

MINUTES
BUILDING CODE ADVISORY BOARD
May 20, 2015

The Chairman, Joe Byrne, called the meeting to order at 2:00 p.m. in the Vista Center 1st Floor Conference Room 1W-47, Palm Beach County Planning, Zoning & Building Department, 2300 North Jog Road, West Palm Beach, Florida.

1. A Roll Call

Members Present:

Joe Byrne, Chair	Mike Grimm, Building Official
Jacek Tomasik, Building Official	Gary Kozan, Plumbing Contractor
Steven Tobias, Building Official	Greg Miller, Aluminum Contractor
Doug Wise, Building Official	Scott Worley, General Contractor
Roger Held, Building Official	Tom Hogarth, Engineer
Michael Fichera, Building Official	

Members Absent:

Andrew Mack, Building Official	
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Others Present:

Amanda Myer, Recording Secretary	Anne Helfant, Asst. County Attorney
Richard Gathright, Deputy Building Official	Shannon Fox, Asst. County Attorney

B. Pledge of Allegiance

C. Approval of Minutes - NONE

2. ADDITIONS & DELETIONS

Scott Worley requested to add Zero Lot Line fire provision issues under New Business.

3. COMMITTEE REPORTS

- A. Code Interpretation – NONE**
- B. Code Amendments – NONE**
- C. Product Evaluation - NONE**
- D. Six Pillars Committee – NONE**

4. OLD BUSINESS

Richard Gathright stated that the Old Business is the approval of the Countywide Administrative Amendments to the Florida Building Code which could not be approved in the last meeting due to lack of a quorum. He indicated that the topic raised by Mr. Worley needed to be discussed and either added to the Administrative Amendments prior to approval or be added as a revision to the Administrative Amendments after adoption.

Mr. Byrne stated it was best to discuss it first.

Doug Wise suggested a motion be made to reorder the agenda.

Mr. Worley made a motion to reorder the agenda to do New Business first and add as the first item of New Business which is the Zero Lot Line issue. Mr. Wise seconded the motion. The motion carried unanimously.

5. NEW BUSINESS

A. Zero Lot Line Fire Provision Issues – Scott Worley

Mr. Worley explained that the zero lot line zoning in Florida does not work with the adopted International Code the way it is written because one cannot build a residential property on the zero lot line because the fire separation requires a specific distance from the lot line.

Mr. Worley stated that the previous supplements were time-specific, and they “sunset,” and the new code being adopted is missing the Florida-specific supplements, including the one dealing with building zero lot line houses.

Mr. Worley stated there may be options to fix at the local level, at the Building Commission level, and at the legislative level. He indicated that the issue may be addressed at a special legislation session, but it is not guaranteed. He also stated that the Building Commission will not address the issue until the code is put into effect, which may take 60 to 90 days after legislation.

Mr. Worley suggested ways to handle this issue would be under alternate methods of construction or to put a paragraph in the administrative code section.

Mr. Wise stated that the issue is likely an interpretation issue. He asserted that because it is a technical issue that it probably should not be handled in the administrative amendments. He suggested that the Building Code Advisory Board give guidance as to the interpretation.

Mr. Gathright agreed it is a technical issue that would need to be a technical amendment which could be challenged locally.

Mr. Wise recommended the Board make an interpretation of the issue.

Michael Fichera stated that it was not appropriate as a technical amendment, but as an interpretation of the Board. He suggested that even as a technical amendment, it would be the Board’s recommendation to Palm Beach County, without any bearing on the other municipalities; but as an interpretation, it would have the same value, weight, purpose, and effect. He stated it would have both regulatory building official and contractor input.

Mr. Worley suggested it would be perceived as an early “dec” statement. He stated he would be happy with an interpretation.

Jacek Tomasik agreed that it is technical. He stated that the interpretation must not be less stringent than the code the way it is.

Discussion ensued among the Board and staff members.

Mr. Wise suggested staff draft an interpretation for the Board to review and vote upon.

Steve Tobias stated if the issue is left to all the building officials in Palm Beach County, there will be

many different interpretations. He stated that if the Board puts it on the table and clarifies it at one time, it would be the best direction to go.

Mr. Wise recommended that the Board take an interpretation: "The fire separation distance in a subdivision of platted zero lot line parcels shall be taken to the imaginary line between the two buildings so long as the building placed on the zero lot line has the characteristics..." and staff will come up with the appropriate language.

Discussion ensued among the Board and staff members.

Shannon Fox reminded the Board that a special meeting can be scheduled to discuss the issue prior to the next regularly scheduled meeting.

Mr. Tomasik made a motion to set a special meeting to discuss the zero lot line interpretation. Mr. Wise seconded the motion. The motion passed unanimously.

Mr. Byrne stated that the Board needed to vote on the adoption of the Palm Beach County Amendments to the Florida Building Code.

A motion was made to accept the County-wide amendments. The motion was seconded and carried unanimously.

B. Election of New Chair and Vice Chair

A motion was made to elect the new chair and vice chair at the next meeting. The motion was seconded and carried unanimously.

6. FUTURE BOARD MATTERS - NONE

7. BOARD MEMBERS COMMENTS

A. Next meeting TBD.

8. STAFF MEMBERS COMMENTS

9. ADJOURNMENT

The Chair adjourned the meeting at approximately 3:05 p.m.



Joseph Byrne, Chair
Gary Kozan

Respectfully submitted,
Amanda Myer, Recording Secretary