



General Home
Development Corporation
of Pinellas, Inc.

001709-DEC-214

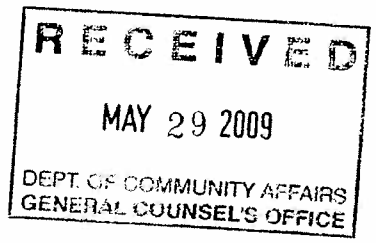
FILED AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Clerk, receipt of which is hereby
acknowledged.

Petition for Declaratory Statement
Before The Florida Building Commission
Commission Clerk

Paula Ford 5/29/09
Date

May 21, 2009

To: Paula Ford
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399



From: Thomas E. Smith, President
General Home Development Corporation of Pinellas
215 49th Street South
St. Petersburg, Florida 33707
Phone: (352) 424-0424 Fax: (727) 328-9392

Project: Pinellas Hope II, Homeless Community

Re: Request for Determination of Fire Sprinkler Requirement

Dear Ms. Ford,

Catholic Charities, Inc, the Non Profit arm of the Catholic Diocese of St. Petersburg, has been awarded limited funding to serve the homeless population in Pinellas County by providing hard shelter to supplement the existing soft shelter (tents) on site. This project consists of 80 very small (300sf) single room efficiencies, all one story buildings (see attached floor plan & elevations). These units will be newly constructed, and will comply with all of the 2004 Florida Building Codes.

According to the Florida Fire Protection Code NFPA 101, Chapter 30, New Apartment Buildings, Section 30.3.5.2: "Sprinklers shall not be required in buildings where every dwelling unit complies with one of the following" (see attached). This project does not require a fire sprinkler system, as new fire hydrants will be serving these units. However, there is conflict between the 2004 Florida Building Code and Chapter 9, Fire Protection Systems, Section 903.2.7, Group R, Requiring an automatic sprinkler system installed throughout all buildings with a Group R Fire Area as to the necessity of fire sprinklers in these units. We have spoken to the Pinellas County Building Official, Mr. Larry Goldman, and although NFPA does not require a fire sprinkler system, he cannot waive this requirement as it applies to the 2004 Florida Building Code. Mr. Goldman understands the situation that we face, and is supportive of our request for Declaratory

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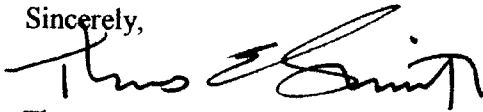
*Maple in
Clerk's office*

Statement not to require fire protection per NFPA 101. Attached is a copy of Mr. Goldman's letter of support for our request to waive this requirement.

Unfortunately, with the limited funding available to serve this homeless population, there are not available monies for a fire sprinkler system for these 80 small efficiency units. We are requesting a Declaratory Statement to conform the 2 conflicting codes on this issue, and waive this requirement for Pinellas Hope II. We certainly would not request this if we felt that it would jeopardize resident's safety in any way. However, we conform to every new requirement for construction in 2009. For the safety of our residents, and with NFPA not requiring this item, we request relief from this item due to budget restraints and the fact that the Life Safety Code does not require these units to be sprinkled.

We will be breaking ground in June on this project and request your answer as soon as possible. We thank you in advance for your staff's review work in this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Smith". The signature is fluid and cursive, with a large initial "T" and "S".

Thomas E. Smith, President
General Home Development Corporation of Pinellas

Cc: Floor Plan; Exterior Elevations

**BOARD OF COUNTY
COMMISSIONERS**

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Paula Ford
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399

May 21, 2009

Project: Pinellas Hope II, Homeless Community

Dear Ms. Ford,

This letter is written in support of the request for the Declaratory Statement to waive the sprinkler requirement for the above noted homeless efficiencies described in applicant's wavier request.

This structure does not fall under the guideline of the "normal" apartment building. The 300 square foot units all exit to a common front porch that leads directly to ground level.

Sincerely,

A handwritten signature in cursive script that reads "Larry G. Goldman".

Larry G. Goldman, Building Official
Pinellas County Government
310 Court Street
Clearwater, Florida 33756
727-464-4252

DCA09-DEC-214
FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Clerk, receipt of which is hereby
acknowledged.

A handwritten signature in cursive script that reads "Paula P. Ford".

Paula P. Ford 5/29/09
Commission Clerk Date

PLEASE ADDRESS REPLY TO:
310 Court Street
Clearwater, Florida 33756
Phone: (727) 464-3888



ADDITIONAL

101-224

NFPA 101, LIFE SAFETY CODE, FLORIDA 2005 EDITION

30.3.4.5 Smoke Alarms.

30.3.4.5.1* Approved single-station smoke alarms shall be installed in accordance with 9.6.2.10 outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements.

F *Exception:* In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

30.3.4.5.2 In buildings other than those protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5, approved single-station smoke alarms shall be installed in every sleeping room in accordance with 9.6.2.10.

30.3.5 Extinguishment Requirements.

30.3.5.1 All buildings, other than those complying with 30.3.5.2, shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5.3.

30.3.5.2 Sprinkler systems shall not be required in buildings where every dwelling unit complies with one of the following:

- (1) An exit door opening directly to the street or yard at ground level
- (2) Direct access to an outside stair that complies with 7.2.2 and serves a maximum of two units, both located on the same floor
- (3) Direct access to an interior stair serving only that unit and separated from all other portions of the building by fire barriers having a 1-hour fire resistance rating with no openings therein

30.3.5.3 Where an automatic sprinkler system is installed, either for total or partial building coverage, the system shall be installed in accordance with Section 9.7, as modified by 30.3.5.4 and 30.3.5.5. In buildings up to and including four stories in height above grade, systems in accordance with NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, shall be permitted.

30.3.5.4 In buildings sprinklered in accordance with NFPA 13, *Standard for the Installation of Sprinkler Systems*, closets less than 1.1 m² (12 ft²) in area in individual dwelling units shall not be required to be sprinklered. Closets that contain equipment such as washers, dryers, furnaces, or water heaters shall be sprinklered regardless of size.

30.3.5.5 The draft stop and closely spaced sprinkler requirements of NFPA 13, *Standard for the Installation of Sprinkler Systems*, shall not be required for convenience openings complying with 8.6.8.2 where the convenience opening is within the dwelling unit.

30.3.5.6 Listed quick-response or listed residential sprinklers shall be used throughout all dwelling units.

30.3.5.7 Open parking structures complying with NFPA 88A, *Standard for Parking Structures*, that are contiguous with apartment buildings shall be exempt from the sprinkler requirements of 30.3.5.1.

30.3.5.8 Buildings with unprotected openings in accordance with 8.6.6 shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 30.3.5.

30.3.5.9 Reserved.

30.3.5.10 Reserved.

30.3.5.11 Portable fire extinguishers in accordance with 9.7.4.1 shall be provided in hazardous areas addressed by 30.3.2.1, unless the building is protected throughout with an approved, supervised automatic sprinkler system in accordance with 30.3.5.3.

30.3.6 Corridors.

30.3.6.1 Walls. Exit access corridor walls shall comply with 30.3.6.1.1 or 30.3.6.1.2.

30.3.6.1.1 In buildings not complying with 30.3.6.1.1, exit access corridor walls shall consist of fire barriers in accordance with Section 8.3 that have not less than a 1-hour fire resistance rating.

30.3.6.1.2 In buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with 30.3.5.3, corridor walls shall have not less than a ½-hour fire resistance rating.

30.3.6.2 Doors Doors that open onto exit access corridors shall have not less than a 20-minute fire protection rating in accordance with Section 8.3.

30.3.6.3 Reserved.

30.3.6.4 Doors that open onto exit access corridors shall be self-closing and self-latching.

30.3.6.5 Unprotected openings, other than those from spaces complying with 30.3.6.5, shall be prohibited in exit access corridor walls and doors.

30.3.6.6 Spaces shall be permitted to be unlimited in area and open to the corridor, provided that the following criteria are met:

- (1) The spaces are not used for guest rooms or guest suites or hazardous areas.
- (2) The building is protected throughout by an approved, supervised automatic sprinkler system in accordance with 30.3.5.
- (3) The space does not obstruct access to required exits.

30.3.6.7 Transoms, louvers, or transfer grilles shall be prohibited in walls or doors of exit access corridors.

30.3.7 Subdivisions of Building Spaces. Buildings shall be subdivided in accordance with 30.3.7.1 or 30.3.7.2.

30.3.7.1 In buildings not meeting 30.3.7.2, dwelling units shall be separated from each other by walls and floors constructed as fire barriers having fire resistance ratings of not less than 1 hour.

30.3.7.2 In buildings protected throughout by an approved, supervised, automatic sprinkler system, dwelling units shall be separated from each other by walls and floors constructed as fire barriers having fire resistance ratings of not less than ½ hour.

30.3.8 Special Protection Features. (Reserved)**30.4 Special Provisions.**

30.4.1 High-Rise Buildings. High-rise buildings shall comply with Section 11.8. Subsections 30.3.5.4 and 30.3.5.5 shall be permitted.

30.5 Building Services.

30.5.1 Utilities. Utilities shall comply with the provisions of Section 9.1.