

CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE

TELECONFERENCE MEETING FROM TALLAHASSEE

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APRIL 5, 2024

10:00 A.M.

Minutes

CODE ADMINISTRATION TAC PRESENT:

Don Brown, Chairman

Bob Boyer

Shane Gerwig

Michael Guerasio

Kyle Sawchuk

Tim Tolbert

CODE ADMINISTRATION TAC NOT PRESENT

Grey Marker

STAFF PRESENT:

Mo Madani

Justin Vogel

Marlita Peters

Alan Burke

Jeff Blair

Jim Hammers

Sabrina Evans

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: facilitatedsolutions.org

Time: 10:00 a.m.

Mr. Blair welcomed everyone to the meeting of the Code Administration TAC.

Roll Call:

Mr. Blair performed roll call for the Code Administration TAC. A quorum was determined with 6 members present at roll call.

Commissioner Brown joined the meeting, making the quorum 7 members present.

Agenda Approval:

Mr. Boyer entered a motion to approve the agenda for today's meeting as posted. Mr. Guerasio seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Approval of the minutes from January 25, 2024:

Commissioner Schock entered a motion to approve the minutes from January 25, 2024, as posted. Mr. Boyer seconded the motion. The motion passed unanimously with a vote of 7 to 0.

Declaratory Statement:

A) DS 2024-002 by Shabe Kittendorf of City of Cape Coral

Staff:

Mr. Madani provided the background information on the declaratory statement, along with questions and full analysis.

Questions/Staff Answers:

Question #1:

When reviewing the minimum plan review criteria for Residential (one- and two-family) projects under section 107.3.5, is the inclusion of the electrical, plumbing, mechanical and gas drawings required to be a part of the submittal package?

Answer:

The answer to the Petitioner's question is yes. Pursuant to sections R101.1, M1301.1, G2401.1, P2601.1 and E3401.1, Florida Building Code (FBC), Residential, 8th Edition (2023), one-and two-family projects are required to comply with the electrical, plumbing, mechanical and gas requirements of the FBC, as applicable. Section 107.3.5, Florida Building Code, Building, 8th Edition (2023) provides for a minimum list of items that need to be submitted/outlined in the submittal package. However, the Building Official has the authority to require additional

information necessary to substantiate compliance with the applicable requirements of the FBC. Further, pursuant to section 107.2.1, Florida Building Code, Building, 8th Edition (2023), it is the responsibility of the Building Official to determine that a construction document submittal provides sufficient information and details necessary to show compliance with the electrical, plumbing, mechanical and gas requirements of the Florida Building Code, Residential, 8th Edition (2023).

Question #2:

When reviewing the minimum plan review criteria for Residential (one- and two-family) projects under section 107.3.5, is the inclusion of the electrical, plumbing, mechanical and gas minimum plan review criteria required to be enforced?

Answer:

Please see answer to Question #1.

Question #3:

When reviewing the minimum plan review criteria under section 107.3.5, is the enforcement of the minimum plan review criteria for electrical, plumbing, mechanical and gas able to be omitted by the Building Official from plan review in association to Residential (one-and two-family) projects?

Answer:

Please see answer to Question #1.

Public Comment:

Joe Belcher, FHBA, spoke in opposition of the staff response for question #1 and provided a comment.

Ron Cohowcz provided a comment.

Tatiana Gust, Elite Permits, spoke in support of Mr. response provided a comment.

Pete Quintela provided a comment.

Discussion:

Members of the TAC and staff went into discussion with questions and comments.

Motion:

Commissioner Schock entered a motion to recommend that the Commission decline to answer the petition, on the grounds that the questions cannot be answered because they address issues which are under the purview of local building officials. Mr. Sawchuk seconded the motion.

Discussion:

Commissioner Brown provided a comment.

Substitute Motion:

Commissioner Brown entered a motion to recommend that the Commission decline to answer the petition because the questions presented are too general in nature and cannot be answered. Mr. Guerasio seconded the motion.

Discussion:

The Code Administration TAC did a roll call vote for both motions.

Members of the TAC and staff went into discussion with questions and comments.

Motion Continued:

The substitute motion was approved with a vote of 4 to 3.

Discussion:

Members of the TAC and staff went into discussion with questions and comments.

B) DS 2024-010 by Tatiana Gust of Elite Permits

Question/Answer:

Is the intent of the Florida Building Code section 107.3.4.1 to allow submittal of items within a specified period of time, whether reviewed and/or inspected by the local building department or reviewed and/or inspected by private providers? In other words, the same process shall be followed to process deferred submittal items within each jurisdiction regardless of if the permit application or permit involves a private provider. For example, if permits not involving private providers are allowed to submit deferred submittal items after permit issuance, then permits involving private providers shall also be allowed to submit deferral submittal items after permit issuance. I kindly request the Florida Building Commission to issue a declaratory statement on this matter, providing guidance on the correct interpretation and application of Florida Building Code 8th Edition Section 107.3.4.1 in conjunction with Florida Statutes 553.791 Section 16(a) in cases involving deferred submittals by Private Providers.

Petitioner:

Tatiana Gust, Elite Permits, requested to withdraw her petition.

Motion:

Commissioner Schock entered a motion to recommend that the Commission accept the Petitioner's request to withdraw the Petition. Mr. Gerwig seconded the motion. The motion passed unanimously with a vote 7 to 0.

Other TAC Business:

None.

Public Comment:

Pete Quintela provided a comment.

Member and Staff comment:

Mr. Madani provided a comment.

Adjourn:

There being no further business before the Committee, Chairman Brown adjourned the meeting at 11:05 a.m.