



**BROWARD COUNTY BOARD OF RULES & APPEALS**  
**FEBRUARY 13, 2020**  
**MEETING MINUTES**

**Call to Order**

Chairman Daniel Lavrich called a published meeting of the Broward County Board of Rules and Appeals to order at 7:00 p.m. The meeting was held in Room 422 of the Broward County Governmental Center East, 115 S. Andrews Avenue, Fort Lauderdale, Florida.

**Present:**

Daniel Lavrich, Chair  
Stephen E. Bailey, Vice Chair  
Ron Burr  
Gregg D'Attile  
Shalanda Giles-Nelson  
Robert A. Kamm  
David Rice  
Daniel Rourke  
Robert Taylor  
Dennis Ulmer  
Abbas H. Zackria

**Approval of Minutes – February 13, 2020**

A motion was made by Mr. Zackria and seconded by Mr. D'Attile to approve the minutes as submitted. The motion carried by unanimous vote of 11-0.

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**CONSENT AGENDA**

**1. Certifications - Staff Recommended.**

**CITY OF COCONUT CREEK**

JEAN-LOUIS-, STEVENSON, FIRE PLANS EXAMINER

**CITY OF CORAL SPRINGS**

MENDOZA, PAMELA – STRUCTURAL INSPECTOR – LIMITED – RESIDENTIAL (TEMPORARY 120-DAY)

**CITY OF HOLLYWOOD**

BESU, JOHN, CHIEF MECHANICAL INSPECTOR

COLLIE, STEVEN F., STRUCTURAL INSPECTOR – LIMITED (TEMPORARY 120-DAY)

PAGAN, FREDDIE, FIRE INSPECTOR

REMENDIOS, JONATHAN, FIRE INSPECTOR

**CITY OF MIRAMAR**

DALEY, ANTOINE BRUCE, FIRE INSPECTOR  
PETERS, MIKE, STRUCTURAL INSPECTOR – LIMITED (TEMPORARY 120-DAY)

**CITY OF NORTH LAUDERDALE**

ATTAH, ADAM, BUILDING OFFICIAL  
PUENTES, RONALD, ASSISTANT BUILDING OFFICIAL

**CITY OF PEMBROKE PINES**

BARTHELEMY, RUBEN, FIRE INSPECTOR  
FERNANDEZ, GIOMAR, FIRE INSPECTOR  
KUEBLER, MICHAEL J., FIRE INSPECTOR  
MOLINA, DAVID, FIRE INSPECTOR  
NEAL, TROY, FIRE INSPECTOR

**CITY OF WESTON**

**RABINOWITZ, FRANK B., CHIEF STRUCTURAL INSPECTOR**

**COUNTYWIDE**

FERNANDEZ, PATRICIA D., STRUCTURAL PLANS EXAMINER – LIMITED – RESIDENTIAL  
FRANKLIN, ROBERT G., STRUCTURAL PLANS EXAMINER  
GONZALEZ, YANET, STRUCTURAL PLANS EXAMINER  
GUERRERO, CARLOS, ELECTRICAL PLANS EXAMINER  
HURLBUT, CARMEN BELEN, STRUCTURAL PLANS EXAMINER  
RANCEL, MARIELA G., STRUCTURAL INSPECTOR  
RANCEL, MARIELA G., STRUCTURAL PLANS EXAMINER  
RODRIGUEZ, JORGE, ELECTRICAL INSPECTOR  
RODRIGUEZ, JORGE, ELECTRICAL PLANS EXAMINER  
TELLEZ, CESAR A., STRUCTURAL PLANS EXAMINER  
TEPPER, RICK C., STRUCTURAL PLANS EXAMINER – LIMITED  
VARGAS, JOSSE R., STRUCTURAL PLANS EXAMINER  
YOUNG, MARC-STUART AMEER, STRUCTURAL PLANS EXAMINER

A motion was made by Mr. D’Attile and seconded by Mr. Taylor to approve all submitted certifications. The motion carried by unanimous vote of 11-0.

**REGULAR AGENDA**

**Code Amendment for 2nd Reading and Public Hearing**

**The Board to consider adopting Section 104.16.3.5 “Unit Masonry Certification Requirement” of the Broward County Administrative Provisions for the FBC 6<sup>th</sup> Edition (2017) code.**

a. Staff Report

Mr. Michael Guerasio, Chief Structural Code Compliance Officer, explained this would equate to requiring individuals certified in the structural discipline obtain a unit masonry certification within two years from being certified by the Board. It would be limited to R-3 occupancies. Mr. Ted Fowler, Chief Structural Code Compliance Officer, added that this would make it possible to use a city or county inspector instead of having to hire an engineer. It is a cost-saving feature. He went on to advise that it will be at the building official’s discretion. If an individual is unable to obtain a unit masonry certification, he or she does not lose their overall certification. This requirement would apply to newly hired individuals on or after July 1<sup>st</sup>.

b. Public Hearing

Mr. Steve Pizzillo, president of Building Officials and Inspectors Educational Association, supported this item.

There being no one else wishing to speak, Chairman Lavrich closed the public hearing.

c. Board Action

A motion was made by Mr. Zackria and seconded by Ms. Giles-Nelson to pass this item on second and final reading. The motion passed by unanimous vote of 11-0.

3. **Request of Mr. Noel A. Zamora for an extension of time with respect to the Board of Rules and Appeals Policy 18-02 relating to closing out of open and ongoing projects**

a. Staff Report

Ms. Giles-Nelson abstained from discussion and voting on this item. She filed a Memorandum of Voting Conflict that is attached to these minutes.

Mr. Noel Zamora was sworn in.

Mr. James DiPietro, Administrative Director, explained that in order to become an inspector Mr. Zamora needs to close out his existing jobs. The current code allows for a six-month period to do so. This period can be extended by a vote of the Board.

Mr. Zamora explained once his drawings are submitted for permit, it could take one or two years for the permit to be closed. There are two permits still open in Miramar and Hollywood. He requested a one-year extension. In response to Mr. Zackria, Mr. Zamora advised that he is the structural engineer of record on both of these projects.

Mr. Rice pointed out if a six-month extension is granted and more time is needed, Mr. Zamora could come back to the Board for another extension.

b. Board Action

A motion was made by Mr. D'Attile and seconded by Mr. Zackria to grant a 180-day extension from February 14<sup>th</sup>. The motion passed by a vote of 10-0. Ms. Giles-Nelson abstained.

During discussion of the motion, Mr. Burr asked that in the event another extension is needed Mr. Zamora be prepared to provide more specific information on the status of the project(s).

4. **Request of the Building Officials and Inspectors Association (BOIEA) for training instructors to be provided by the Board of Rules and Appeals for the educational conference to be held in March 2020**

b. Staff Report

Mr. James DiPietro, Administrative Director, explained that historically the Board staff assisted in securing instructors. Last year the relationship changed wherein by vote of the Board some funding was provided to the extent of \$1,750. He drew attention to more information on the programs and one of the instructors contained in his memorandum to the Board. In response to Chairman Lavrich, Mr. DiPietro advised that the expense is estimated at \$14,400.

a. Letter of Request

Mr. Steve Pizzillo, president of the Building Officials and Inspectors Educational Association (BOIEA), elaborated upon the role and activities of BOIEA as well as the credentials of some of the instructors.

c. Board Action

Mr. Bailey noted last year's authorization of \$20,000 and recommended the same amount for this year.

Mr. DiPietro responded to Mr. Rice's question, noting that approximately \$240,000-\$250,000 is budgeted annually (educational programming).

Mr. Bailey made a motion and Mr. D'Attile seconded the motion to approve a budget of \$15,000 for the programs. The motion passed by unanimous vote of 11-0.

5. **Director's Report** - none

6. **Attorney's Report**

**Advisory Opinion to Administrative Staff Request Regarding Requirement of Additional Documents for Permit Application and Binding Authority of the Board of Rules and Appeals**

Mr. Charles Kramer, Board Attorney, indicated that on October 31, 2019 he prepared an advisory opinion that determined that signature requirements for uniform building permit applications be one signature. A number of cities have objected. He was asked to prepare a second opinion (included in agenda backup information). This opinion indicates that in the case of building permits, the law will not allow variations or modifications in a process which is statutorily controlled. Municipalities do not have the authority to create their own amendments to the Building Code and cannot do so indirectly through the use of supplemental application requirements. The Board of Rules and Appeals is the governing body for this matter. The duties of monitoring and oversight include ensuring that municipalities and enforcement agencies comport with interpretations of the Code as mandated by statute and the Florida legislature. Mr. James DiPietro, Administrative Director, advised that almost every city is in compliance.

7. **Committee Reports**

**Committee to Address Uniform Procedures for Installation of Bi-Directional Amplifiers (BDA)**

Mr. Rice advised that the BDA Committee has been developing guidelines and a meeting is scheduled for February 24<sup>th</sup> for the Committee to approve the guidelines. With that approval the guidelines will be presented to this board for approval. He invited the Board to attend. The draft will be distributed next week. In their development the draft has been reviewed by the electrical chiefs and fire marshals of Broward County. It was provided to the Safer Building Coalition on a national level.

In response to Mr. Kamm, Mr. Rice elaborated upon what would be required for existing residential and office buildings. Mr. Kamm noted that permits for tenant improvements are being held up. Mr. Rice advised that it is the responsibility of the building owner. The primary intent is to provide safety for first responders. It is an educational and training process. There are no code changes; only enforcement of existing codes.

8. **General Board Member Discussion**

Mr. James DiPietro, Administrative Director, responded to Mr. Kamm's question about the status of the Fire Code amendments from the January meeting. Staff was directed to provide a report including legal comments which would then go forward to the Fire Code Committee. The recommendations of the Committee will be presented to the Board for its consideration.

9. **Public Comment (3-minute limit per person) and written communications** - none

10. **Adjournment.**

Having no further business to go before the Board, the meeting adjourned at 7:47 p.m.

A handwritten signature in black ink, appearing to read "D. L. Lavrich". The signature is written in a cursive style with large, rounded letters.

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Daniel Lavrich, P.E. - Chair