

# Broward County Board of Rules and Appeals Meeting Minutes, September 11, 2025

Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1617268759>

Meeting ID: 161 726 8759

## I. CALL MEETING TO ORDER

Chairman Kamm called to order a published virtual meeting of the Broward County Board of Rules and Appeals 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
Robert Taylor	Michael Rada
Scott Taggart	Anthony Salgado
Dennis Ulmer	Derek Wassink
Lynn Wolfson	

## III. APPROVAL OF AGENDA

Dr. Ana Barbosa, Administrative Director, requested that Item #1 be removed from the agenda.

Mr. Deveaugh made a motion to approve the agenda as amended, and Mr. Salgado seconded the motion. The motion passed by unanimous vote.

## IV. APPROVAL OF MINUTES – August 14, 2025, Board Meeting

Mr. Ulmer made a motion, and Mr. Taylor seconded the motion, to approve the August 14, 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 Dr. Badiu seconded the motion to approve the certifications as recommended by staff. The motion passed by a unanimous vote.

#### **CITY OF COCONUT CREEK**

Canfield, Brian, Chief Mechanical Inspector

#### **CITY OF CORAL SPRINGS**

Jeoboam, Carpeló, Assistant Building Official

#### **TOWN OF DAVIE**

Salas, Gladys, Chief Structural Inspector

**CITY OF FORT LAUDERDALE**

Travers, John, Building Official

**CITY OF HOLLYWOOD**

Robinson, Roy, Mechanical Inspector – 120-Day Temporary

**CITY OF MARGATE**

Young, Marc-Stuart Ameer, Assistant Building Official

**CITY OF PEMBROKE PINES**

Palma, Emmanuel D., Mechanical Inspector – 120-Day Temporary

**CITY OF POMPANO BEACH**

Young, Ashlyn, Fire Inspector

**COUNTYWIDE**

Giunta, John Joseph, Plumbing Plans Examiner

Morgan, Forrest, Plumbing Plans Examiner

Moyal, Henery, Electrical Inspector

Orozco, Jesus A., Structural Inspector

Salas, Gladys, Structural Inspector

Salas, Gladys, Structural Plans Examiner

**VII. REGULAR AGENDA**

1. **Appeal #25-04 Tewfig Alexander Khoury, Seeks an Appeal of the Town of Davie Building Official's Actions Pertaining to Permit #2024-6024**

Removed from the Agenda

2. **Fiscal Year 2026 Budget (October 1, 2025 – September 30, 2026)**

Dr. Ana Barbosa, Administrative Director, reviewed information in her agenda memorandum provided to the Board. She noted the increase is in anticipation of the office move. The budget also includes the purchase of two vehicles. She responded to various questions.

Mr. Salgado made a motion to approve the budget as submitted, and Mr. Deveaugh seconded the motion. The motion passed by unanimous vote.

3. **Proposed Formal Interpretation #36 of FBC Broward County Amendments, 8<sup>th</sup> Edition, Chapter 1, Section 105.2.1 Emergency Repairs**

- a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that the three formal interpretation items on the agenda resulted from a Mechanical Committee meeting in August. The agenda backup for the three items, including the Committee minutes, has been combined into one submittal.

Mr. Soto advised that the Committee decided that any interruption of heating or air conditioning shall be considered an emergency. Staff recommends approval of this interpretation.

- b. Board Questions

In response to Mr. D'Attile, it was clarified that the interpretation only has to do with what is defined as an emergency. Mr. Deveaugh emphasized that the position of the building departments is that there is a permit, not that all the paperwork is in place.

c. Board Action

Mr. Salgado made a motion, and Mr. D'Attile seconded the motion to approve the proposed Formal Interpretation #36. The motion passed by unanimous vote.

4. **Proposed Formal Interpretation #37 of FBC Residential, 8<sup>th</sup> Edition, Section M1506.3 Exhaust Openings**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, explained that in the Residential part of the Building Code, a window that does not open (i.e. picture window) is a non-operable opening. With a picture window, which is a solid piece of glass, air will not be able to return into the building. It is part of the building envelope. The confusion is about louvered openings. This confusing language was removed from the Mechanical Code, but not the Residential. It is an unnecessary requirement.

b. Board Questions - None

c. Board Action

Mr. D'Attile made a motion, and Mr. Deveaugh seconded the motion to approve the proposed Formal Interpretation #37. The motion passed by unanimous vote.

5. **Proposed Formal Interpretation #38 of Broward County Amendments to Chapter 3, Subsection 307.2.1 of the 2023 Florida Building Code – Mechanical, 8<sup>th</sup> Edition**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, noted that in 2012, an Ad Hoc Committee reviewed measures to save water and initiated the underlined code language in the agenda item. The language has to do with collecting condensate from AC units, typically in high-rise buildings. This matter was raised by an engineer designing in Broward County regarding the remoteness and size of the unit. He went on to explain the Committee's recommendations that all three of the listed exceptions shall be met, and the designer of record would determine what equipment is considered isolated and remote.

Board Questions

Mr. Soto responded to Mr. Bailey's question, indicating that if there is no cooling tower, there is no need to collect the condensate. It would simply go into the condensate stack and be discharged. The Code only indicates that the discharge be at an approved location, which would be determined generally by the city and utility. Mr. D'Attile indicated that it is mostly directed to the ground. Mr. Soto noted that the code prohibits creating a nuisance with the condensate.

c. Board Action

Mr. Bailey made a motion, and Mr. Salgado seconded the motion to approve the proposed Formal Interpretation #38. The motion passed by unanimous vote.

6. **Director's Report**

Dr. Barbosa highlighted training for permit technicians hosted by BORA, as well as updates for building and fire code officials.

7. **Attorney's Report**

Mr. Kramer apprised the Board of appearance before the Florida Building Commission in August concerning a complaint filed by Mr. Jack Butler as to BORA's authority in adopting local amendments. Mr. Butler has filed another motion for rehearing.

Mr. Kramer reported on the court hearing concerning complaints filed by Ms. Susan Guo, in which her case against BORA was dismissed. She has filed a second amended complaint. Mr. Deveaugh asked if the ruling in the Butler case solidified BORA's authority to amend the Florida Building Code, whether it be administrative or technical. Mr. Kramer responded yes locally, however, it would be limited by any applicable Florida statutes. However, Mr. Butler has filed for reconsideration.

8. **Committee Reports** - None

9. **General Board Member Discussion**

Mr. Taggart noted he attended the contractor licensing board meeting and learned there are no voluntary licenses. He was informed that what was meant to be a voluntary lesser license is being called a voluntary no license. He noted that the permissible scope of work is extensive. Mr. D'Attile pointed out that if an unlicensed individual is performing unpermitted work and a fine is issued, there is no follow-up on payment of the fine.

10. **Adjournment**

The meeting adjourned at 7:55 PM.



Chairman