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Plenary Session

OCTOBER 14, 2025

8:30 A.M.

Minutes

Minutes

COMMISSIONERS PRESENT:

Michael Bourré, Chairman
James Batts
Donald Brown
Edward Bouza
John Garra
Rodney Hershberger
David John

Brian Langille
Asael Marrero
Brad Schiffer
Fred Schilling
Jim Schock
Brian Swope
Tim Tolbert

COMMISSIONERS NOT PRESENT:

David Compton

STAFF PRESENT:

Alan Burke
Melissa Campos
Sabrina Evans
Jim Hammers

Marlita Peters
Mo Madani
Justin Vogel

MEETING FACILITATION:

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

Time: 8:30 a.m.

Chairman Bourré welcomed the Commissioners, staff, and members of the public to the October 14, 2024, web-based and teleconference virtual plenary session of the Florida Building Commission.

Chairman Bourré stated the primary focus of the October meeting is to consider our regular procedural matters, updates, briefings, product and education course approvals, accessibility waivers, petitions for declaratory statements, and committee reports, and to adopt the next set of TAC and Commission 2026 Code Update Processes.

Chairman Bourré explained as always, we will provide an opportunity for public comment on each of the Commission's substantive discussion topics. If you want to comment on a specific substantive Commission agenda item, please wait until the facilitator invites members of the public to speak at the appropriate times throughout the meeting. Public comments will be limited to 3 minutes per person. Public input is welcome but should be offered before the Commission begins discussion or there is a formal motion on the floor.

Roll Call:

Mr. Blair performed roll call for the Florida Building Commission. A quorum was determined with 12 members present at roll call.

Agenda Approval:

Commissioner Schock entered a motion to approve the agenda for today's meeting as posted. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Approval of Previous Meeting Minutes and Facilitator Report for August 12, 2025:

Commissioner Schock entered a motion to approve the minutes from August 12, 2025, as posted. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Chairman's Discussion on Issues and Recommendations

A) Appointments:

Chairman Bourré stated the Governor appointed Edward Bouza from the Department of Environmental Protection (DEP) to serve as the Chief Resilience Officer beginning August 21, 2025. In addition, Edward was appointed to serve in the Chief Resilience Officer position on the Commission. On behalf of the Commission, the Commission welcomed Edward to the Florida

Building Commission. As an aside, Edward is the first person to fill the position on the Commission since the position was created and became effective January 1, 2021.

Technical Advisory Committees:

Electrical

Chairman Bourré appointed Wilfredo Gonzalez to replace John Hall who rolled off the Electrical TAC. Chairman Bourré thanked Mr. Gonzalez for agreeing to serve and welcomed him to the TAC and thanked Mr. John Hall for his service to the citizens of Florida.

Fire Technical Advisory Committee

Chairman Bourré appointed Ashley Ong to the Fire TAC to fill an open position. Chairman Bourré thanked Mr. Ong for agreeing to serve.

B) Commission Milestones Update:

Chairman Bourré reminded the participants the updated Commission Milestones document is linked to the agenda for today's meeting and is also on the BCIS.

Executive Director Announcement and Discussions

A) Remaining 2025 Commission Meeting Dates

Mr. Burke reminded the Commission that the next meeting will be on December 9-10, 2025, and will be conducted onsite in Orlando, Florida.

B) 2026 Commission Meeting Dates

- 1) February 10, 2026 – Web-Based and Teleconference Virtual Meeting
- 2) April 14, 2026 – Onsite, Location, TBD
- 3) June 9, 2026 – Web-Based and Teleconference Virtual Meeting
- 4) August 11, 2026 – Onsite, Location TBD
- 5) October 13, 2026 – Web-Based and Teleconference Virtual Meeting
- 6) December 8, 2026 – Onsite, Location TBD

Florida Building Code, 8th Edition, (2023) Update- Workplan Status:

Mr. Madani provided details on the updated Workplan and Schedule for the development of the 2023 Code Update Process – 8th Edition (2023), Florida Building Code.

Motion:

Commissioner Schilling entered a motion to approve the updated Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Florida Building Code, 9th Edition, (2026) Update- Workplan Status:

Mr. Madani provided details on the updated Workplan and Schedule for the development of the 2026 Code Update Process – 9th Edition (2026), Florida Building Code.

Motion:

Commissioner Schock moved to approve the updated Workplan and Schedule for the Adopted 8th Edition (2023), Florida Building Code. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 12 to 0.

TAC's Recommendations for the Commission Process Regarding Comments Received on the Draft 9th Edition (2026), FBC:

Mr. Blair provided an overview of the Process.

Motion:

Commissioner Schilling entered a motion to adopt the Commission's Review and Approval Process Regarding Comments Received on the Draft 9th Edition (2026), Florida Building Code. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Commission's Recommendations for the Commission Process Regarding Comments Received on the Draft 9th Edition (2026), FBC:

Mr. Blair provided an overview of the Process.

Public Comment:

Mark James Miller asked a question.

Mr. Blair provided an answer to Mr. Miller's question.

Motion:

Commissioner Schiffer entered a motion to adopt the Commission's Review and Approval Process Regarding Comments Received on the Draft 9th Edition (2026), Florida Building Code. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

TAC's Recommendations for the Commission Process Regarding Proposed Errata and Glitch Amendments for the 9th Edition (2026) Code Update:

Mr. Blair provided an overview of the Process.

Motion:

Commissioner Brown entered a motion to adopt the TACs' Review and Recommendations to the Commission Process Regarding Proposed Errata and Glitch Amendments for the 9th Edition (2026) Code Update. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Commission's Recommendations for the Commission Process Regarding Proposed Errata and Glitch Amendments for the 9th Edition (2026) Code Update:

Mr. Blair provided an overview of the Process.

Motion:

Commissioner Brown entered a motion to adopt the Commission's Review and Approval Process Regarding Proposed Errata and Glitch Amendments for the 9th Edition (2026) Code Update. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Energy Code Compliance Software Submittal for Demonstrating Compliance with the 8th Edition (2023), FBC, Energy Conservation:

Mr. Madani provided an overview, comments, and the Energy TAC's recommendation.

Motion:

Commissioner John entered a motion to approve Energy Code Compliance Software for the Florida Building Code, 8th Edition (2023), Energy Conservation, specifically Energy Gauge Summit 9.00 (v9.0), the updated Energy Gauge 8.0 (v8.0), for demonstrating compliance with commercial building energy requirements as follows: 1) Approval of Energy Gauge Summit 9.00, including the Generic Variable Refrigerant Flow (VRF) performance curves; 2) Approval of Energy Gauge Summit 9.00, including the manufacturer's VRF performance curves for the two specific systems; and 3) Approval of Energy Gauge Summit 9.00 to further include

manufacturers' VRF performance curves, as available and verified following thorough vetting, and to authorize DBPR staff to approve non-consequential changes to the software as needed. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Product Approval:

2023 Code: Entities

Commissioner Hershberger stated there were 13 product approval entities on the consent agenda for approval for the 2023 code.

Motion:

Commissioner Hershberger entered a motion to approve the 13 product approval entities for the 2023 code. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

2023 Code: Product Applications

Commissioner Hershberger stated there are 213 product approval applications on the consent agenda for approval.

Motion:

Commissioner Hershberger entered a motion to approve the 213 product approval entities for the 2023 code. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Products with Comments Recommend for Conditional Approval:

Commissioner Hershberger stated there were 3 products approval applications with comments: FL 4711, FL 47758 and FL 47761.

Commissioner Hershberger stated there were 1 conditional approval applications with comments: FL 47714.

Motion:

Commissioner Hershberger entered a motion to approve the 3 products approval applications with comments: FL 4711, FL 47758 and FL 47761. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Motion:

Commissioner Hershberger entered a motion to recommend conditional approval of FL 47714. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 12 to 0.

DBPR Product Approval Applications Consent Agenda:

Commissioner Hershberger stated there were 148 DBPR product approval applications including one application with comments, and that there was no action needed.

Applications for Accreditor and Course Approval:

Commissioner Langille stated there were 3 advanced accredited courses recommended for approval, 1330.0, 1331.0, and 1329.0.

Motion:

Commissioner Langille entered a motion to approve 3 advanced accredited courses 1330.0, 1331.0, and 1329.0. Commissioner John seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Commissioner Marrero joined the meeting, making the quorum 13 members present.

Application for waiver from Accessibility Requirements:

- 1) **Chang Robotics Office Alteration– Waiver 727** - 420 3rd Street South, Jacksonville Beach 32250 - **Issue:** Vertical accessibility to the Second Floor.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the grounds of technical infeasibility.

Motion:

Commissioner Schock entered a motion to grant the waiver for vertical accessibility on the grounds of technical infeasibility. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 13 to 0.

- 2) **Jose Sagaro – Waiver 730** - 819 SW 10th Avenue, Miami 33130 - **Issue:** Vertical accessibility to the mezzanine.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the grounds of economic hardship.

Motion:

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility on the grounds of economic hardship. Commissioner Schock seconded the motion.

Discussion:

Commissioner Schilling provided a comment of the correction of the location.

Motion Continued:

The motion passed unanimously with a vote of 13 to 0.

- 3) South Performance LLC– Waiver 735 - 4760 NW 17 Avenue, Miami 33142 - Issue:**
Vertical accessibility to the Second Floor.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the grounds of economic hardship.

Motion:

Commissioner Schiffer entered a motion to grant the waiver for vertical accessibility on the grounds of economic hardship. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 13 to 0.

- 4) Ocean Coast Resort – Waiver 604 - 2707 Sadler Road., Fernandina Beach 32034 - Issue:** Vertical accessibility to the Second Floor.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the on the grounds of technical infeasibility.

Commissioner Tolbert joined the meeting, making the quorum 14 members present.

Discussion:

Commissioner Garra asked the staff a question.

Mr. Vogel provided an answer to Commissioner Garra’s question.

Motion:

Commissioner Schock entered a motion to grant the waiver for vertical accessibility on the grounds of technical infeasibility. Commissioner Marrero seconded the motion.

Discussion:

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

Motion Continued:

The motion passed with a vote of 13 to 1.

- 5) Ronita Holdings, LLC – Waiver 740 - 1925 17th AVE, Vero beach 32960 - Issue:**
Vertical accessibility to the Second Floor.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the grounds of economic hardship.

Motion:

Commissioner Schock entered a motion to grant the waiver for vertical accessibility on the grounds of economic hardship. Commissioner Schilling seconded the motion.

Discussion:

Commissioner Bouza and Mr. Vogel went into discussion with questions and comments.

Motion Continued:

The motion passed unanimously with a vote of 14 to 0.

- 6) 590-27 WAREHOUSE LLC – Waiver 743 - 590 NW 27 Street, Miami 33127 - Issue:**
Vertical accessibility to the Second Floor and elevated bowling lane.

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility on the grounds of technical infeasibility.

Motion:

Commissioner Schiffer entered a motion to grant the waiver for vertical accessibility on the grounds of technical infeasibility. Commissioner Marrero seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Legal Report:

Mr. Vogel stated there were no legal matters to report.

Petition for Clarification and Rehearing by Jack A. Butler

Mr. Vogel provided legal analysis as well as his legal opinion regarding the Commission's response to the Petition.

Petitioner:

Jack Butler, Butler & Butler, LLC, presented his Petition for Clarification and Rehearing requesting the Commission refer Petitioner's challenge of specified Broward County local administrative amendments to the Division of Administrative Hearings.

Respondent:

Charles Kramer, attorney for the Broward County Board of Rules and Appeals (BORA), responded to the Petition for Clarification and Rehearing.

Commissioner:

Commissioner Brown asked a question.

Mr. Vogel provided an answer to Commissioner Brown's question.

Motion:

Commissioner Brown entered a motion to deny Petitioner's request for a Petition for Clarification and Rehearing, and to issue an Order to that effect. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Declaratory Statements:

A) DS 2025-209 by Andrew Roark of Forum Architecture & Interior Design

Staff:

Mr. Vogel provided a brief description of the petition for declaratory statement.

Mr. Madani provided staff analysis and answers.

Motion:

Commissioner Schiffer entered a motion to adopt the Fire TAC's recommendation that the Commission adopt staff's analysis, regarding the question(s) presented in the Petition. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

B) DS 2025-028 by Timothy Krebs of Architect T.A. Krebs, LLC

Staff:

Mr. Vogel provided a brief description of the petition for declaratory statement.

Mr. Madani provided staff analysis and answers.

Discussion:

Commissioner Bouza asked the staff a question.

Mr. Madani provided an answer to Commissioner Bouza's question.

Motion:

Commissioner Schock entered a motion to adopt the Special Occupancy and Structural TACs' recommendation that the Commission adopt staff's analysis regarding the question(s) presented in the Petition. Commissioner Schilling seconded the motion.

Discussion:

Commissioner Bouza asked the staff a question.

Mr. Madani provided an answer to Commissioner Bouza's question.

Motion Continued:

The motion passed unanimously with a vote of 14 to 0.

C) DS 2025-024 by Al Moschiner of Charleston Square Condominium Associations, Inc.

Staff:

Mr. Vogel provided a brief description of the petition for declaratory statement.

Mr. Madani provided staff analysis and answers.

Motion:

Commissioner Schock entered a motion to adopt the Structural TAC's recommendation that the Commission adopt staff's analysis, regarding the question(s) presented in the Petition. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

D) DS 2025-020 by Timothy Hunt (Withdrawn)

Mr. Vogel stated the Petition was withdrawn by the proponent prior to the Code Administration TAC meeting.

Motion:

Commissioner Bouza entered a motion to accept the Petitioner's withdrawal. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Committee Reports:

Accessibility Technical Advisory Committee:

Mr. Madani provided a brief summary of the Accessibility Technical Advisory Committee's October 10, 2025, meeting.

Motion:

Commissioner Schock entered a motion to accept the report of the October 10, 2025, meeting. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Code Administration Technical Advisory Committee:

Commissioner Brown provided a brief summary of the Code Administration TAC's September 8, 2025, and October 10, 2025, meetings.

Motion:

Commissioner Brown entered a motion to accept the report of the September 8, 2025, and October 10, 2025, meetings. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Education Program Oversight Committee:

Commissioner Langille provided a brief summary of the Education POC's October 9, 2025, meeting.

Motion:

Commissioner Langille entered a motion to accept the report of the October 9, 2025, meeting. Commissioner John seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Electrical Technical Advisory Committee:

Commissioner Schock provided a brief summary of the Electrical TAC's October 1, 2025, meeting.

Motion:

Commissioner Schock entered a motion to accept the report of the October 1, 2025, meeting. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Energy Technical Advisory Committee:

Mr. Madani provided a brief summary of the Energy TAC's September 8, 2025, and October 7, 2025, meetings.

Motion:

Commissioner John entered a motion to accept the report of September 8, 2025, and October 7, 2025, meetings. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Fire Technical Advisory Committee:

Commissioner Schiffer provided a brief summary of the Fire TAC's September 8, 2025, and October 7, 2025, meetings.

Motion:

Commissioner Schiffer entered a motion to accept the report from September 8, 2025, and October 7, 2025, meetings. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Mechanical Technical Advisory Committee:

Commissioner John provided a brief summary of the Mechanical TAC's October 10, 2025, meeting.

Motion:

Commissioner John entered a motion to accept the report of the October 10, 2025, meeting. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Plumbing Technical Advisory Committee:

Commissioner Schilling provided a brief summary of the Plumbing TAC's October 10, 2025, meeting.

Motion:

Commissioner Schilling entered a motion to accept the report of the October 10, 2025, meeting. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Product Approval Program Oversight Committee:

Commissioner Hershberger provided a brief summary of the Product Approval POC's October 9, 2025, meeting.

Motion:

Commissioner Hershberger entered a motion to accept the report from the October 9, 2025, meeting. Commissioner Marrero seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Residential Construction Cost Impact Workgroup:

Mr. Blair provided a brief summary of the Residential Construction Cost Impact Workgroup's August 15, 2025, meeting.

Motion:

Commissioner Schilling entered a motion to accept the report from the August 15, 2025, meeting. Commissioner Brown seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Roofing Technical Advisory Committee:

Commissioner Swope provided a brief summary of the Roofing TAC's October 8, 2025, meeting.

Motion:

Commissioner Swope entered a motion to accept the report from the October 8, 2025, meeting. Commissioner Schock seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Special Occupancy Technical Advisory Committee:

Mr. Madani provided a brief summary of the Special Occupancy TAC's September 8, 2025, and October 3, 2025, meetings.

Motion:

Commissioner Schock entered a motion to accept the report from the September 8, 2025, and October 3, 2025, meetings. Commissioner Schilling seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Structural Technical Advisory Committee:

Mr. Madani provided a brief summary of the Structural TAC's September 8, 2025, October 3, 2025, and October 8, 2025, meetings.

Motion:

Commissioner Schock entered a motion to accept the report from the September 8, 2025, October 3, 2025, and October 8, 2025, meetings. Commissioner Schilling seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Swimming Pool Technical Advisory Committee:

Commissioner Batts provided a brief summary of the Swimming Pool TAC's October 6, 2025, meeting.

Motion:

Commissioner Batts entered a motion to accept the report from the October 6, 2025, meetings. Commissioner Schock seconded the motion. The motion was passed unanimously with a vote of 14 to 0.

Commissioner's Comment:

None.

Public Comment:

None.

Adjourn Commission Plenary Session:

Chairman Bourré stated the December 9-10, 2025, meeting will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. The October meeting will be conducted onsite in Orlando, Florida. The meeting was adjourned at 10:31 a.m.