

The City of West Palm Beach



Construction Services Department
P.O. Box 3366
West Palm Beach, Florida 33402
Telephone: 561/805-6700
Fax: 561/805-6676

"The Capital City of the Palm Beaches"

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

ORDER

CASE NUMBER: 1314

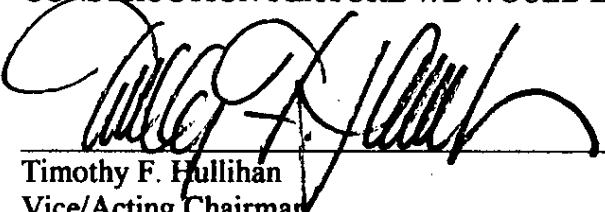
ADDRESS: 717 South Olive Avenue

OWNER/AGENT: Kolter City Plaza, Inc.
Ed Jahn
1601 Forum Place
Suite 805
West Palm Beach, FL 33401

The applicant's request is as follows: At the meeting of February 15, 2007, the Board issued the following Order: THE BOARD AGREES WITH AND ADOPTS THE FINDINGS OF FACT AS SUBMITTED BY STAFF, BUT ALLOWS THE APPLICANT THE OPPORTUNITY TO PRESENT A TEST REPORT FROM A RECOGNIZED TESTING LABORATORY TO JUSTIFY A 2-HOUR FIRE RESISTANCE RATING AT THE JOINT BETWEEN A MASONRY BLOCK PARTITION WALL AND A CONCRETE FLOOR SLAB. IF SUCH A REPORT CAN BE PROVIDED FOR STAFF REVIEW, IT WILL NOT BE NECESSARY FOR THIS CASE TO REAPPEAR BEFORE THE BOARD.

At the regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals on March 15, 2007, the Board ordered that:

THE APPEAL SOUGHT BY THE APPLICANT IS APPROVED AND THE BOARD AGREES WITH THE CONTENTION IN CHAPTER 21 AND CHAPTER 7, SPECIFICALLY SECTION 709.3, AS TO THE RATING OF THE WALL. CONSTRUCTION OF THE WALL ITSELF PROVIDES THE REQUIRED RATING; USING THE BLOCK WITH MORTAR JOINT AT THE TOP IS A COMMON CONSTRUCTION FEATURE WE WOULD EXPECT TO SEE IN AN IN-FILL WALL.


Timothy F. Hulihan
Vice/Acting Chairman

"An Equal Opportunity Employer"

The City of West Palm Beach



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"The Capital City of the Palm Beaches"

February 28, 2007

Kolter City Plaza, Inc.
Ed Jahn
1601 Forum Place, Suite 805
West Palm Beach, FL 33401

NOTICE OF HEARING

Please be advised that the Construction Board of Adjustment and Appeals will call for hearing the following:

CASE NO. 1314

Re: 717 South Olive Avenue

Date and Time: Thursday, March 15, 2007, 2 p.m.

Place: City Hall Commission Chambers, 200 2nd Street, WPB.

Be governed accordingly.

Should you seek to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, you will need a record of the proceedings and for such purpose, you may need to insure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based. The City of West Palm Beach does not prepare or provide such a record.

A handwritten signature in cursive script, reading "Pam Yusko".

Pamela Yusko, Secretary, (561) 805-6656
Construction Board of Adjustment and Appeals

"An Equal Opportunity Employer"

The City of West Palm Beach

"The Capital City of the Palm Beaches"



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P.O. Box 3366
West Palm Beach, Florida 33402
Telephone: 561/805-6700
Fax: 561/805-6676

FILE NUM 20070087969 OR BOOK PAGE 21436/0351 DATE: 02/21/2007 15:58:55 Pg 0351: (1pg)
Sharon R. Bock, CLERK & COMPTROLLER

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

ORDER

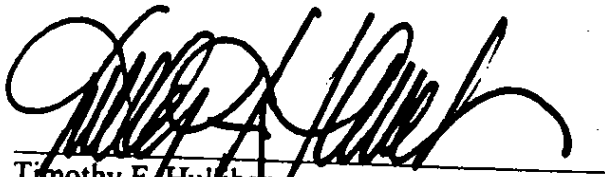
CASE NUMBER: 1314

ADDRESS: 717 South Olive Avenue

OWNER/AGENT: Kolter City Plaza II, Inc.
Ed Jahn
1601 Forum Place
Suite 805
West Palm Beach, FL 33401

At the regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals on February 15, 2007, the Board ordered that:

THE BOARD AGREES WITH AND ADOPTS THE FINDINGS OF FACT AS SUBMITTED BY STAFF, BUT ALLOWS THE APPLICANT THE OPPORTUNITY TO PRESENT A TEST REPORT FROM A RECOGNIZED TESTING LABORATORY TO JUSTIFY A 2-HOUR FIRE RESISTANCE RATING AT THE JOINT BETWEEN A MASONRY BLOCK PARTITION WALL AND A CONCRETE FLOOR SLAB. IF SUCH A REPORT CAN BE PROVIDED FOR STAFF REVIEW, IT WILL NOT BE NECESSARY FOR THIS CASE TO REAPPEAR BEFORE THE BOARD.


Timothy F. Hurlihan
Vice/Acting Chairman

"An Equal Opportunity Employer"



CONSTRUCTION SERVICES DEPARTMENT
P O BOX 3366
West Palm Beach FL 33402
Telephone: 561/805-6700
FAX: 561/805-6677

APPLICATION CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

Application, with applicable schedule, must be submitted with a \$100.00 check payable to the City of West Palm Beach before the first of the month in order to be eligible for that month's meeting, which is held on the third Thursday of each month.

CASE NO. 1314
(to be filled in by City)

DATE: 01/31/07

PROPERTY OWNER: Kotler City Plaza II, Inc.

PHONE: 561.682.9500

OWNER'S ADDRESS: 1601 Forum Place, suite 805, West Palm Beach, FL 334

AUTHORIZED AGENT: Ed Jahn

PHONE: _____

AGENT'S ADDRESS: 1601 Forum Place, Suite 805, West Palm Beach, FL 334

PROPERTY ADDRESS: 717 S. Olive Ave., West Palm Beach, FL 33401

LOT: _____ BLOCK: _____ SUBDIVISION: _____

LOCATED IN () OR OUT () OF THE FIRE DISTRICT. ZONE: _____

TYPE OF REQUEST (check the appropriate box) The schedule with the same title as the type of request is required to be completed and submitted with this application.

APPEAL OF DECISION AND/OR INTERPRETATION OF THE BUILDING OFFICIAL ☒

VARIANCE TO THE TECHNICAL CODES

VARIANCE TO THE FLOOD PREVENTION AND CONTROL ORDINANCE

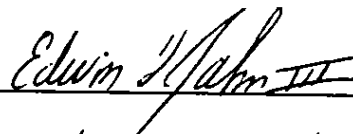
DESCRIPTION OF PROPOSED VARIANCE OR APPEAL (Describe below and on the reverse side your request in your own words.) PRINT LEGIBLY OR TYPE ONLY. If additional space is required, please use additional pages. SIGNATURE AND NOTARIZATION ARE REQUIRED ON REVERSE SIDE.

The city is requiring that we apply fire caulk to the top of CMU walls and underneath garage slabs in lieu of mortar, which is depicted in the plan detail due to concerns that the mortar will crack due to elastic deformation.

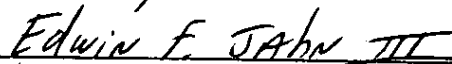
Description of request continued:

Although the opinion of our engineer, architect, and contractor is that cracking should not occur in the mortar, we propose to seal over the mortar with an elastomeric sealant (Acrylic Firestopping Sealant).

APPLICANT'S SIGNATURE:



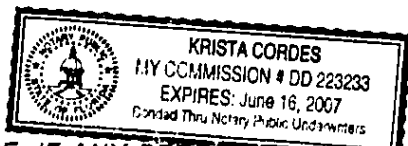
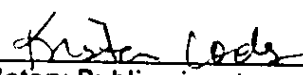
Print Name:



STATE OF FLORIDA } SS:
COUNTY OF PALM BEACH }

The foregoing Application was acknowledged before me this 31st day of January, 2007, by Edwin Jahn III, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Seal:



Notary Public signature
Print name: Krista CordesCommission No. 6/16/07

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE BOARD MADE AT THIS HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD

SCHEDULE FOR
APPEAL OF DECISION AND/OR INTERPRETATION
OF THE BUILDING OFFICIAL

ALL QUESTIONS MUST BE COMPLETED OR REFERENCED AS *NOT APPLICABLE* WITH REASON STATED.

1. List the specific code sections relevant to this appeal.

2101.2 (see attached stop report) ①

2. What mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of this building, structure or service system was rejected or refused to be approved by the Building Official?

The building department objects to using 1/2" to 1" of grout to be installed between the top of the garage masonry walls and the bottom of parking garage due to concerns of cracking due to elastic deformation.

3. What provisions of the code do not apply to this specific case?

Because the slabs are not designed to deflect, we feel there is no concern for cracking of the mortar joints in question.

4. What equally good or more desirable form of installation can be employed in this specific case? How is it equivalent to the minimum code requirement?

We feel a more desirable application would be to seal over the mortar joint with an elastomeric sealant, which would exceed minimum code requirements. ②

(see attached 1/26/07 letter)

5. How has the true intent and meaning of the code or any of the regulations there under been misconstrued or incorrectly interpreted?

The code calls for provisions in the contract documents for dimensional changes resulting from elastic deformation but we do not believe elastic deformation will result based upon the slab design, and after consulting the structural engineer and architect. ③

(see attached 10/13/06 letter)

(see attached 12/05/06 letter) ④

(see attached 1/11/07 letter) ⑤

COMMUNITYPLUS V8.1
DATE: 12/14/2006
TIME: 08:06:49

CITY OF WEST PALM BEACH
PLAN REVIEW STOP REPORT

1

PAGE NUMBER:
MODULE plnrvrpt:

SECTION CRITERIA: B

PERMIT NUMBER: 04120353 - KOLTER CITY PLAZA II INC TYPE: BLD-COM
PARCEL ID : 74434322140050010
PARCEL ADDRS : 717 S OLIVE AVE WEST PALM BEACH, FL 33401
APPLY DATE : 12/07/04 ISSUE DATE : 03/29/06 C/O DATE :

REVIEW STOP: B - BUILDING (STRUCTURAL)
REV NO: ** STATUS: F DATE: 12/14/06 CONT ID:
REVIEW SENT BY: mjacobs DATE: 12/14/06 TIME: 08:06 TIME SPENT: 0.00
REV RECEIVD BY: mjacobs DATE: 12/14/06 TIME: 08:04 SENT TO: PC

REVIEW NOTES: 12/14/2006

BUILDING PLAN REVIEW
PERMIT: 04120353
ADD: 717 S. OLIVE AVE.
CONT: KAST CONSTRUCTION
TEL: (561)835-3890
FL BLD CODE= 2004 FLORIDA BUILDING CODE
* West Palm Beach Amendments

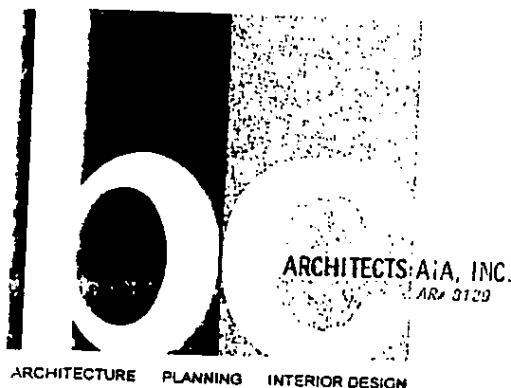
REVIEW 2nd RFI - 396
ACTION: Denied

1) FBC.2001 Sec. 2101.2. Construction Documents. Drawings and details shall show all the items required to be shown on the drawings by this code including the following:

4. Provision for dimensional changes resulting from ELASTIC DEFORMATION, CREEP, SHRINKAGE, TEMPERATURE AND MOISTURE. Note: Cement grout is not a material which will meet the Elasticity Deformation in this situation. CHOSE A MATERIAL WHICH WILL MEET THE FIRE RESISTANCE RATING OF THE WALL AND ELASTIC DEFORMATION.

2) FBC.2001 Sec. 1604.5 Interior Wall Loads. Interior walls, permanent partitions and temporary partitions shall be designed to resist a loads to which they are subjected but not less than 5 psf applied perpendicular to the walls, except for decorative screen walls.
ALSO SEE Sec. 703.2. FOR FIRE RESISTANCE RATINGS.

Myron Jacobs
Building Plan Reviewer
805-6726



Provided to Jerald Smith
Via 'Hand' out 1/30/07
(Signature)

2

January 26, 2007

Mr. Neil K. Melick, CBO
Construction Services Director
City of West Palm Beach
200 Second Street
West Palm Beach, Florida 33401

**Re: Two City Plaza, Building Permit No. 04120353
- Fire Caulking Wall Heads**

Dear Mr. Melick,

Although I still believe that the slabs are designed to not deflect, and the joints should not crack, we all (you, I, Kolter, and Kast) agree that fire caulking the joints will meet or exceed minimum code requirements.

We would therefore like to propose that the top joints be sealed (over the mortar joint) with TREMstop High Performance Acrylic Firestop Sealant. Tremstop is an elastomeric sealant capable of +33% movement in a fire rated joint system.

Attached is a pdf which includes the technical data sheet for Tremstop, our revised wall details for the area in question, and the UL test data for this system.

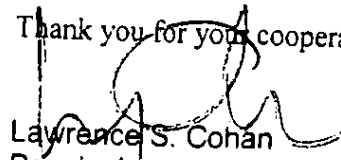
Please note that the UL data test is for "up to a 1" joint. Our design intent has never been to provide an expansion joint at the top of walls as this would make the walls "free-standing".

We would like to keep the mortar joint at the top, and provide 1/2" min Tremstop over the joint. We spoke with the local Tremco Representative who believes that this detail should suffice, but I must point out that there is no UL test that I could find nor is he (or Rinker) aware of any UL test that covers this exact condition.

I believe that this installation satisfies both the intent of the code and the intent of the structural design.

Please review the above and let me know if this installation will be accepted by your Department. If so, we will update the drawings to reflect this detail and the specified materials, and submit the revised plans for permit update immediately.

Thank you for your cooperation and quick turn-around time.


Lawrence S. Cohan
Principal

TREMstop Acrylic (GG)

Gun Grade Acrylic Firestopping Sealant

PRODUCT DESCRIPTION:

TREMstop Acrylic (GG) is a single component, water-based, acrylic firestop sealant. TREMstop Acrylic (GG) is a high performance, antifungal sealant capable of plus or minus 25 percent movement in fire-rated joints. TREMstop Acrylic (GG) is an economical choice when used as a cold smoke seal for 2 to 3 hour fire-rated penetrations and up to a 2 hour fire rating for up to 2 inch joints. TREMstop Acrylic is also available in a sprayable grade that is compatible with the gun grade.

ADVANTAGES:

- High performance, elastomeric sealant specially formulated for firestopping applications
- Capable of plus or minus 25% movement
- Easy gunning
- Easy clean up with water
- Paintable when fully cured
- The most economical and user-friendly firestopping sealant on the market
- Listed up to a 2 hour fire rating in joints
- Listed up to a 3 hour fire rating in through penetrations

BASIC USES:

Penetrations

- Steel, copper, iron, and EMT pipe
- PVC and ccPVC pipe
- ABS and ccABS pipe
- CPVC pipe
- Romex cable, jacketed cables and bundles
- Insulated pipe
- Duct work

Building Assemblies

- Concrete floor or wall
- Gypsum wallboard
- Wood floor/ceiling
- Metal pan deck
- Joints
- Hollowcore concrete

PHYSICAL PROPERTIES:

Color:	White, limestone, rust red
pH:	7.0-9.0
Shore "A" Hardness: (ASTM C-881)	15 - 20
VOC (grams/liter):	65
Application Temperature (Min./Max.):	40°F - 110°F (5°C - 43°C)
Flame Spread: (ASTM E-84)	15
Smoke Develop: (ASTM E-84)	0
Cure Time:	3-5 Days
Skid Over Time:	Overnight
Movement Capability: (UL 2079; class I, II, III)	Tested to $\pm 25\%$
Sound Transmission (STC Rating):	52
Shelf life:	1 year
Freeze Sensitive:	yes
Accepts Paint:	yes

PACKAGING:

10.1 fl. oz. (300 ml, 18 in ³) cartridge	30/case
20 fl. oz. (600 ml, 36 in ³) sausage	15/case
28.7 fl. oz. (850 ml, 51 in ³) cartridge	12/case
5 gal. (19 L, 1155 in ³) pail	

TREMstop Acrylic (GG)

Gun Grade Acrylic Firestopping Sealant

INSTALLATION TECHNIQUES:

Refer to the Tremco Firestop Manual or the UL/ULC Fire Resistance Directory for specific application instructions.

The firestop system details will cover the required sealant depth, necessary amount of packing material and the permitted joint size or annular space. TREMstop Acrylic (GG) is a gunnable sealant, typically applied using conventional caulking equipment.

LIMITATIONS:

- Not recommended for use in passive fire containment systems not listed or approved by Tremco.
- Do not apply over damp or contaminated surfaces.

APPLICABLE TEST STANDARDS:

UL 1479 (ASTM E-814)
UL 263 (ASTM E-119)
UL 723 (ASTM E-84)
UL 2079 (ASTM E-1966)
ASTM E-1399
CAN4-S115M
CAN/ULC-S101M

WARRANTY:

Tremco warrants its Firestop Materials to be free of defects, but makes no warranty as to appearance or color. Since methods of application and on-site conditions are beyond our control and can affect performance, Tremco makes no other warranty, expressed or implied, including warranties of MERCHANTABILITY and FITNESS FOR A PARTICULAR PURPOSE with respect to Firestop Materials. Tremco's sole obligation shall be, at its option, to replace or to refund the purchase price of the quantity of the Firestop Materials proved to be defective and Tremco shall not be liable for any loss or damage.

TECHNICAL SERVICES

For more information, contact technical services:

Toll free: (866) 209-2404
Fax: (330) 220-7055
E-mail: FireTech@tremcoinc.com

ORDER PLACEMENT:

To place an order, contact customer service:

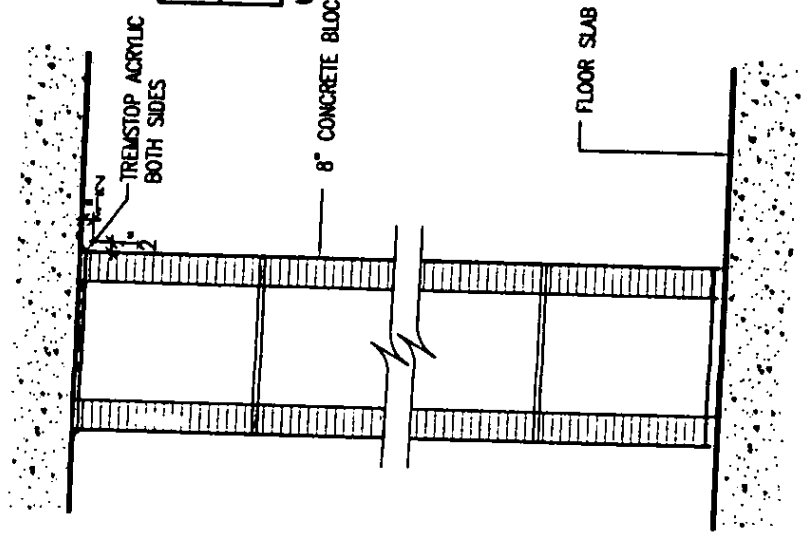
United States: (800) 321-7906
Canada: (800) 363-3213

THE TREMCO FAMILY OF PRODUCTS IS RECOGNIZED BY

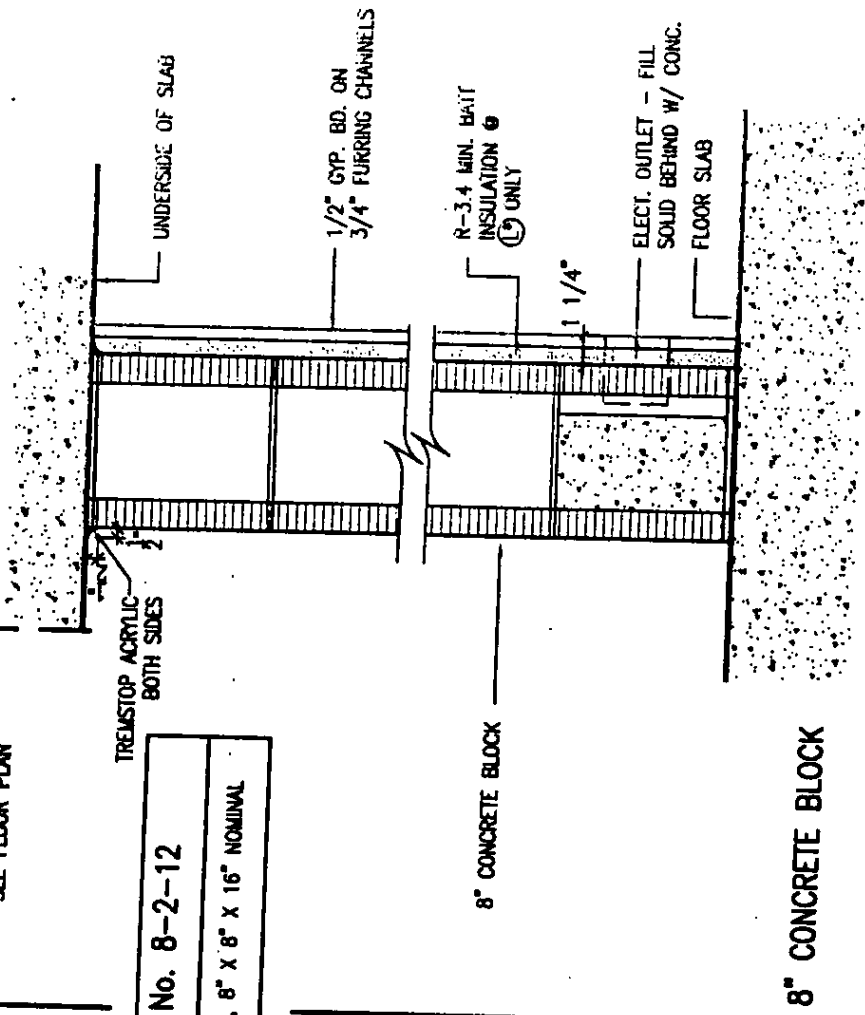


Tremco Incorporated • 2628 Pearl Road • Medina, Ohio 44256 USA
Phone: (330) 273-8828 • Fax: (330) 220-7075 • Toll Free: (866) 209-2404
Tremco Canada Division • 215 Wicksteed Ave. • Toronto, Ontario M4H 1G7 Canada
Phone: (416) 467-2455 • Fax: (800) 361-3514 • Toll Free: (800) 363-3213
For MSDS or additional Spec Data Sheets, contact customer service at
(300) 321-7906 or visit www.tremcofirestop.com

FLOOR SLAB OR SHAFT, SEE FLOOR PLAN



RINKER ASSEMBLY No. 8-2-12
 1. RINKER TYPE T-12 C.M.U., 8" X 8" X 16" NOMINAL
 UL Des U905

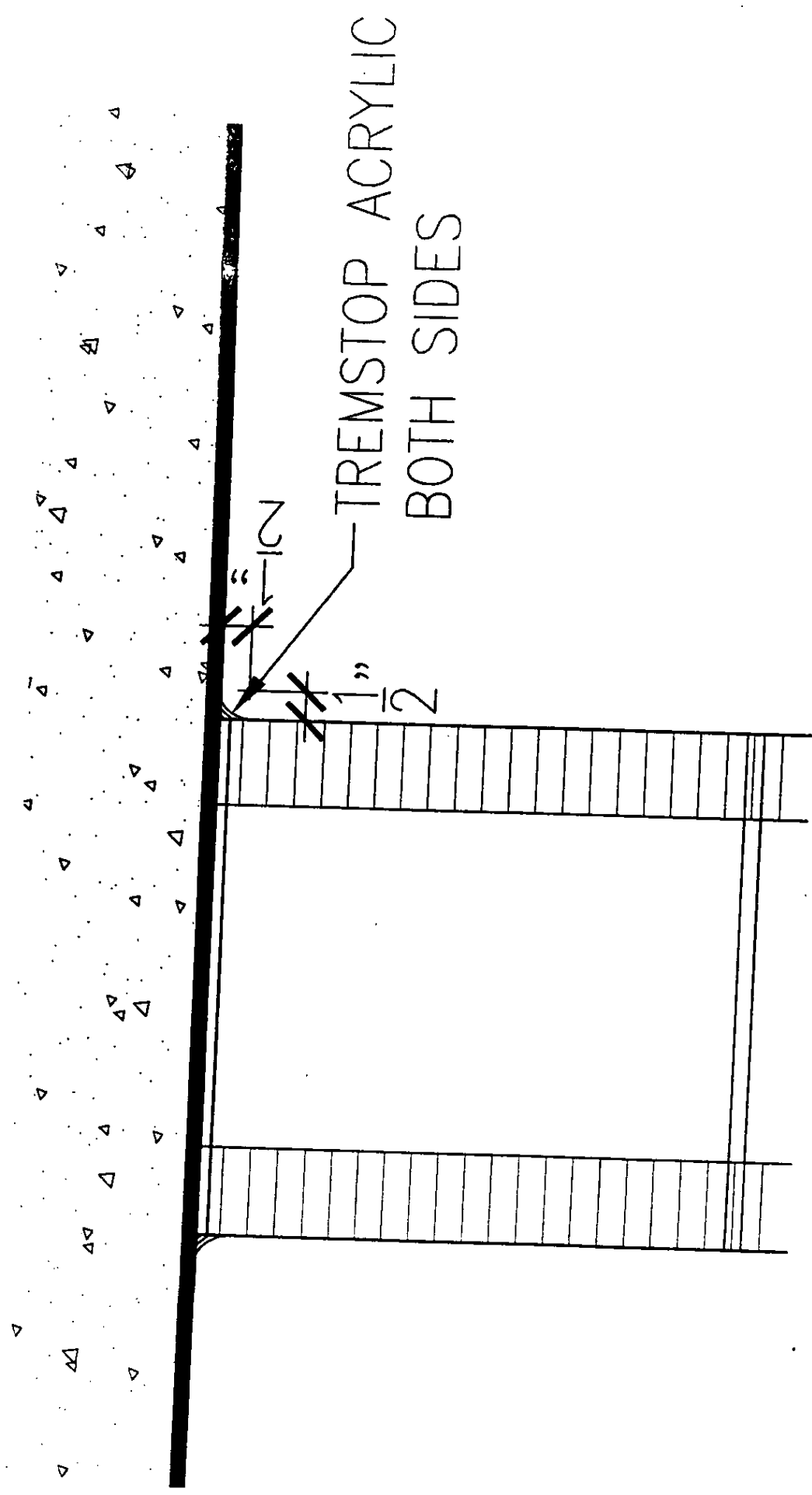


8" CONCRETE BLOCK. INTERIOR WALL

8" CONCRETE BLOCK

PARTITION		PARTITION	
3	3-HR. FIRE RATED	K	NO RATING
		K1	1-HR. FIRE RATED
	C	K2	2-HR. FIRE RATED
		L1	1 HOUR FIRE RATED
		L2	NO RATING REQUIRED
		L3	3 HR. FIRE RATED
		L*	W/ INSULATION
		LW	W/ CEMENTITIOUS BACKER BOARD IN LIEU OF CYP. BOARD

1



100

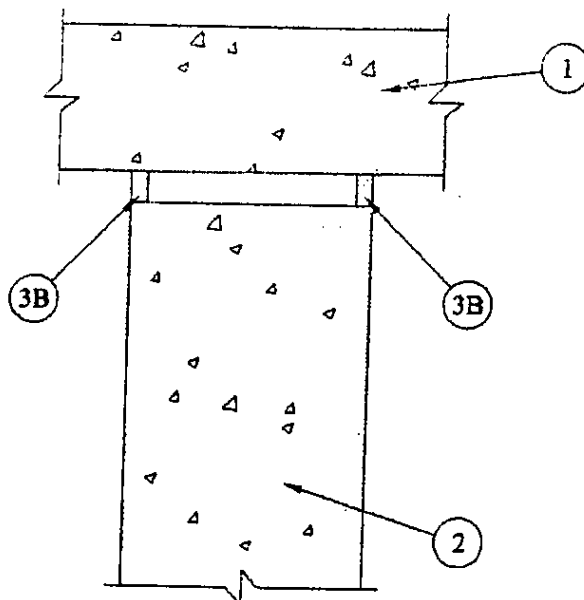
System No. HW-D-0017

March 12, 2004

Assembly Rating — 2 Hr

Nominal Joint Width — 1 In.

Class II and III Movement Capabilities — 25% Compression



1. Floor Assembly — Min 4-1/2 in. (114 mm) thick reinforced lightweight or normal weight (100-150 pcf (1600-2400 kg/cu meter)) structural concrete.

2. Wall Assembly — Min 5 in. (127 mm) thick reinforced lightweight or normal weight (100-150 pcf (1600-2400 kg/cu meter)) structural concrete. Wall may also be constructed of any UL Classified Concrete Blocks*.

See Concrete Blocks (CAZT) category in the Fire Resistance Directory for names of manufacturers.

3. Joint System — Max separation between bottom of floor and top of wall (at time of installation of joint system) is 1 in. (25 mm). The joint system is designed to accommodate a max 25 percent compression from its installed width. The joint system consists of a packing or forming material and a fill material between the top of the wall and the bottom of the floor, as follows:

A. Packing Material — (Optional - Not Shown) — Polyurethane foam backer rod firmly packed into joint opening as a permanent form and recessed from each surface of wall to accommodate the required thickness of fill material.

A1. Forming Material* — (Optional - Not Shown) — Min 3/4 in. (19 mm) width of 4 pcf (64 kg/cu meter) mineral wool batt insulation compressed 50 percent and packed into the gap between the top of the wall and bottom of the floor on both sides of the wall.

FIBREX INSULATIONS INC — FBX Safing Insulation

IIG MINWOOL L L C — MinWool-1200 Safing

ROCK WOOL MANUFACTURING CO — Delta Board or Delta-8

ROXUL INC — Type Safe

THERMAFIBER INC — Type SAF

B. Fill, Void or Cavity Material* — A min 1/2 in. (13 mm) thickness of fill material installed on each side of the wall between the top of the wall and bottom of the concrete floor.

TREMCO INC — TREMstop Acrylic or Fyre-Sil

*Bearing the UL Classification Mark

Tremco Incorporated

2628 Pearl Road • Medina, OH 44256 • 866-209-2404

Sealant/Weatherproofing Division
Fire Protection Systems Group

TREMCO
FACSIMILE

TO: Matt Still
Two City Plaza - Project Manager
639 South Olive Ave
West Palm Beach, FL 33401
651-835-3852 (fax)
561-835-3890 (phone)
mstill@kastbuild.com (e-mail)

FROM: Tremco FPSG
Technical Services Dept.
330-220-7055 (Fax)
866-209-2404 (toll free phone)
firetech@tremcoinc.com

CC:

PAGES SENT (Including cover): 2

DATE: 1/29/2007 5:32 PM

SUBJECT: Tremco Fire Protection Engineering Judgment HW-D-0017-103 for Two City Plaza project in West Palm Beach, FL.

For more information about Tremco Fire Protection Products, including firestop system search, data sheets, MSDS, news and more, visit Tremco Fire Protection Systems Group on the web at:
www.tremcofirestop.com

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An **RPM** Company

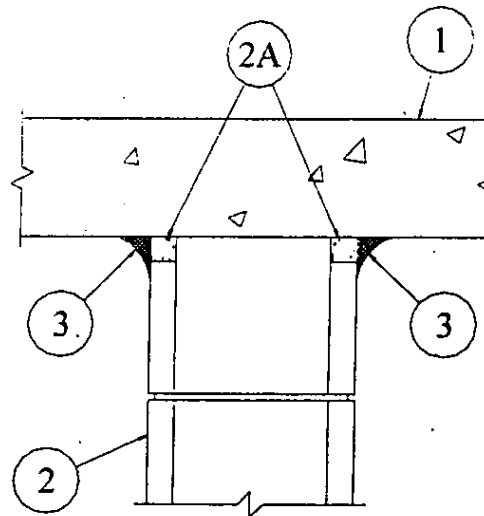
System Number: HW-D-0017-103 (Engineering Judgment)

Project: Two City Plaza
Location: West Palm Beach, FL
F Rating: 2 Hr.

TREMCO Inc.®

2628 Pearl Road
Medina, Ohio 44256
www.tremcofirestop.com

Drawing not to scale



1. Floor Assembly — Min 4-1/2 in. (114 mm) thick reinforced lightweight or normal weight (100-150 pcf) structural concrete.

2. Wall Assembly — Wall to be constructed of any UL Classified Concrete Blocks.

A. Mortar — Design by others. Mortar applied within the joint between the top of the concrete blocks and the bottom of the floor assembly to the thickness of the block shell.

3. Fill, Void or Cavity Material — Max separation between bottom of floor and top of wall (at time of installation of joint system) is 1 in. A min. 1/2 in. thick fillet bead of fill material installed to cover the mortar on each side of the wall, with a min. 1/2-in. lap onto face of the wall and the bottom of floor. TREMCO INC. — TREMstop Acrylic or Fyre-Sil

Page 2 of 2
(incl. cover)

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1/29/2007 4:32 PM

Revised:
1/29/2007 5:32 PM

hwdd017_103.doc

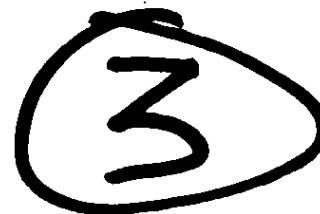
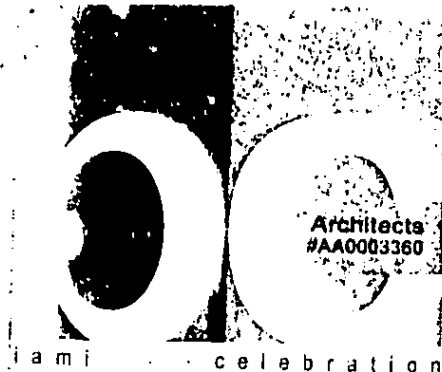
All configurations shown are suggestions only and must be approved by the specifying architects or engineers for the project. This is not a UL, cUL, ULC, OPL, ITS or FM classified system, but a modification to the closest system design noted above:

Date: January 29, 2007

Drawn by: M. Erwin

Approved by: T. Mattox

This information is intended for engineering purposes only and is based on internal and third party testing which we believe to be accurate. The user of this information must determine the suitability of the design to the application and the product to local building codes. Tremco Inc. shall not be liable for damages, direct or consequential, resulting from use of this material to design. Tremco Inc. shall only be responsible for replacing material found to be defective.



October 13, 2006

Kast Construction

639 S. Olive., Suite 1
West Palm Beach, FL 33401
Tel: (561) 835-3890

**Re: Two City Plaza Condominium – West Palm Beach
Building Department Request to Fire Caulk at Top of CMU Walls in Garage**

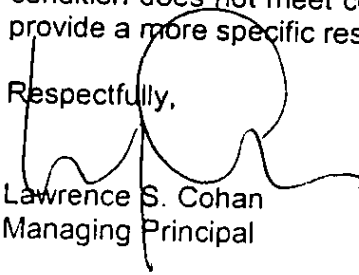
In regards to RFI-396, you state that the City of West Palm Beach inspector has raised a concern with grout filling the gap between the bottom of the slab and top of CMU at the walls separating the garage from the tower.

This is a standard detail for this condition and it has a fire rating of 2 hours.

Neither CHM Engineers nor BC Architects feels there will be any vibration or other reason which would cause cracking of the mortar joints in question.

Please have the Building Inspector review this correspondence. If he still believes that this condition does not meet code, please have him cite the specific code violation in order for us to provide a more specific response or repair method.

Respectfully,


Lawrence S. Cohan
Managing Principal



Architecture Planning Interior Design

4

December 5, 2006

Kast Construction

639 S. Olive., Suite 1

West Palm Beach, FL 33401

Tel: (561) 835-3890

**Re: Two City Plaza Condominium – West Palm Beach
Fire Caulk at Top of CMU Walls in Garage**

In regard to RFI-396, the City of West Palm Beach inspector has raised a concern with grout filling the gap between the bottom of slab and top of CMU at the Garage levels. This is a standard detail for this assembly and is acceptable by the Florida Building Code. CHM Engineers as well as BC Architects do not feel that the dynamic loading will contribute to the compromise of the UL system referred to in detail K & L (see attached) of architectural drawing A9.01 and detail 1-5.0 (see attached) of structural drawing S-5.0. Fire caulk does not need to be used in lieu of the grout specified in the structural drawings.

Respectfully,

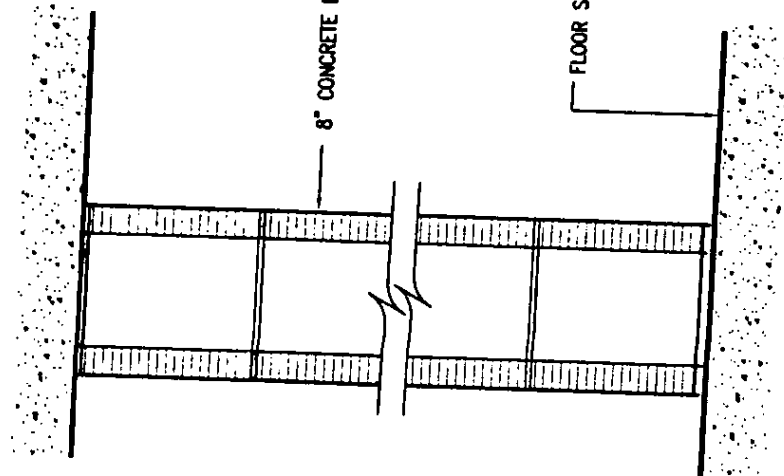
Lawrence S. Cohan
Principal

FLOOR SLAB OR SHAFT, —
SEE FLOOR PLAN

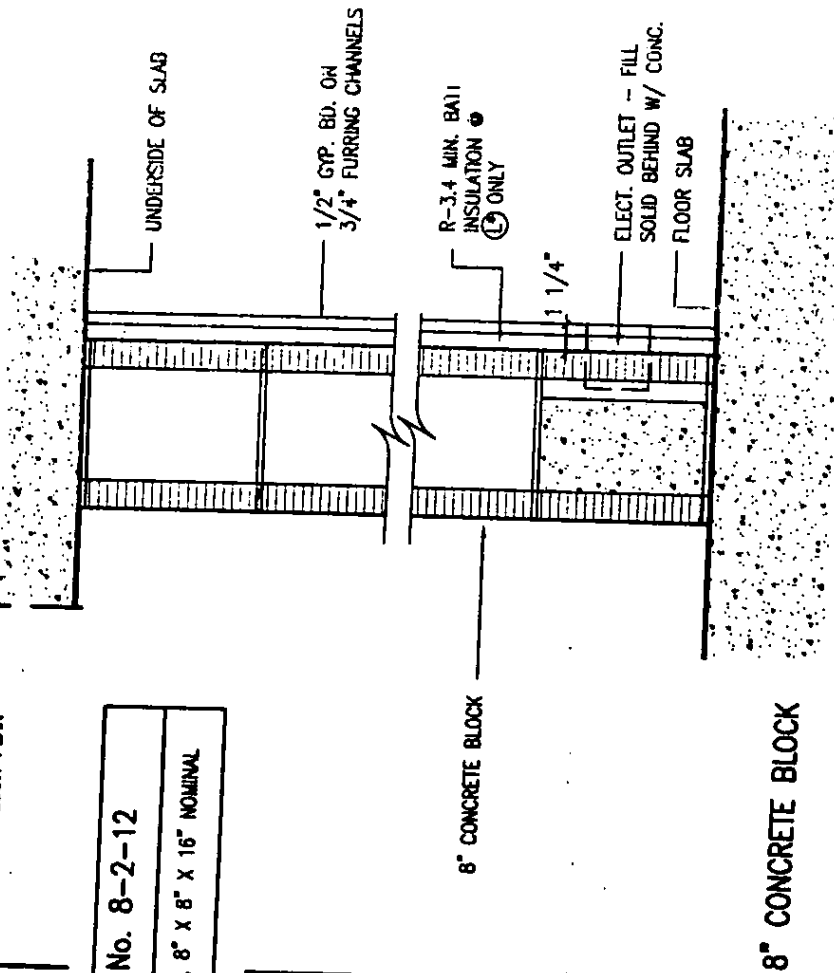
RINKER ASSEMBLY No. 8-2-12

1. RINKER TYPE T-12 C.M.U., 8" X 8" X 16" NOMINAL

UL Des U905



8" CONCRETE BLOCK, INTERIOR WALL



8" CONCRETE BLOCK

P A R T I T I O N		P A R T I T I O N		
K		L		
K3	3-HR. FIRE RATED	L1	1 HOUR FIRE RATED	
	GROUT FILLED		NO RATING REQUIRED	
KC	GROUT FILLED	L*	W/ INSULATION	
			W/ CEMENTITIOUS BACKER BOARD IN LIEU OF GYP. BOARD	
K		L		
NO RATING		2 HOUR FIRE RATED		
K1		1-HR. FIRE RATED		
K2		2-HR. FIRE RATED		



Mark Mosbat PE.
Samuel De Leon PE.
Javier Alvarez Ph.D.
Jaime Jaramillo PE.

STRUCTURAL ENGINEERS, LLC

5

December 11, 2006

Kast Construction
639 S. Olive Ave. Suite 1
West Palm Beach, FL 33401

RE: **Two City Plaza Condominium-West Palm Beach**
Fire Caulk at top of CMU walls in the Garage

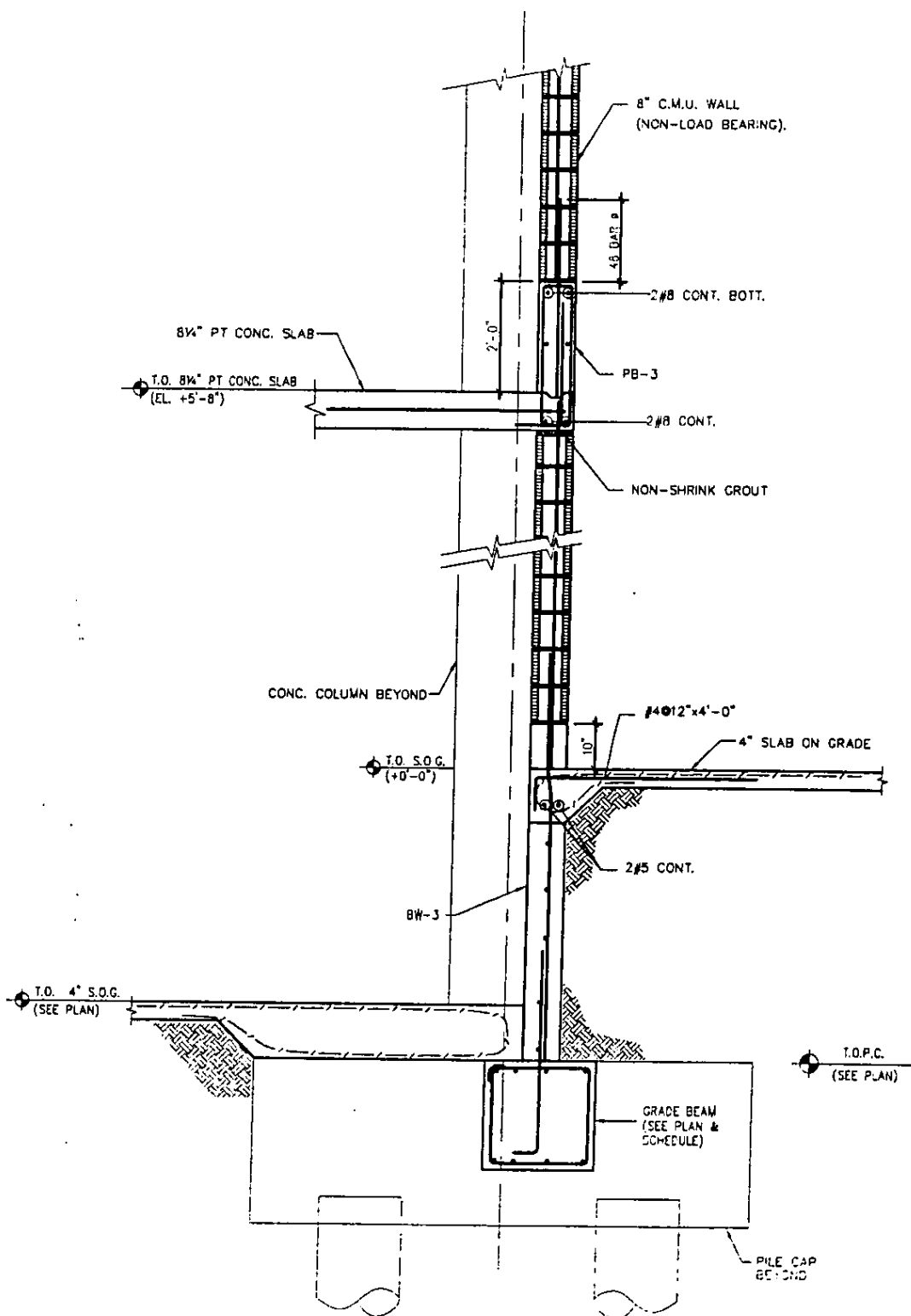
To whom it may concern:

CHM Structural Engineers, LLC has reviewed the detail of masonry walls between the garage & the tower structure in regards to RFI 396 & the concern whether fire caulking is required in lieu of the typical grout at the top of these walls. We believe the fire caulking is not required at the top of these walls due to any possible vibration of the post tensioned garage slabs. The attached detail 1-5.0 on drawing S-5.0 depicts the detail at the top of these walls.

Sincerely,


Mark Mosbat, P.E.

CHM Structural Engineers, LLC



SECTION 1-5.0

h/5



SUBJECT	TWO CITY PLAZA	DATE	12.11.06	STRUCTURAL ENGINEERS LLC 2900 South Dade Blvd Suite 409 Miami, FL 33156
		BY	Mark Mosbat P.E. #38164	
MASONRY WALLS BETWEEN GARAGE & THE TOWER		SHEET NO	1 OF 1 STRUCTURAL DISCIPLINE C.A. #26549	
				Tel 305.557.1621 Fax 305.662.9673

EXHIBIT "A"

LEGAL DESCRIPTION

Lots 1, 2, 3, 4; Lot 5, less the South 5 feet of said Lot 5, Lots 6, 7 and 8, less the North 12 feet of said Lots 6, 7, and 8; Lots 11, 12, 13, 14 and 15, less the South 5 feet of said Lots 11, 12, 13, 14 and 15, and also less that portion of said Lots 14 and 15 conveyed to the State of Florida by Deeds recorded in Official Record Book 2724, page 285, and Official Records Book 2815, page 1799, Lot 13, less that portion shown as right-of-way on Road Plat Book 5, page 160, all in Block E of the Plat of Phillips Point, a subdivision within the City of West Palm Beach, recorded in Plat Book 1, page 52, all of the public records of Palm Beach County, Florida.