



Broward County Board of Rules & Appeals

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BOARD OF RULES AND APPEALS

October 11, 2007

MEETING MINUTES

Call Meeting to Order.

A published meeting of the Board of Rules and Appeals was called to order by its Chair Mr. Phil London, at 7:13 p.m.

Roll Call

P. London

J. Smith

S. Giles

A. Kozich

J. Shechter

J. Famularo

A. Korelishn

H. Zibman

J. Sims

D. Rice

G. Waldrep

D. Zimmer

The presence of a quorum was announced.

Chairman, Mr. London, requested a minute of silence and prayer for Mr. Flett and his wife who suffered an unfortunate accident.

Approval of Minutes. September 6, 2007 Board meeting minutes were unanimously approved by motion.

CONSENT AGENDA

1. Certifications.

Motion to approve certifications was passed unanimously.

2. Appeal #07-07 Location 1097 NW 82 Terrace. Coral Springs

Public present related to the appeal were duly sworn in. Mr. Carroll, Structural Code Compliance Officer presented the appeal to the Board, he gave a recap on the situation, the case of a permit expired, the appellant purchased the home in 2003, and recently 2007 when they were about to sell the house they found an expired permit for an addition, it had all inspections performed except for a final structural and final zoning. If applying for a new permit according to the code they would need to comply with the current code regulations. The building is prior to the big change of the 1994 SFBC. . Calculations on plans are now required, the foundation, exterior walls, trusses, windows etc. may have to be upgraded. Staff investigated and reviewed the plans with the owners and agreed in using an alternate material type of construction

method. The alternate being proposed is a category five safe room within the addition and opening protection to be placed on all openings in the addition and existing house. The Building Official denied this offer and therefore the appellant came to the Board. The appellant Michelle Nemanich addressed the Board and explained that the shutters were installed this week, she also explained that due to work related issues, she was in need of leaving town the day after the meeting. Mr. Tom Schubert, Building Official of the City of Coral Springs, was sworn in, and after he explained to the members present that the shutters were installed, but three openings were left without them in the building, he also stated that he did not find that the shutters meet the criteria under alternate means of construction, not meeting quality, strength and durability and he expressed that adding shutters to an existing structure do not provide the rest of the house of the safety required by the code. After saying this he expressed he does not consider this to be as a safe structure as a new structure. Discussion followed after between staff and members of the board. ***Mr. Elzweig based on the evidence presented and considering the recommendation of the staff moved to approve the appeal 07-07 with the caveat that all openings must have external protective devices. A Roll Call followed and the motion was passed unanimously.***

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

3. Fire Code Appeal #07-08 Location 6200 Hiatus Rd. Tamarac.

Appellant representatives to speak were duly sworn in. Mr. Rice left the room according to an expressed conflict of interest related with the appeal. Bryan Parks, Fire Code Compliance Officer, presented the appeal to the members of the Board, he stated that this appeal is related to documentation not the installation of the equipment they are proper but according to NFPA requirement a system must have two separate path of communication to be compliant and accepted. Tamarac Fire Dept requested from the manufacturer's information related to the documentation to be provided, the manufacturer sent a UL listed manual to the City of Tamarac the print out from of the system print out from the appellant did not match the manufacturers manual print out. There is not enough proof of the two separate paths of communication provided by the appellant. Appellant, Mr. Eric Neilinger, addressed the Board; he explained the specifications about the two paths requirements provided by the manufacturer and the print out. He stated that multiple paths of communications were provided to the City of Tamarac. He explained why the print out from the central station did not match the print out from the manufacturer's manual, he explained that since this print out comes from the central station not the manufacture. He also explained that the system uses multiple paths to communicate with the central station, and made a real time presentation showing the routing of the communications with the central station. Jeff Moral Division Chief, City of Tamarac, and Jesse Lapin-Bertone, addressed the Board. Mr. Moral made a quick review on the history of the appeal. The plan review, inspection were never conducted and approval were not granted because the system was installed without a permit. When the installation was found and a permit issued an inspection of function of the equipment found discrepancies. This has been corrected as of this date along with the signal strength.

The fire alarm unit number at this location is 2144. The manufacturer's manual indicates that the unit number is required on the documents to be provided along with the different routes that showed two independent paths. Mr. Neilinger, stated that the system meets the Code, and he agreed with Chief Moral that he had to demonstrate the two independent paths. It was requested by the Chair the meaning of the "two independent paths". Mr. Neilinger explained it as being a separate link from the unit to the central station, it is the signal that is sent that does not have to go through the same path and can change when interrupted. The proof of the two independent paths of communications has not been demonstrated yet. Mr. Bertone stated while addressed the Board members and showed a print out from the manufacturer's manual, compared with the print out provided by the appellant, he indicated the differences in contents provided by both print out, although that the system is UL listed, it could be not properly installed and therefore cannot be approved. Discussion and review followed. Mr. Elzweig expressed that based on the evidence presented and after considering the recommendations of the staff moved to deny the appeal. A roll Call followed and the motion to deny the appeal passed unanimously.

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Waldrep, Zimmer.

Negative Votes: None

4. Hurricane Mitigation Retrofits for Existing Site Built Single Family Residential Structures, Recommended Board Policy #06-07. New Board member Mr. John Famularo, ABC Roofing, Roofing Contractor appointed by the League of Cities to replace Mr. Flett, whose appointment expired the past year was introduced. It was announced that the time to speak was limited to 3 minutes, given the amount of public present in the audience. Mr. Bill Dumbaugh, Structural Code Compliance Officer, presented the item, referring that the litigation in process is going to require any single family detach residential house when re-roofing must have installed a secondary water barrier and a new updated nailing schedule , if the house has an insured value of over \$300,000, then they have to go in and investigate the hurricane strapping and if its not OK up to 15% above the cost of the re-roof must be spent to provide the strapping. In response to the directions of the Florida Legislation, the Florida Building Commission recommended the creation of a mitigation program , engineers in about a week started drafting a program as a base , a couple of workshops happened after , and after that a program was implemented last week. Our staff met ,and created a question and answers list , later last Tuesday we invited county wide representatives from all building departments to discuss this lists, we have available the latest list of comments originated at that meeting. We are planning to have another workshop in a close future where we will invite the roofing industry to participate. At this point and in response to regulations already enforced, we present these guidelines to implement county wide in Broward. Probably a meeting with Miami Dade will follow to share the interpretations with the neighbor county. At this point we would like to implement at least set of beginning guidelines to support the roofers. Audience was invited to speak on the subject. Mr. Larry Smith, Board's Lobbyist, addressed the Board giving a recap on the events, he asked to consider to put this in an special session but it did not happened at the time, also he expressed he will be following up the events to see if it is considered the discussion of this issue before October 30 for the welfare of the home owner and the roofers. Mr. Billy Cone, President of the Florida Sheet Metal Association, took the stand and stated his opinion about this very unfair law that affects home owners and in case of any addition preformed to the property will affect its value. He stated the problem is the lack of guidelines to interpret this law that is already enforced. Audience participated of a discussion and expressed their concerns and questions to the Board. Public hearing was closed and **Mr. Zibman moved and proposed a motion to approve implement the presented guidelines on Hurricane Mitigation , seconded by Mr. Elzweig. There was a Roll Call and the motion passed unanimously.**

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

7. State Legislative Lobbyist Services, one year extension of current agreement. Agenda schedule was modified at the Chairman's request to discuss recommendation of Mr. Smith Board contract renewal for the current budget cycle for one year at the terms \$1500 a month - 18,000 a year. Mr. Zibman Moved to approve, a roll call followed and the motion passed unanimously.

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

Mr. Smith thanked the Board before leaving the meeting.

5. Proposed change to the Broward County Local Amendments to the Fire Prevention. Mr. Bryan Parks, Fire Code Compliance ,of the Board of rules and Appeals., he explained to the Board the characteristics of the proposed code amendment, a fire Sub-committee met several times and its results were reviewed and approved by the Fire Committee by a vote of 12 to 0. The amendment (F22.1) indicates set procedure on how to design a stand pipes or fire sprinklers systems related to the diminishing water supply being provided by the water utilities in Broward County. No questions form the audience; public hearing was announced and closed. Mr. Kozich moved to approve the amendment seconded by Mr. Korelishn. A Roll Call followed and the motion passed unanimously.

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

6. Formal Interpretations recommended by the Structural Committee.

- a. Revise ruling on retrofit of windows, doors, etc. to reflect FBC 2005 & 2006 Supplements and address buildings over 30 feet high. A. Mark Scala, P.E. Structural Code Compliance Officer presented the Formal Interpretation to the Board. No changes in intent but in code sections referred were performed to the contents of the interpretation. Building Official, home owners complaint about old drawings, and brought to current code. Detailed reading of the content of the interpretation and its changes were detailed. Mr. Scala detailed all contents and verbiage was removed or modified to comply with 2005 2006 supplements. It was mentioned a typo to correct in the content of the text the word entire should replace the word interior. Public hearing was closed; Mr. Kozich made a motion to approve the amendments to the Formal interpretation. A roll call follow and the motion passed unanimously.

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

- b. Roof truss connection retrofit pursuant to FS 553.844. Mr. Scala continued the description of this second Formal Interpretation to the Board. It was explained that this one relates to the Mitigation Hurricane Guidelines. Mr. Kozich moved to approve the Formal interpretation, a roll call followed and the motion passed unanimously.

Affirmative Votes: London, Smith, Giles, Kozich, Shechter, Famularo, Korelishn, Zibman, Sims, Rice, Waldrep, Zimmer.

Negative Votes: None

8. Observation of Structural Engineer. Presentation by A. Mark Scala, P.E.

Mr. Scala presented his report to the members of the Board. He stated same slow down in the reference to previous reports; a summary of reviews was presented also in his report. Some cities are very busy commercially, but slow in the residentially. Some cases come back after a previous appearance in the report when they re-submit those plans and therefore additional work continues. The difference today is that plan reviewers are looking at calculations, understanding different aspects of the design calculations, either on commercial or residential, and are starting to pick up the criteria we have been trying to reinforce.

9. Board Representation at Florida Building Commission Meetings recommended Policy # 07-02.

Recommendation of Administrative Director was introduced by Mr. James DiPietro, the background of the item was included in packet and it was mentioned that by many years this was enforced, Mr. Lavrich last year when attended a Florida Building Commission meeting was questioned by the County. Correct number of policy was mentioned as 07-02. Over the years chairmen have showed their interest to attend this type of meetings and we would like to enforce to justify the attendance as a board policy a motion was moved by Mr. Kozich and seconded by Mr. Korelishn. Motion was passed unanimously.

Mr. London mentioned that since the end of the year is getting closer he would like staff to prepare a recap report on events like the ceiling collapse in Pompano and the Renaissance property during the next meeting. Mr. DiPietro agreed and made the comment that those reports were already being prepared. Mr. Kozich add a comment about the expired permits issue, and he suggested that a committee would address it and the cities be contacted in this reference. The existence of a committee that discussed the issue was on put on hold waiting for a response from the State, but it may be convenient to meet again and discuss the future of the issue. To know how cities are implementing to deal with the problem of expired permits was mentioned as an important matter for the committee to discuss as well as budget limitations. Mr. DiPietro suggested that a survey would be a start point to know how cities are dealing with the issue until the Florida Building Commission issues a declaratory statement or an amendment. Mr. London agreed with gathering information from the cities.

10. Adjournment. *A motion to adjourn was made at 8:58. PM.*