

PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION

COMPANY: Architect T.A. Krebs, LLC
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DS 2025-028

Code Section on which the Declaratory Statement is sought:

2023 Florida Building Code, Residential Section R322.2.1

R322.2.1 Elevation requirements.

- 1.1. Buildings and structures in flood hazard areas not including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation plus 1 foot (305 mm), or the design flood elevation, whichever is higher.
- 2.2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including *basement*) elevated to a height above the highest adjacent *grade* of not less than the depth number specified in feet (mm) on the FIRM plus 1 foot (305 mm), or not less than 3 feet (915 mm) if a depth number is not specified.
- 3.3. Basement floors that are below *grade* on all sides shall be elevated to or above base flood elevation plus 1 foot (305 mm), or the design flood elevation, whichever is higher.
- 4.4. Attached garages and carports shall comply with one of the following:
 1. 4.1. The floors shall be elevated to or above the elevations required in Item 1 or Item 2, as applicable.
 2. 4.2. The floors shall be at or above grade on not less than one side. Where an attached garage or carport is enclosed by walls, the walls shall have flood openings that comply with Section R322.2.2 and the attached garage or carport shall be used solely for parking, building access or storage.
- 5.5. Detached accessory structures and detached garages shall comply with either of the following:
 1. 5.1. The floors shall be elevated to or above the elevations required in Item 1 or Item 2, as applicable.
 2. 5.2. The floors are permitted below the elevations required in Item 1 or Item 2, as applicable, provided such detached structures comply with all of the following:

1. 5.2.1. Are used solely for parking or storage.
2. 5.2.2. Are one story and not larger than 600 square feet (56 m²).
3. 5.2.3. Are anchored to resist flotation, collapse or lateral movement resulting from design flood loads.
4. 5.2.4. Have flood openings that comply with Section R322.2.2.
5. 5.2.5. Are constructed of flood damageresistant materials that comply with Section R322.1.8.
6. 5.2.6. Have mechanical, plumbing and electrical systems, if applicable, that comply with Section R322.1.6.

Exception: Enclosed areas below the elevation required in this section, including *basements* with floors that are not below grade on all sides, shall meet the requirements of Section R322.2.2

Question

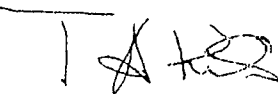
Is a detached accessory structure that complies with the requirements of Section R322.2.2 without the floor below grade on all sides limited to 600 square feet?

Summary

A client would like to build a 30' x 30' detached garage used solely for parking and storage on their Residential Single Family property. The property is in the AE9 flood zone. To comply with the flood zone requirements of 9' + 1' freeboard, the grade under the structure would need to be built up approximately 3 ½ to 4 feet and would make the garage unusable. We believe that this structure with the floor above grade on all sides and in compliance with Section R322.2.2 meets the R322.2.1 exception and can exceed 600 square feet.

Respectfully Submitted,

Architect T.A. Krebs, LLC.

By:  Digitally signed by
Timothy A Krebs
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Timothy Krebs, President