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Florida Building Codes

USER: Thomas Robertson, Delia Hospitality LLC, Petitioner

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* Required fields

Form #: 9N-2.007(1)

Petition # 243

Do you have a Local Board of Appeals Yes

If Yes, have they rendered a decision on this issue Yes

Date	Attached File
08/23/2022	Pet_ID_243_FNLOrder_BORA_Appeal_-6.27.22_(STAMPED).pdf
08/23/2022	Pet_ID_243_FNLOrder_LTR_fr_Miami_Dade_-_re_Denial_of_Appeal_(7.25.22).pdf

County Miami-Dade

Jurisdiction City of Miami

Building Official Maurice Pons
 Address/Phone/Email 444 SW 2 Ave
 4th Floor
 Miami, FL 33130
 (305) 416-1100
 mpons@miamigove.com

Petitioner Name Delia Hospitality, LLC
 Address/Phone/Email 200 S Biscayne Blvd # 300
 Miami, FL 33131
 (305) 377-6226
 trobertson@brzoninglaw.com

Petitioner Representative's Name Thomas Robertson
 Address/Phone/Email 200 S Biscayne Blvd # 300
 Miami, FL 33131
 (305) 377-6226
 trobertson@brzoninglaw.com

Building Code Version 2014
 Sub Code Building
 Chapter & Topic Chapter 1 - Scope and Administration
 Section 105.4.1.1, 105.6 & 105.4.11.3.

If permitted, date of permit application

Enter explanation of how the Petitioner's substantial interests are being affected by the local interpretation of the Florida Building Code

Petitioner is the Permit Holder

Enter statement of the interpretation given to provisions of the Florida Building Code by the local building official and the manner in which the interpretation was rendered (If information is entered, it must be exactly as it appears in the hardcopy)

5. On March 9, 2022 Delia, through its contractor, called for an inspection of foundation work that had been completed under the Building Permit. As noted by the Inspector, seven new foundation pads had been constructed and were ready for inspection. See Exhibit A. The FBC Section 110.3 dictates that, upon request for an inspection, the Building Official shall make the inspection, and shall release that portion or shall notify

Date	Attached File
08/23/2022	Pet ID 243 BGD Interp Exhibit A.pdf

Enter statement of the interpretation that the petitioner contends should be given to the provisions of the Florida Building Code and a statement supporting the petitioner's interpretation

Section 105.4.1.1 does not allow for the denial of an inspection or the failure of an inspection. Delia commenced on authorized work within six (6) months and the authorized work has progressed thereafter in compliance with the Florida Building Code. On three prior occasions the building official had approved the Appellant's installation of foundation pads as meeting the requirement of "active progress" under FBC Section

Date/Timestamp of Building Official Receipt

08/30/2022 12:16 PM

Enter local building official response by providing a statement admitting or denying the statements contained in the petition and a statement of the interpretation of the provisions of the Florida Building Code which the local jurisdiction or the local building official contends is correct, including the basis for the interpretation*

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History

Date Paid

08/23/2022

Date Pending Building Official Response

08/30/2022 12:16 PM

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