

**CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS
CITY OF WINTER PARK
MINUTES**

CALLED MEETING
City Hall Commission Chambers

MAY 20, 2008
8:30 A.M.

Present Board Members: Rodney Kincaid, Roger Kansier, Joe Fisher, Eddie Cox, Richard Barrette, Raymond Holloway, Scott Webber. Assistant Building Official Lee Pecci, City of Winter Park Fire Marshall Captain Randall Mells, City of Winter Park Fire Inspectors James Santoro and Scott Donovan. Building Official George Wiggins and Board Member Matthew Roberts were not in attendance.

Applicants: Mary Beth Trice from the Woodcrest Condominium Association
Laura Moa Leasing Director from The Sydgan Corporation representing Winter Park
Redevelopment Agency.

Meeting began: 8:30 A.M.

Minutes: The March 26, 2008 minutes were approved by unanimous vote. 6-0

New Business:

Agenda Item #1

Request of the Woodcrest Condominium Association to appeal the findings of the City's Office of the Fire Marshall requirement to amend the 1996 variance which waived the requirement for a fire alarm system, permitted of requiring quarterly smoke detector inspections and documentation as an alternate means of compliance. No documentation has been provided, resulting in noncompliance of the Board's 1996 variance. Therefore, installation of an approved automatic fire alarm system should now be required, per NFPA 101 chapter 31.3.4, as referenced by the Florida Fire Prevention Code 2004 Edition.

This building is located at 1920 Woodcrest Dr

The applicant Mary Beth Trice spoke to the Board as a representative for the Woodcrest Condominium Association she is appealing the request by the City's Office of the Fire Marshall to amend the 1996 variance waiving the requirement for a fire alarm system. She stated the Woodcrest Condominiums were constructed in 1968 and made of concrete block with a tile roof .Each of the 18 units are equipped with battery operated smoke detectors with 2 detectors in 10 of the upstairs units. There are 4 exits to this building. Ms. Trice also stated that the requirement by the City's Office of the Fire Marshall of installing a Central Fire Alarm System would cause great financial burden to the Association due to the fact that most of the residents are on a fixed income. Ms. Trice also stated the Woodcrest Condominium Association Board members change every year and that the current members were only recently made aware of the log

documentation specifications required by the City's Office of the Fire Marshall and of the 1996 variance granted by the Board therefore proper documentation of quarterly smoke detector inspections and logs could not be provided.

Captain Randall Mells and the City's Office of the Fire Marshall requested the Board to revoke their decision of the 1996 Variance in which the requirement for a fire alarm system was waived in lieu of quarterly smoke detector inspections and documentation. Captain Mells stated that the Woodcrest Condominiums have no current fire related violations other than non compliance with the Boards 1996 ruling requiring the association and property management to perform quarterly smoke detector inspections and at the same time have proper documentations of these inspections and of the replacement of batteries in said smoke detectors. The City's Office of the Fire Marshall is requesting that the Woodcrest Condominiums comply with NFPA 101 Life Safety code 2003 edition 31.3.4.1.1. Apartment Buildings with more than three stories or with more than 11 dwellings units, other than those meeting 31.3.4.1.2 shall be provided with a fire alarm system in accordance with section 9.6. except as modified by 31.3.3.2 through 31.3.4.5.2.

Findings of the Board:

The Board discussed several possible options and recommendations from the Fire Department to assist the Woodcrest Condominium Association. The Board also discussed the similarities of this Building to the Aragon Condominium ruling that was decided by the Board on March 6, 2008. Several Board Members and the City's Office of the Fire Marshall recommended that The Woodcrest Condominium Association follow the same ruling granted to the Aragon Condominium Association and have 180 days to obtain a permit for a Fire Alarm System (NFPA72 design requirement) with one year to complete installation. The Office of the Fire Marshall also suggested that the Association continue their quarterly inspections maintaining the records on site.

Actions:

Based on these findings Scott Webber made a motion, seconded by Eddie Cox that the Woodcrest Condominium association comply with the City's Office of the Fire Marshall and install a Central Fire Alarm System for the 18 unit condominiums located at 1920 Woodcrest Dr. the motion was approved by unanimous vote. 6-0

Agenda Item #2

Request of The Sydgan Corporation and Winter Park Redevelopment Agency, Ltd to appeal the finding of the City's Office of the Fire Marshall and the Board's 1993 decision requiring a weekly inspection log pertaining to the installation of battery back-up smoke detectors for each unit. The Sydgan Corporation is requesting to change the requirement of weekly inspection log to monthly inspections. The Office of the Fire Marshall has determined that these non-compliant arrangements must cease. The Florida Fire Prevention Code 2004, NFPA 101-31.3.4.1 requires a standalone fire alarm system.

This building is located at 430 W New England Ave

Laura Moa a representative for The Sydgan Corporation and Winter Park Redevelopment Agency addressed the Board. Ms. Moa stated that 430 W New England Ave is an 18 unit Apartment Building. The construction of the building is masonry and concrete from the foundation to the roof and is therefore virtually fireproof. Each unit has 2 exits from the front and rear of the apartment. In 1993 the Board granted the previous owner a variance allowing the installation of battery back-up smoke detectors in each unit with a weekly inspection log to be kept of the detectors. Ms. Moa on behalf of The Sydgan Corporation and Winter Park Redevelopment are requesting that the Board amend their 1993 decision and allow monthly inspections logs for the battery back-up smoke detectors.

Captain Randall Mells and the City's Office of the Fire Marshall are not in agreement with The Sydgan Corporation and Winter Park Redevelopment's request to amend the 1993 Variance. The City's Office of the Fire Marshall is requiring that The Sydgan Corporation and Winter Park Redevelopment Agency comply with the NFPA 101 Life Safety Code 2003 Edition 31.3.4.1.1 Apartment Buildings with more than three stories or with more than 11 dwelling units, other than those meeting 31.3.4.1.2 shall be provided with a fire alarm system in accordance with section 9.6 except as modified by 31.3.4.2 through 31.3.4.5.2.

Findings of the Board:

The Board discussed several possible options and recommendations from the Fire Department. Several members of the Board stated for the record that they have had previous work related dealings with The Sydgan Corporation and that they are familiar with the Boards previous 1993 Variance and with the construction of the building located at 430 W New England Ave. It is the recommendation of the Board and the Office of the Fire Marshall that The Sydgan Corporation and Winter Park Redevelopment Agency have 180 days to obtain a permit for a Fire Alarm System (NFPA72 design requirement) with one year to complete installation.

Actions:

Based on these findings, Roger Kansier made a motion, seconded by Richard Barrette that The Sydgan Corporation and Winter Park Redevelopment Agency comply with the City's Office of the Fire Marshall's request and install a Central Fire Alarm System for the 18 unit Apartment Building located at 430 W New England Ave obtaining a permit within 180 days with 1 year to complete installation. The motion was approved by unanimous vote. 6-0

Meeting adjourned: 9:17 A.M.

Kellie Harvey
Recording Secretary