

Broward County Board of Rules and Appeals Meeting Minutes, August 14, 2025

I. CALL MEETING TO ORDER

Chairman Kamm called a published virtual meeting of the Broward County Board of Rules and Appeals to order at 7:00 PM.

II. ROLL CALL

R. Art Kamm, Chairman	Stephen E. Bailey, Vice Chairman
Eduard Badiu	Gregg D’Attile
Peter Deveaugh	Jeff Falkanger
Sergio Pellecer	Michael Rada
Scott Taggart	David Tringo
Dennis Ulmer	Derek Wassink

Total members present: 12

III. APPROVAL OF AGENDA

Mr. Ulmer made a motion to approve the agenda, and Mr. D’Attile seconded the motion. The motion passed by unanimous vote.

IV. APPROVAL OF MINUTES – July 10, 2025, Board Meeting

Mr. Deveaugh made a motion, and Mr. Badiu seconded it, to approve the July 10, 2025, minutes as submitted. The motion passed by unanimous vote.

V. PUBLIC COMMENT (Except public hearing items on this agenda) - none

Public comments are limited to 3 minutes.

VI. CONSENT AGENDA

1. Certifications – Staff Recommended

Mr. Deveaugh made a motion, and Mr. Pellecer seconded the motion to approve the certifications as recommended by staff. The motion passed by a unanimous vote.

VII. REGULAR AGENDA

1. Second Reading of the Proposed Modification to the Florida Building Code, Broward County Administrative Amendments, 8th (2023) Edition, Section 110.3.13, Virtual Inspections

a. Staff Report

Dr. Ana Barbosa, Administrative Director, noted that this is the second reading and public hearing of the proposed amendment.

b. Public Hearing – none

c. Board Questions

Mr. Deveaugh asked whether the building official or AHJ has complete discretion to allow or disallow virtual inspections for conventional non-private provider permit applications.

In response to Mr. Deveaugh, Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, advised that Section 553.79 speaks about the rights of the Building Official and his staff. Section 553.79(1) addresses private providers and preempts anyone from allowing the private provider to perform inspections in either physical or virtual form.

Mr. Deveaugh supported posting the voluntary guidelines on the Board's website but opposed codifying them.

Mr. Ulmer felt this amendment was not good from the consumer's perspective.

d. Board Action

Mr. D'Atille made a motion, and Mr. Falkanger seconded the motion to approve the amendment on second and final reading. The motion passed by unanimous vote.

2. Second Reading of the Proposed Modifications to the Broward County Administrative Amendments to Chapter 1 of the Florida Building Code, Section 107.3.4, Related to Requirements for Professional Design

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted this is a second reading. The amendment follows and brings the language in Chapter 1 in line with the Florida Statutes.

b. Board Questions

Mr. Deveaugh asked why a long-standing restriction previously required a design professional, such as an architect or engineer, to submit building plans is being removed.

In response, Mr. Charles Kramer, Board Attorney, explained that Florida Statute 481.229 was changed insofar as submission of architectural design plans. However, it did not contemplate structural issues. Any structural, electrical, or mechanical elements with a value over \$25,000 must be stamped and sealed by an engineer. Mr. Soto advised that structural work is not included in this amendment. There is a \$25,000 limit on architectural design by a non-registered architect for public buildings. Mr. Kramer pointed out that the statute specifically prohibited any preempting. The change before the Board was necessary because of the Florida Statute changes. There is a legal opinion on this issue. Mr. Soto indicated that the statute allows an architect to perform incidental engineering work and vice versa for an engineer. Mr. Kramer noted that the language did not relieve engineers under F.S. 471.

Mr. Kramer and Mr. Soto confirmed Mr. Rada's example of a multi-million-dollar single-family residence and his understanding that an architect's signature and seal are not required. Mr. Rada concluded that the plan review would become more complicated.

c. Public Hearing

Mr. Erik Scheuermann, CPBD, CGC, indicated he is a certified professional building designer (CPBD); however, this designation is not recognized. These individuals are not architects but are well-versed in all construction aspects up to a certain size. Engineering is required in terms of structural. As a CGC, he can design and build, but is still required to have an engineer or an architect sign off on the architecture because CPBD's certificates are not recognized.

Mr. Jack Butler felt other relevant exemptions in addition to licensure as an architect. They are F.S. 471.003(2)(a) for property owners practicing engineering for construction on their own property, (h) contractors performing MEP work below certain thresholds and F.S. 489.113(9)(b)2 that provides exemptions for both architecture and engineering when a certified contractor constructs a single or two-family dwelling or any one-story structure of 1200 square feet or less. He felt a complete list would be helpful.

Mr. Claudio Grande, Building Official, City of Wilton Manors, emphasized that Broward County lies in the High Velocity Hurricane Zone and builds differently than other areas. The destruction that occurs elsewhere in Florida is apparent. The proposed amendment is a disservice to the residents of Broward County. He encouraged the Board to vote this down.

Ms. Chandra Doucette believed the goal is uniformity, and there is a movement toward harsher standards in the Building Code for the entire state. She opposed BORA trying to separate itself from the rest of the state.

d. Board Action

Mr. Deveaugh pointed out that if a design professional does not draw the plans, a burden is being placed on the plans examiner, which is not their function. Also, as the entire state starts to experience high-velocity hurricane winds, those areas should upgrade to Broward County requirements.

Mr. Wassink pointed out that a structural engineer would still be required to sign all drawings.

Mr. Scheuermann pointed out that there is a middle ground to this issue, and that would be certified professional building designers.

Mr. D'Attile made a motion, and Mr. Falkanger seconded the motion to approve the proposed code amendment to Section 107.3.4 as presented on second and final reading. The motion passed by a vote of 7-5, with Mr. Bailey, Mr. Deveaugh, Mr. Rada, Mr. Tringo, and Mr. Ulmer voting no.

3. Contract Renewal for Administrative Director

Dr. Barbosa advised that her current contract ends on August 22, 2025. It would be a three-year extension. The only change has to do with termination without cause.

Mr. D'Attile made a motion, and Mr. Pellecer seconded the motion to approve the three-year contract from August 2025 through August 2028. The motion passed by unanimous vote.

Members of the Board made positive comments.

Mr. Ulmer asked that Dr. Barbosa's personal address be redacted from the contract.

4. Director's Report

Dr. Barbosa welcomed a new member, Mr. Scott Taggart, who could not be present last month to introduce new members.

Dr. Barbosa noted that, effective July 1st, the State discontinued or renamed local contractor licenses and that municipalities are adjusting to the extent possible.

Dr. Barbosa supported the life-saving throw-a-ring initiative to install rings adjacent to waterways. At the County Commission's urging, she plans to bring the initiative to the attention of city commissions throughout Broward County.

Dr. Barbosa advocated for the Consumer Protection Department's staffing in the face of issues resulting from the July 1st discontinuation of local contractor licenses.

5. Attorney's Report

Mr. Kramer advised that three cases have been filed against the Board, and he prevailed in them.

6. Committee Reports - none

7. General Board Member Discussion - none

8. Adjournment

The meeting adjourned at 7:56 PM.



Chairman

