

NORTHWEST FLORIDA STATE COLLEGE

Policy Number 6Hx17-4.72

**BUILDINGCODE ADMINISTRATION –
CONSTRUCTION BOARD OF
ADJUSTMENTS AND APPEALS**

TITLE:

REFERENCE: Florida Statutes Chapter 553.80(6); 468.604

HISTORY: New Policy, January, 2004

Local Language

Authority: Florida Statutes Chapter 553.80(6); 468.604; Building Officials of Florida, Model Administrative Code, Chapter 1, Section 110; 2001 ed.

Purpose: This policy establishes the Construction Board of Adjustments and Appeals, known as the Panel, and guidelines for the Panel to amend rules and request variances to the Florida Building Codes where (1) the Building Official has rejected or refused to approve the mode or manner of construction; (2) the provisions of the code do not apply in a particular case; (3) an equally good or more desirable form of installation can be employed; or (4) the true intent or meaning of the code has been misconstrued or misrepresented.

Policy

1. The Building Code Administrator shall serve as the final authority having jurisdiction over construction related issues and cannot be flexible in authorizing variances to code. This Panel shall allow that flexibility when necessary.
2. The Panel shall consist of the members of the College's Safety Committee and one of the College's contracted architects. If a variance is being requested for a project designed by the College architect under the annual contract for smaller projects, one of the College's architects for a larger project shall serve on the panel to hear the request. If the variance is being requested for a project designed by one of the College's architects for a major project, the College's architect under the annual contract for smaller projects shall serve on the panel to hear the request. It is the

- intent of the College that the architect for the project for which a variance is requested not serve on the panel hearing the request.
3. A Chair and Vice-Chair shall be elected. The panel shall develop and vote on organizational and operational rules following procedures defined in The Florida Building Code, Chapter 1, Section 110.1 – 110.5.2.
 4. As a quasi-judicial board, the proceedings shall be publicly announced by posting an annual legal advertisement in a local newspaper, and directing future meetings for that fiscal year to the address of a pre-designated URL WEB link.
 5. All meetings shall be advertised at least twenty-one days in advance.
 6. Petitions to the Panel shall be in writing.
 7. All parties requesting variances, including the College entities, must formally petition the Panel in person, and must cite the applicable parts of code(s) for which a variance is being requested, justifications for the request, and any benefits that may be provided.
 8. The Panel's decision is final.