



**Florida Building Codes**

**USER:** Joe Bigelow, Department of Business & Professional Regulation, DBPR Personnel

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Petition #	239
Submitted By	Glen Mast
Date Submitted	04/21/2022
Comment	As a residential building designer in Sarasota and surrounding jurisdictions for the last 27 years I have never had to place an underground tank based on the roof overhang. We have always shown the distance to the wall of the structure. Secondly, unless a tank had a hole large enough to blow the dirt away any leaking gas will be diluted before reaching a roof overhang.
Submitted By	Jerry Peck
Date Submitted	04/21/2022
Comment	The January 12, 2022 letter from Raja Buchanan, P.E., Buchanan P.E. Consulting, Inc., states "I found the reason for the code is to prevent gas from entering an enclosed important building thru the soil between the tank and the important building.", and thus provides a reason for not approving the location as shown in the submitted drawings.     It may not be the overhang of the roof which potentially creates the issue (although that is up to the

AHJ to interpret as stated in Mauricio Mejia's letter email dated November 3, 2021 which states "but it really is up to them since they are the local Authority Having Jurisdiction").  
||| I suspect that the issue may be the concrete patio slab which is shown as being only 6 feet from the underground tank and which extends to the building in question, and that concrete slab potentially creates an issue as that slab may act as a seal over the soil and prevent/reduce the ability of gas from a gas leak filtering up through the soil over the specified 10 foot distance and escaping to the air before reaching the building. Is it possible that this may make that concrete patio slab an "important building" as described in 'D What is an "important building"?' in one of the submitted documents – i.e., "D" shows a possible example of what might not be considered an "important building" by some AHJs, but may be considered an "important building" by others. "? Just something to be considered when defining what is an "important building"?

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Submitted By	ramon sanchez
Date Submitted	04/26/2022
Comment	I have done research on NFPA 2011 edition Section 6.3.11 and I believe the building official is missing the point. NFPA committee's response Recommendation: Remove all of Sub Section 6.3.11. Substantiation: When an ASME container of 125 gal. or more water capacity complies with Table 6.3.1 it is impractical and inconsistent to require additional separation from a building

overhang which extends more than 5 feet from the building when containers of less than 125-gal water capacity are permitted to be installed directly under the same building overhang. In other words, this section was deleted for good reason and you don't measure from the roof to the ground to start your 10-foot separation from the building or parts of the building that gas cannot leak into. The most important measurement is to be sure that the tank surface is 10 feet from the foundation "footer" and if gas leaks from the tank, it is not trying to go down it is trying to go up as gas is lighter than air and the footer is the barrier that keep gas from accumulating under the structure.

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Submitted By	Joe Ditto
Date Submitted	04/26/2022
Comment	Nfpa#58 states that an underground tank must be 10 ft from a building. The building structure in my understanding has always been the foundation (footer). If an overhang is determined to be the "building" for some unexplainable reason, then the code states you measure from the overhang to the tank. This propane tank installation in my view has exceeded the 10 feet from the foundation and is more than 10 feet from the overhang.

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Submitted By	David Johnson
Date Submitted	04/27/2022
Comment	As a retired gas contractor for 29 I have worked in Palm Beach County, Brevard, Dade County, Broward County, Duval County and a few other places and I

have always measured from where the wall touches the ground horizontally to the skin of the underground tank to maintaining a 10-foot separation and the reason for this is if gas leaks from the tank as a liquid or vapor, it does not go down it goes up and the footer is the barrier to protect gas from accumulating inside the structure. And I have never had AHJ tell me that you measure from any overhang. I would think the NFPA engineer we carry some weight as he is representing the committee who wrote 58 and I agree with the NFPA engineer in the context of the code if gas cannot migrate into the part of the building being measured then that should not be considered part of the building.

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Submitted By  
Date Submitted  
Comment

Arthur Fuchs  
04/27/2022

I am the owner of one of the properties in question. I have done some research of my own and from what i have read, the tank must be 10' from the building wall so that if there is a leak, the gas would not be able to enter through the foundation of the structure. Therefore you measure from the wall of the structure, not the overhang. Also, I have photos and addresses of properties in my neighborhood with the the same measurements as to where my tank is placed. In addition, I believe the hearing in Palm Beach denied my tank placement on what if's. (What if I build onto my overhang). Wouldn't the county have to approve a permit for me to do that? I also spoke with someone

from the state that said the measurement is from the building, not the overhang.

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Submitted By	Arthur Fuchs
Date Submitted	04/27/2022
Comment	<p>I am the owner of one of the properties in question. I have done some research of my own and from what i have read, the tank must be 10' from the building wall so that if there is a leak, the gas would not be able to enter through the foundation of the structure. Therefore you measure from the wall of the structure, not the overhang. Also, I have photos and addresses of properties in my neighborhood with the the same measurements as to where my tank is placed. In addition, I believe the hearing in Palm Beach denied my tank placement on what if's. (What if I build onto my overhang). Wouldn't the county have to approve a permit for me to do that? I also spoke with someone from the state that said the measurement is from the building, not the overhang.</p>

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Submitted By	Charles Boye
Date Submitted	04/27/2022
Comment	<p>I'm a third-generation propane gas contractor in Broward county with Boye's Gas Service. We've never considered an overhang or soffit in determining the minimum distance required for the installation of an underground propane tank. We've always measured from the side of the building to the nearest part of the intended propane tank. If there's support for a covered section that should not apply since propane cannot</p>

migrate into the building via that support.

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Submitted By	DOUGLAS WISE
Date Submitted	04/27/2022
Comment	<p>It seems the County's response has not been included in this forum by BCIS staff. The scenario has not been accurately represented by the appellant. We are unable to present our side because the appellant did not list the right building department and the complaint is formatted wrong listing Doug Harvey as the BO. Even though we emailed photographs and the basis for our response to BCIS staff, none of that information has been presented here. Accordingly I must seriously object to this proceeding for failure to provide due process to the County.</p>

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Submitted By	Douglas Blau
Date Submitted	04/28/2022
Comment	<p>The National Fire Protection Association (NFPA) has published standards for the safe construction of buildings for over 70 years. The NFPA routinely accepts comments and recommendations for changes in those standards. The standard published by the NFPA for the installation of L.P. Gas systems is NFPA 58. The standard was first published in the late 1940's and is accepted in its entirety by most of the States in the United States. As the standard is revised on a regular basis the agencies that adopt the standard generally adopt the most current version for use from the day of adoption forward. I believe at one time the NFPA indicated in the</p>

standard a basis for measurement for this situation to be from a vertical line dropped from any roofline of the structure. The NFPA quickly realized the flaw in this statement and subsequently issued an addendum and reverted the next revision back to the previous language. The engineering behind the requirement is to avoid the accumulation of any uncontrolled fuel under a structure. As the overhang of a roof cannot accumulate any uncontrolled release of fuel from an underground fuel container, the NFPA reverted the standard back to previous language. If a previous version of the standard is to be utilized for this application and not the current adopted version, why not use the first published version from the 1940's? The current adopted version of NFPA Standard 58 indicates the distance an underground fuel container is required to be from an existing structure that trap fuel is ten feet. The roof overhang would not trap gas the uncontrolled release of fuel.

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