

**FLORIDA BUILDING COMMISSION
THE SPECIAL OCCUPANCY TECHNICAL ADVISORY COMMITTEE
CONCURRENTLY WITH
THE STRUCTURAL TECHNICAL ADVISORY COMMITTEE
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**OCTOBER 6, 2023
10:00 A.M.**

Minutes

SPECIAL OCCUPANCY TAC PRESENT:

Don Whitehead, Chairman
Doug Aarons
Conn Cole
Elijah Flowers

Josh Phillips
Dr. Kyra Lucas
Asael Marrero
Crystal Myers

SPECIAL OCCUPANCY TAC NOT PRESENT:

Bob Vincent

Scott Waltz

STAFF PRESENT:

Marlita Peters
Thomas Campbell
Sabrina Evans

Jim Hammers
Mo Madani
Justin Vogel

Time: 10:00 a.m.

Ms. Peters welcomed everyone to the meeting of the Special Occupancy TAC.

Roll Call:

Ms. Peters performed roll call for the Special Occupancy TAC. A quorum was determined with 8 members present at roll call.

Agenda Approval:

Commissioner Marrero moved to approve the agenda for today's meeting as posted. Dr. Lucas seconded the motion. The motion passed unanimously with a vote of 8 to 0.

Approval of the minutes from June 12, 2023:

Commissioner Marrero moved to approve the minutes from June 12, 2023, as posted. Mr. Cole seconded the motion. The motion passed unanimously with a vote of 8 to 0.

Declaratory Statement:

DS2023-035 by George Merlin of George Merlin Associates, Inc.

George Merlin, of George Merlin Associates Inc., provided a comment.

Mr. Madani provided a brief description of the petition for declaratory statement and staff analysis.

Petitioner Questions:

Question #1a:

Is the DFE based on ASCE / FEMA FIRM maps and NOT based on FDEP's 100-year storm elevation?

Answer:

The answer to the Petitioner's question is no. The DFE and FDEP 100-year storm elevation refer to the elevation of the water surface, and as per Section 3109.3.3 of the 7th Edition (2020) Florida Building Code (FBC), Building, the bottom of the horizontal member of the lowest floor for the project in question must be at or above the higher of the elevation specified in ASCE 24 and the Florida Department of Environmental Protection (FDEB) 100-year storm elevation.

Question #1b:

Is the DFE based on the higher FDEP elevation?

Answer:

See answer to question 1.

Question #2:

Does the FBC allow an enclosed bathroom and snack bar to be provided at the ground level of this residence, if the bathroom and snack bar are above the +11.0 ASCE/FEMA FIRM map elevation and below the +18.3 NAVD FDEP elevation and their enclosure walls are breakaway with fixtures and utilities not attached to any breakaway walls?

Answer:

The answer to the Petitioner's question is yes. As per Section 3109.3.4, Item 5, of the 7th Edition (2020) FBC, Building, an enclosed bathroom and snack bar are allowed to be provided at the ground level of the residence in question, if the said bathroom and snack bar are above the elevation specified by ASCE 24 and below the FDEP 100-year storm elevation.

Question #3:

Are the pool bath and snack bar enclosures described above considered a non-habitable use and/or non-habitable structure?

Answer:

The answer to the Petitioner's question is yes. As per the definitions of "Allowed Use" and "Habitable Space" of the 7th Edition (2020) FBC, Building, the pool bath and snack bar in question that are located above the elevation specified by ASCE 24 and below the FDEP 100-year storm elevation are considered non-habitable spaces.

Discussion:

Members of the Special Occupancy TAC, Structural TAC, George Merlin, and staff went into discussion with questions and comments.

Motion:

Mr. Whitehead entered a motion to approve the staff recommendation, with the correction of the acronym for the Florida Department of Environmental protection to "FDEP." Dr. Lucas seconded the motion. The motion passed unanimously with a vote of 10 to 0.

Other TAC Business:

No.

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Public Comment:

No.

Member and Staff Comment:

No.

Adjourn:

There being no further business before the Committee, Chairman Whitehead adjourned the meeting at 10:33 a.m.