

FLORIDA DEPARTMENT OF
Business & Professional Regulation



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

[Binding Interpretations Menu](#) > [Petition Search](#) > [Petition List](#) > [Petition Detail](#) > **Petition Comment Detail**

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Petition #	305
Submitted By	Thomas Allen
Date Submitted	07/01/2025
Comment	I agree with the Building Officials interpretation and the code path is clear to declare this structure a Threshold Building and to follow the statutory and code requirements as such.
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Submitted By	Laurance Dickie
Date Submitted	07/01/2025
Comment	I believe Petitioner has a correct interpretation. However, this has an impact well beyond just this particular project. Is there any understanding of how other jurisdictions within the State interpret this issue related to Charter Schools? If the ultimate ruling is against the Petitioner; there should be some effort to inform the Building Officials and Architects through their particular organizations, BOAF and AIA-FL.
Submitted By	Ashley Ong
Date Submitted	07/01/2025
Comment	I agree with the Building Official's interpretation. Per FBC Section 302.1, occupancy classification is the formal designation of the primary purpose of a building, structure, or PORTION thereof. Additionally, the definition of

a Threshold Building states that it includes any building which "has" an assembly occupancy classification. This can be interpreted to mean any building—regardless of its overall occupancy classification or use—that contains an assembly area. Therefore, this charter school building, which includes an assembly occupancy and meets the definition of a Threshold Building, will be regulated as such.

Submitted By John Farinelli
 Date Submitted 07/02/2025
 Comment The petitioner is correct that FBC Section 303.1.3 states that "A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy". The intent of this section is to consider such spaces as extensions of the Group E classification when they are ancillary and supportive of the education operation of the building. While not considered a "separate occupancy", these spaces are still considered assembly in nature and must comply with the FBC requirements for means of egress, accessibility and other provisions applicable to an assembly occupancy, such as a threshold building designation. As the petitioner has stated that the proposed school contains a room that is in excess of 5,000 square feet and has a possible occupant load exceeding 500 persons, the building should be classified as a Threshold Building.

[Back](#)

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