

Holland Pools

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Amendment

DCA09-DEC-419

FILING AND ACKNOWLEDGEMENT
FILED, on this day, in the designated
Agency Clerk's Office, which is hereby
acknowledged.

January 6, 2010

Miriam Snipes
Deputy Agency Clerk

1/7/10
Date

PETITION FOR A DECLARATORY STATEMENT BEFORE THE FLORIDA BUILDING COMMISSION

ISSUE: Recently Holland Pools applied for a permit application with the Osceola County Building Department. The permit number is P-09-003284 for a commercial swimming pool. We submitted sealed plans approved by the Florida State Health Department.

I was called by Robert Deatherage because we did not submit plans showing the use of "Panic Hardware" on the gates that were shown on our plans, and also because we did not show the required number of sanitary facilities.

This plan was approved by the Florida State Health Department and meets the requirements for sanitary facilities and deck areas according to 64E-9.006.4.2 and the Florida Building Code 424.1.6.1. It also meets the barrier requirements of 64E-9 and 424/1/3/1/9 of the Florida Building Code.

The Cabana bath facility has a "community room" of approximately 800 sq ft. The provided exit out of this room does not empty into the pool area but instead into the parking lot. This facility will be mostly unoccupied which is typical for these types of facilities. This facility will only be used by persons using this residential community pool.

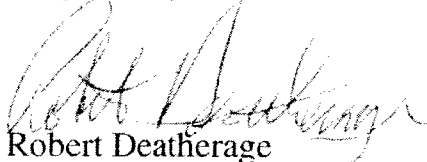
After much discussion Mr. Deatherage decided that the code was not clear in this area so we decided to submit a request for a Declaratory Statement from the Florida Building Commission for clarification.

Our questions are as follows:

1. Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of determining occupancy load as per Table 1004.1.1? Then applying 1008.1.9 Panic and Fire Exit Hardware to require panic hardware on the required gates, in addition to the barrier requirements in 64E-9 and 424.1.3.1.9.
2. Does Florida Building Code 1004.1.1 Areas Without Fixed Seating apply to an outdoor public swimming pool for the purpose of deeming occupancy load as per Table 1004.1.1? Then using this section to require additional sanitary facilities required for this load in addition to the facilities required by 64E-9 and 424.1.6?
3. Does the Florida Building Code requirement for Sanitary Facilities for the Cabana bath be added to the ones required for by the pool?

It should also be noted that this very same plan was approved in 2006 by Osceola County permit number P06-011741. Due to the failure of Engineered Homes the project was started but not finished. DR Horton Homes purchased this project and has agreed to finish the facility. The building was started but not completed; the swimming pool was not started. The Health Department reviewed the plans and re-issued approved plans. A copy of this approved plan is attached.

Respectfully submitted,


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Respectfully submitted


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