

PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION

IN THE MATTER OF:

Mitchell Elementary school

Case No.: _____

PETITION FOR DECLARATORY STATEMENT

1. Petitioner's Name and Address:

Name Glen A. Lathers
Address 4224 W. Crest Avenue, Tampa, Florida, 33614
Telephone Number 813-872-5263
Facsimile Number 813-356-1471
e-mail address (if any) Glen.Lathers@sdhc.k12.fl.us

2008-DEC-28
FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Clerk receipt of which is hereby
acknowledged.
Paula P. Ford
Commission Clerk
Date 12/10/08

2. Name and Address of Petitioner's Attorney or Qualified Representative, if any: (None)

3. Statute(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on Which the Declaratory Statement is Sought (Please Include Specific Subsections, if any):

Florida Building Code 2004, Section 903.2.2 Group E - an automatic sprinkler system shall be provided for Group E occupancies as follows:

- 1. Throughout all Group E fire areas greater than 20,000 square feet (1858m2) in area.
- 2. Throughout every portion of educational buildings below the level of exit discharge. Exception: An automatic fire sprinkler system is not required in existing educational buildings unless 50 percent of the aggregate area of the building is being remodeled.

4. Description of How the Statute(s), Agency Rule(s), Agency Order(s), and/or Code Section(s) May Substantially Affect the Petitioner in the Petitioner's Particular Set of Circumstances:

N/A

5. Address of The Building or Structure, or Proposed Building or Structure, Affected by this Petition, if applicable:

205 Bungalow Park, Tampa, Florida 33609

6. If this Petition Involves a Ruling of an Authority Having Jurisdiction, the Name, Address and Phone Number of the Authority Having Jurisdiction:

N/A

7. If an Appeal Was Filed, Please State the Response or Outcome of the Appeals Board and Attach a Copy Of All Official Orders or Notices:

N/A

8. Have You Filed or Do You Plan to File this or a Similar Question with any Other State or Local Agency?

Yes No

9. If Yes, Please State the Name of Each State or Local Agency:

10. Are you involved in any litigation related to the question(s) presented in this case? Yes No

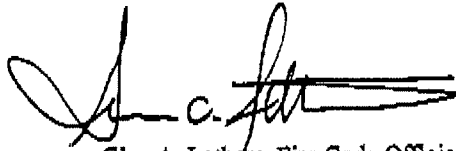
11. If yes, please describe briefly _____

12. QUESTION(S) (Please be Specific):

Question A. There are no exceptions listed for building separation, can a four hour fire wall be installed for building separation to reduce the building size to less than 20,000 square feet and therefore not require the building to be fully fire sprinklered, if approved by the AHJ?

Question B. If the answer is yes, then would the four hour fire wall be required to have a parapet wall and would and penetrations be allowed in the four hour fire wall?

Respectfully submitted this 8th day of October, 2008.



Glen A. Lathers, Fire Code Official



Hillsborough County
PUBLIC SCHOOLS
Excellence in Education

Human Resources
District Safety Office

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FAX TRANSMITTAL SHEET

To:	Mo Modani	Fax:	1-850-414-8436
From:	Lorrie Porter	Date:	October 8, 2008
Re:		Pages:	2
CC:			
<input type="checkbox"/> Urgent	<input checked="" type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input type="checkbox"/> Please Reply
		<input type="checkbox"/> Please Recycle	