Florida Department of Building Commission
Cc: Mrs. Monica Ross

Subject: Declaratory Statement/Future Project- sought regarding: section 1005.4.3: 1005.4.4: 1005.4.5 of the Florida Building Code

This petitioner is a hurricane shutter company servicing commercial and residential builders in the Collier, Lec, Charlotte, and De Soto Counties with hurricane protection systems. Petitioner's engineering/product approval has been approved and in use since 1997 with no negative attention to the company's engineer in relation to egress system(s) covered under section 1005.4.3 and 1005.4.4. This petitioner is in the process of starting a new/future job within 30 to 45 days at:

Builder: Paul Homes// Gary Paul
Project Development Herons Glenn// residential community
Address: 3500 Odyssea Court
North Fort Meyer, Florida

Building characteristics: 3 bedroom; 2 bathroom; CBS construction; covered lanai;
glass cabanna door (out swing door):

Location of egress system: opening/window #19- measuring 52" width x 62" height

During the permit review process this petitioner was referred to Permit Plan Review department for determination of engineering compliance with sec. 1005.4.3 and 1005.4.4. Petitioner has not failed in reference to the compliance of the aforementioned section but is seeking clarification on said sections which will pertain to the future system installations.

1005.4.3 Maximum height from floor. The emergency escape and rescue opening shall have a sill height of not more than 44 inches (1118 mm) above the floor.

1005.4.4 Minimum size, the minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508mm). The minimum net clear opening area shall be 5.7 sq. ft. (0.53 m2).

Petitioner plans to construct/install systems with this same design (see procedure/installation hardware attached mark 2 thru mark 7) in the near future and rather than be required to seek interpretation and appeals (no local appeals process) in each instance has brought this petition.

Cont.

It is the petitioner's belief that sec. 1005.4.5 and the Florida Building Code Informal Interpretation report #3549 covers the exception to width and height dimensions required by sec. 1005.4.3 and 1005.4.4.

1005.4.5 Security and hurricane protection devices, bars, grilles, grates or similar security devices shall be permitted provided the minimum size and operational constraints of such devices are in accordance with 1005.4.2, 1005.4.3., and 1005.4.4. The temporary installation or closure of storm shutters, panels, and other approved hurricane protection devices shall be permitted on emergency escape and rescue openings in Group R occupancies during the threat of a storm. Such devices shall not be required to comply with the operational constraints of 1005.4.2, 1005.4.3, and 1005.4.4. While such protection is provided, at least one means of escape from the dwelling or dwelling unit shall be provided. The means of escape shall be within the first floor of the dwelling or dwelling unit shall not be located within a garage. Occupants in any part of the dwelling or dwelling unit shall be able to access the means of escape without passing through a lockable door not under their control.

Florida Building Code
Informal Interpretation
Report #3549

- Question:** Is it the intent of FBC 1005.4.5 not to mandate a minimum opening size of an egress when a house/group R is temporarily shuttered? (Example: A/builder wants to have one of the 10 shutter panels about 12" wide and placed over a sliding glass door reversed so it can open from inside the house and then squeeze out to unlock the rest.)
- Answer:** This section recognizes that when a storm is threatening, the windows and the doors of the house may be shuttered but requires that a means of escape must still exist. It should be of a size large enough to allow the occupants to escape in an emergency, though no minimum size is called out. Care must be taken not to invalidate the NOA or product approval of the shutters or other opening protection if the emergency escape passes through them.
- Commentary:** Section 1005.4.5 allows the normally available emergency escape and rescue openings in a dwelling or dwelling unit to be shuttered during a storm event provided there is at least one means of escape on the first level. That means of escape is exempted from the minimum sill height requirement found in 1005.4.3 and minimum size requirement found in 1005.4.4.

Petitioner's hurricane system (egress) design is for use in an R2 occupancy building requiring at least one means of escape from the dwelling or dwelling unit. The means of escape shall be within the first floor of the dwelling or dwelling unit and shall not be located within a garage. Petitioner provides a temporary egress system which allows for exit of the dwelling or dwelling unit as shown in exhibits (mark 2 thru mark 7). The compliance with sec. 1005.4.3 and 1005.4.4 is at issue due to the width and height to the petitioner's egress system detracting/removing from the opening size.

Petitioner argues that sec. 1005.4.3 and 1005.4.4 presumes that the temporary egress system used in the petitioner's engineering is detracting/removing from the opening height or width dimension as required by section 1005.4.3, which is not the fact. The petitioner's engineering uses the existing opening size of the dwelling or dwelling unit, with a minimum size width of no less than 37 inches in width and 24 inches in height, to accommodate the means of escape. Petitioner's engineering allows for the installation and removal of the egress system from within the dwelling or dwelling unit as mentioned in exhibits mark 2 thru mark 7. Hardware to be used in the installation of the egress system is:

Hardware use for initial installation: Tap-con (concrete) and/or Lag hex-head bolts (wood frame)
Extrusion: H-header (aluminum) and 2x2 angle (aluminum)
Homeowner installation: wingnuts

FROM : ALL AMERICAN SHUTTERS

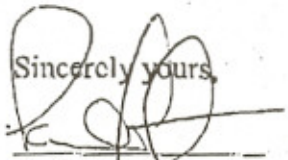
FAX NO. : 239 433 4199

Sep. 20 2005 01:23PM F

Cont.

Petitioner respectfully submits this request for a Declaratory Statement that the petitioner's design satisfies F.B.C. sec. 1005.4.3 and 1005.4 due to the exception found in sec. 1005.4.5, as well as the interpretation made by the F.B.C. or, in the alternative, make a more specific clarification to these section covering R2 occupancies.

Sincerely yours,



Paul J. Quintana
All American Shutters, Inc.
Production Manager



FIGURE #11

FIGURE #11 SHOWS THE DWELLING OWNER INSERTING PANEL 3 (THE REVERSE LOCKING / SECURING PANEL SHOWN IN FIGURES #5 AND #6)



FIGURE #12

FIGURE #12 SHOWS THE DWELLING OWNER SECURING PANEL 3 WITH WINGNUTS FROM THE INSIDE OF THE DWELLING.

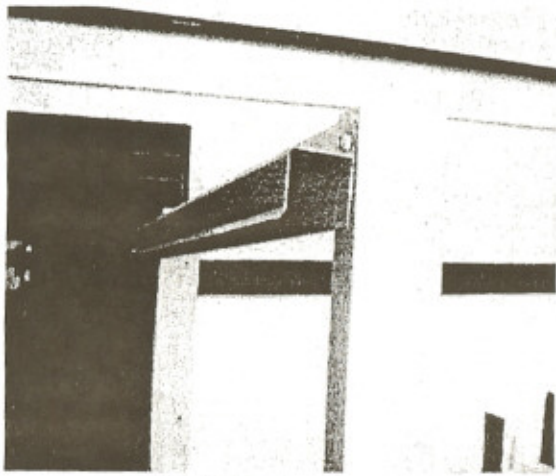


FIGURE #1

H-HEADER ATTACHED TO THE EXTERIOR
UPPER OPENING HEADER TO THE SIZE OF THE OPENING.

THIS WOULD BE THE INITIAL EXTRUSION
ATTACHMENT APPLICATION FOR THE UPPER HEADER
WHICH IS INSTALLED AT THE TIME OF DRILLING AND
AND DOES NOT HAVE TO BE ADDRESSED BY THE DWELLING
UNIT OWNER.

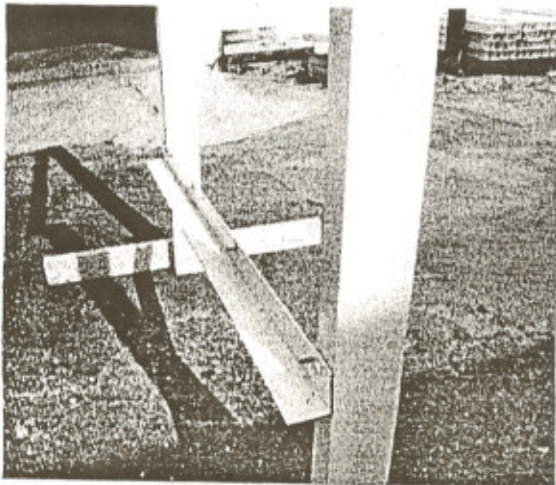


FIGURE #2

STUD ANGLE (2x2) ATTACHED TO THE
EXTERIOR LOWER OPENING SILL,
TO THE SIZE OF THE OPENING.

THIS WOULD BE THE INTITIAL
EXTRUSION ATTACHMENT APPLICATION
FOR THE LOWER SILL, WHICH IS INSTALLED
AT THE TIME OF DRILLING AND DOES
NOT HAVE TO BE ADDRESSED
BY THE DWELLING UNIT OWNER.

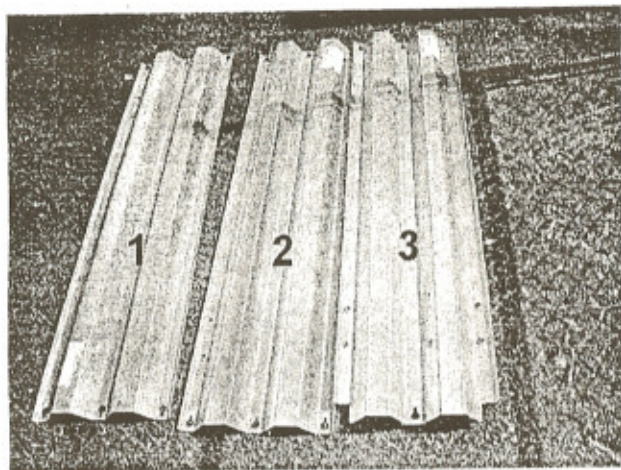


FIGURE #4

**THIS PHOTO SHOWS PANELS, 3 IN TOTAL,
TO COVER THE OPENING IN FIGURE #3**



FIGURE #5

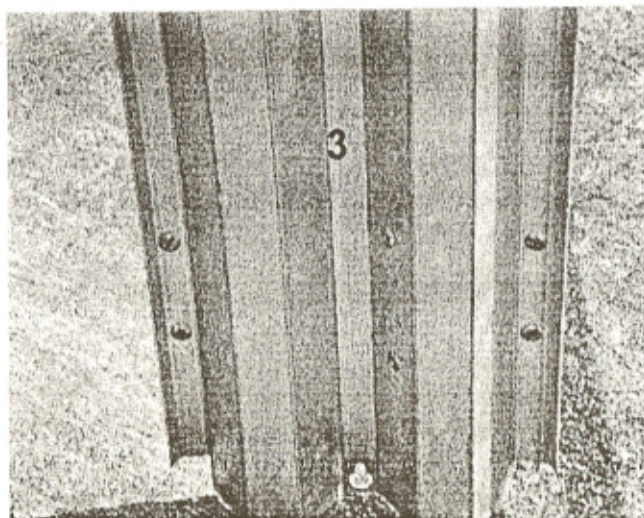


FIGURE #6

**FIGURES #5 AND #6 SHOW THE REVERSE
PANEL WHICH IS THE FINAL PANEL TO BE
INSERTED IN THE OPENING LOCKING/SECURING
THE OPENING FROM THE INSIDE.**

MARK



FIGURE #3

**THIS REPRESENTS THE OPENING /WINDOW.
LOOKING AT IT FROM THE OUTSIDE WITH THE
DWELLING OWNER STANDING ON THE INSIDE,
AS SHOWN IN FIGURE #3**

OPENING SIZE MINIMUM 37" IN WIDTH

FIGURE #7



IN FIGURE #7 SHOWS THE DWELLING OWNER INSTALLING (PANEL 2) INTO THE UPPER H-HEADER EXTRUSION SHOWN IN (FIGURE #1).

AS SHOWN IN THE PHOTO, THE DWELLING OWNER IS INSTALLING THE PANEL FROM THE INSIDE OF THE DWELLING.

FIGURE #8



IN FIGURE #8 SHOWS THE DWELLING OWNER SECURING THE LOWER PART OF THE PANEL TO LOWER STUDDED ANGLE EXTRUSION SHOWN IN (FIGURE#2). THE PANEL IS SECURE WITH WINGNUTS WHICH ARE THREADED ONTO THE STUDDED ANGLE.

MARK !



FIGURE #9

FIGURE #9 SHOWS THE DWELLING OWNER INSTALLING (PANEL 1) AND FOLLOWING THE SAME MANNER AS IN FIGURE #7.



FIGURE #10

FIGURE #10 SHOWS THE DWELLING OWNER IN THE PROCESS OF INSTALLING THE LAST PANEL (PANEL 3) INTO THE OPENING. THIS PANEL IS THE LOCKING / SECURING REVERSE PANEL SHOWN IN FIGURE #5 AND #6.