

**STRUCTURE TECHNICAL ADVISORY COMMITTEE CONCURRENT WITH
THE SPECIAL OCCUPANCY TECHNICAL COMMITTEE
[HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/533378925](https://global.gotomeeting.com/join/533378925)
UNITED STATES (TOLL FREE): 1 877 309 2073
ACCESS CODE: 533-378-925**

**October 3, 2025
1:30 P.M.**

Minutes

STRUCTURAL TAC PRESENT:

Jaime Gascon
Kathy Harkema
Do Y. Kim
Daniel Lavrich
Julie Lowry

CW Macomber
David Monsour
Dean Ruark
Jim Schock

STRUCTURAL TAC NOT PRESENT:

David Compton
Michael Guerasio

Craig Parrino

STAFF PRESENT:

Alan Burke
Sabrina Evans
Jim Hammers
Joe Bigelow

Marlita Peters
Mo Madani
Justin Vogel
Marlita Peters

MEETING FACILITATION:

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

Time: 1:30 p.m.

Mr. Blair welcomed everyone to the teleconference meeting of the Structural TAC.

Roll Call:

Mr. Blair performed roll call for the Structural TAC. A quorum was determined with 9 members present at roll call.

Agenda Approval:

Mr. Lavrich moved to approve the agenda for today's meeting as posted. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Approval of the minutes from September 16, 2024:

Mr. Lavrich moved to approve the minutes from September 16, 2024, as posted. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Declaratory Statement:

1) DS 2025-028 by Timothy Krebs of Architecture T.A. Krebs

Staff:

Mr. Madani provided the background information on the petition, along with full analysis.

Petitioner Question:

Is a detached accessory structure that complies with the requirements of Section R322.2.2 without the floor below grade on all sides limited to 600 square feet?

Staff Analysis:

Section R322.2.2 of the Florida Building Code (FBC), Residential, 8th Edition (2023) does not apply to the project in question. This section governs enclosed areas below buildings that are elevated in accordance with section R322.2.1 of the FBC, Residential, 8th Edition (2023). Pursuant to section R322.2.1, the project in question is required to be elevated to or above the base flood elevation plus 1 foot. However, pursuant to section R322.1.1 of the FBC, Residential and, Table 2-1 and Chapter 6 of ASCE 24-14, as an alternative to compliance with elevations specified in section R322.2.1, the project in question is permitted to be constructed below the required minimum elevation if the said project meets the dry floodproofing requirements of section 6.2 of ASCE 24-14 or the wet floodproofing requirements of section 6.3 of ASCE 24-14.

Motion:

Mr. Lavrich entered a motion to recommend that the Commission adopt the staff analysis. Mr. Gascon seconded the motion. The motion passed unanimously with a vote of 9 to 0.

2) DS 2025-024 by AL Moschner of Charleston Square Condominium Association, INC,

Staff Analysis:

Petitioner Question 1:

Does the Charleston Square condominium building have three habitable stories pursuant to 553.899(3)(a), Florida Statutes, when the building is a mixed-use condominium in Naples, Collier County Florida, with the 1st floor being solely commercial spaces, and the 2nd and 3rd floors being residential units?

Answer:

Option #1/Petitioner:

Petitioner respectfully believes the answer to the question outlined above is “NO.” The Association’s substantial interests are affected in that a determination of whether it has three “habitable” stories pursuant to the amended Section 553.889(3)(a), Florida Statutes, would dictate whether Petitioner must spend considerable time, money, and resources to comply with milestone requirements and must inform all of its members of same and plan and budget accordingly based on the determination. Chapter 2025-175, House Bill 913 become law July 1, 2025, and amended 553.899(3)(a), Florida Statutes, to include the word “habitable”, when referring to condominium property that is three habitable stories or more in height...Unfortunately, the Florida Building Code provides that Habitable Structure is a structure designed for human occupancy; and Habitable Space is a space for living, sleeping, eating or cooking. But there is not threshold as to what percentage of the story must be habitable in order for the entire story to be a “habitable story.”

Option #2/Staff:

The answer to the Petitioner’s question is no. Pursuant to the definition of “habitable space” in the Florida Building Code, Building, 8th (2023), which is more specific to residential living, the existing first floor which consists of commercial spaces (offices, showrooms, storage, and restaurant) is not a habitable story. Therefore, the building in question has only two habitable stories.

Question #2:

Whether there is a threshold as to what percentage of the story must be habitable for the entire story to be a “habitable story”?

Answer:

This is a question of general applicability, not tied to the petitioner’s particular circumstances, and thus cannot be answered in this declaratory statement. See, e.g., Sutton v. Dept. of Env’tl. Prot., 654 So. 2d 1047, 1048-49, (Fla. 5th DCA 1995).

Petitioner:

Maritrini Crampton, Esq., Attorney for Al Moschner of Charleston Square Condominium Association, Inc., stated that she agrees with the staff analysis.

TAC:

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

Motion:

Mr. Lavrich entered a motion to recommend that the Commission adopt the staff analysis. Mr. Gascon seconded the motion. The motion passed unanimously with a vote of 9 to 0.

Other TAC Business:

None.

Public Comment:

None.

Member and Staff Comment:

None.

Adjourn:

Mr. Lavrich entered a motion to adjourn the meeting. Commissioner Schock seconded the motion. There being no further business before the Committee, the meeting was adjourned at 2:05 p.m.