



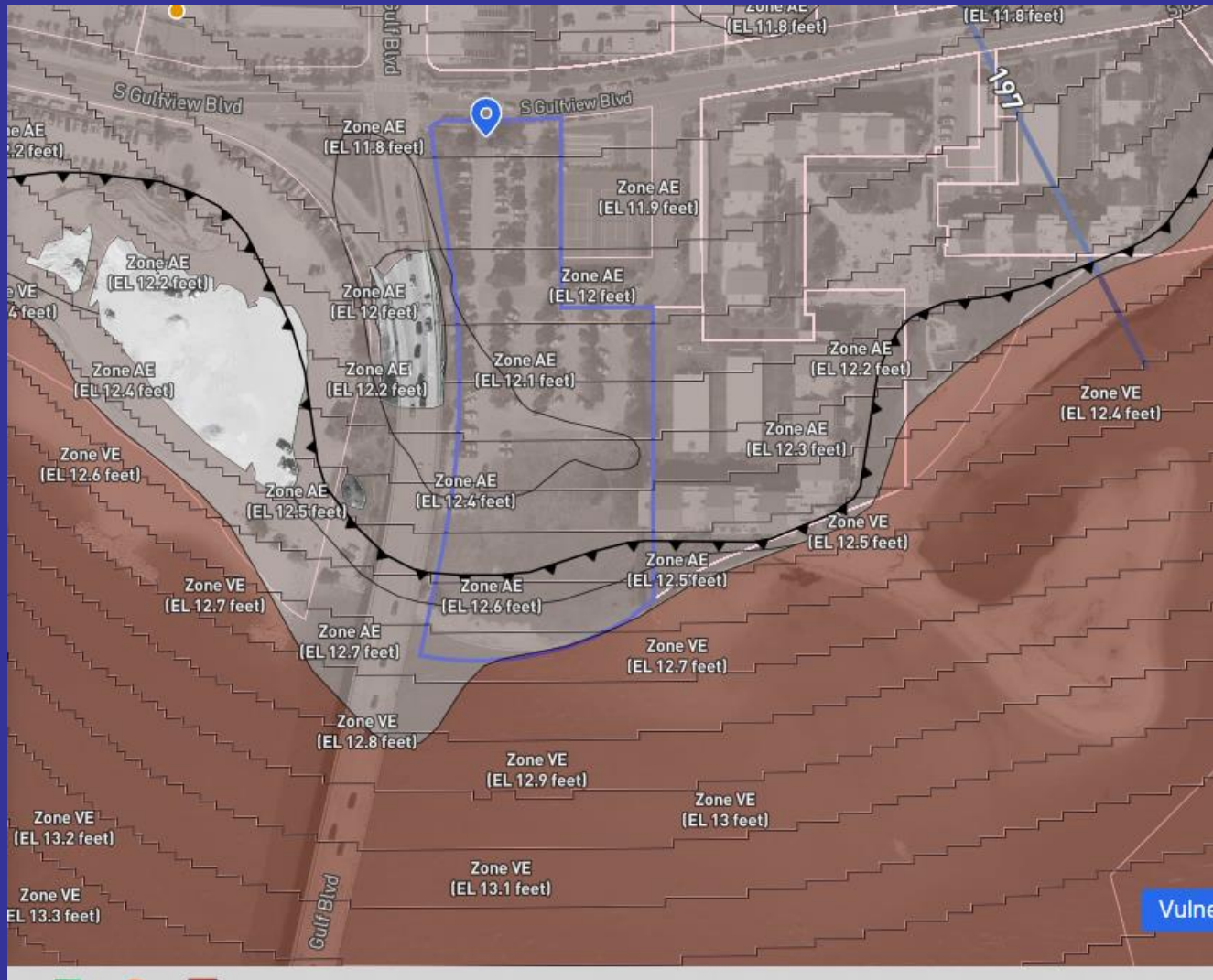
805 GULFVIEW

BAA2025-03003

Case #BAA2025-03003

805 GULFVIEW

- ◆ **Request: Allow for dry flood-proofing of elevator lobbies, stairwells, trash rooms, storage areas, and pool mechanical rooms at ground level upland of the LiMWA line**



Combined FEMA and Vulnerability Assessment Map

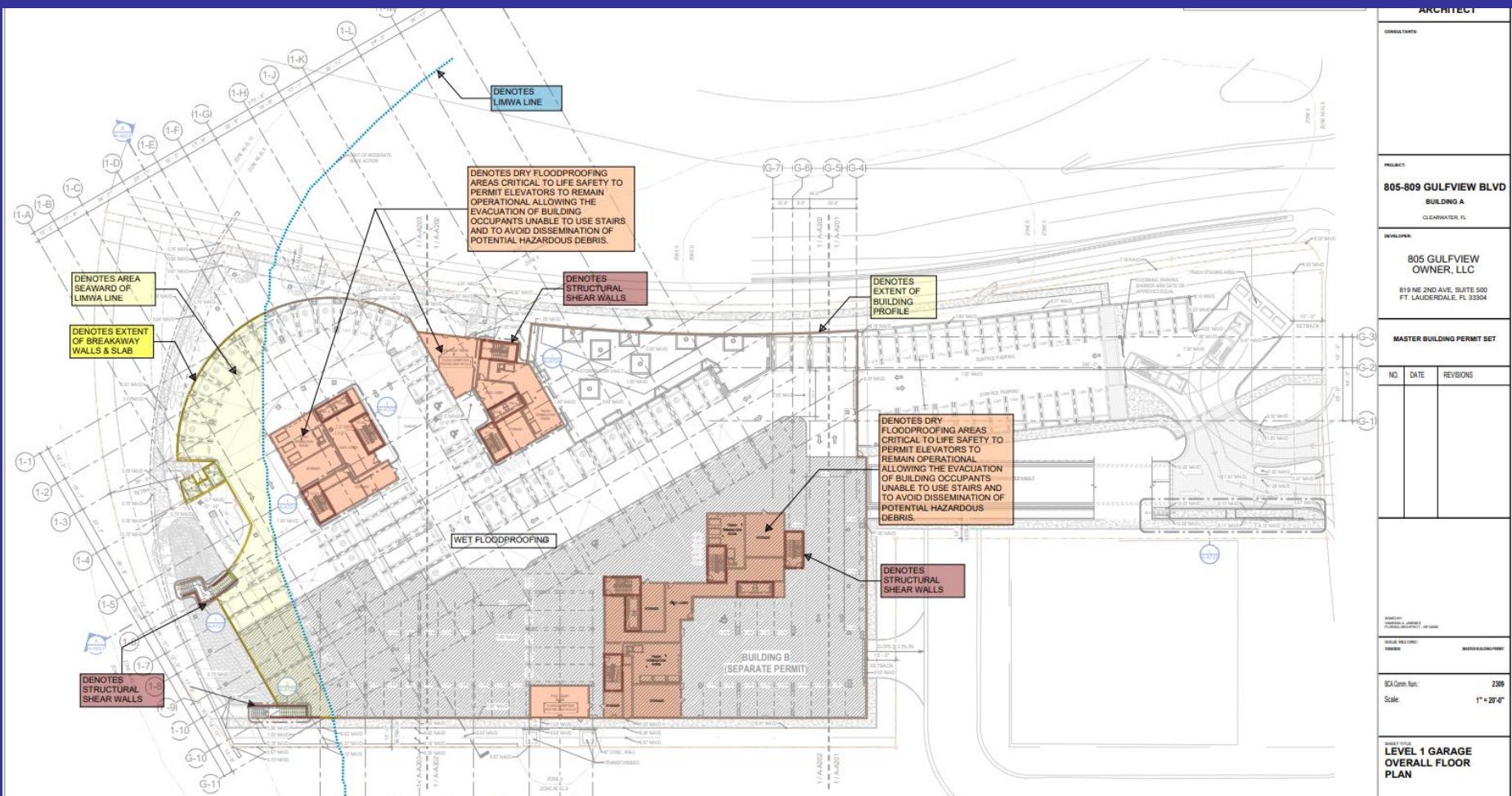
Florida Building Code 1612.1

SECTION 1612 FLOOD LOADS



1612.1 General.

Within *flood hazard areas* as established in Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads. For buildings that are located in more than one *flood hazard area*, the provisions associated with the most restrictive *flood hazard area* shall apply.



Level 1 garage floor plan

ASCE 24-14

Chapter 6 Paragraph 6.2.1

6.2.1 Dry Floodproofing Limitations Dry floodproofing of nonresidential structures and nonresidential areas of mixed-use structures shall not be allowed unless such structures are located outside of High Risk Flood Hazard Areas, Coastal High Hazard Areas, and Coastal A Zones. Dry floodproofing of residential structures or residential areas of mixed-use structures shall not be permitted.

Dry floodproofing shall be limited to (1) where flood velocities adjacent to the structure are less than or equal to 5 ft/s during the design flood, and (2) if human intervention is proposed, where conformance with the limitations of Section 6.2.3 is provided.

FBC 1612.4.1 modified ASCE 24-14

1612.4.1 Modification of ASCE 24.

Table 6-1 and Section 6.2.1 in ASCE 24 shall be modified as follows:

1. The title of Table 6.1 shall be "Minimum Elevation of Floodproofing, Relative to Base Flood Elevation (BFE) or Design Flood Elevation (DFE), in Coastal A Zones and in Other Flood Hazard Areas that are not High Risk Flood Hazard Areas."
2. Section 6.2.1 shall be modified to permit dry floodproofing in Coastal A Zones, as follows: "Dry floodproofing of nonresidential structures and nonresidential areas of mixed-use structures shall not be allowed unless such structures are located outside of High Risk Flood Hazard areas and Coastal High Hazard Areas. Dry floodproofing shall be permitted in Coastal A Zones provided wave loads and the potential for erosion and local scour are accounted for in the design. Dry floodproofing of residential structures or residential areas of mixed-use structures shall not be permitted."

Clearwater Ordinance 47.054 Amending Florida Building Code

Sec. 47.054. Amendments to the Florida Building Code.

- (1) The *Florida Building Code, Building* is adopted in section 47.051 of this Code, with the following administrative amendment(s):
 - (a) *Florida Building Code, Building Section 107.3.5*, is amended to read as follows:

107.3.5 Minimum plan review criteria for buildings.

...

Residential (one- and two-family):

...

6. Structural requirements shall include:

...

Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), equipment, and flood damage-resistant materials.
- (2) *Florida Building Code, Building* is adopted in section 47.051 of this Code, with the following technical amendment(s):
 - (a) *Florida Building Code, Building Section 202*, definition of Substantial Improvement, is amended to read as follows:

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, alteration, *addition* or other improvement of a building or structure, taking place during a one-year period in which the cumulative cost equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of issuance of a certificate of completion/certificate of occupancy or completion of final inspection if such a certificate is not applicable for improvement or repair of that building or structure subsequent to November 20, 2003. If the structure has incurred "*substantial damage*," any *repairs* are considered substantial improvement regardless of the actual *repair* work performed. The term does not, however, include either:

 1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the *building official* and that are the minimum necessary to assure safe living conditions.
 2. Any *alteration* of a historic structure provided that the *alteration* will not preclude the structure's continued designation as a historic structure.
 - (b) *Florida Building Code, Building Section 1612.4* Design and Construction, is amended to read as follows:

...

1612.4 Design and construction.

...

1612.4.1 Modification of ASCE 24. Reserved.

1612.4.2 Modification of ASCE 24 (Coastal A Zone). Section 4.5.13 in ASCE 24 shall be modified as follows:

 1. Paragraph 1 shall be modified: "In Coastal High Hazard Areas and Coastal A Zones, stem walls shall not be permitted."
 2. **Paragraph 2 shall be deleted.**

Ordinance 47.054 enlarged

1612.4 Design and construction.

...

1612.4.1 Modification of ASCE 24. Reserved.

1612.4.2 Modification of ASCE 24 (Coastal A Zone).

Section 4.5.13 in ASCE 24 shall be modified as follows:

1. Paragraph 1 shall be modified: "In Coastal High Hazard Areas and Coastal A Zones, stem walls shall not be permitted."
2. Paragraph 2 shall be deleted.

Background/Analysis

BACKGROUND / ANALYSIS

- BCP2024-120362 is a permit application for a new residential condominium building. Permit is tower #1 of two over parking garage.
- BCP2024120364 is a permit application for the second high rise residential condominium. This is tower #2 of two over same parking garage.
- Tower #1 and #2 over garage are not separated and are one building as defined by the Florida Building Code.
- FBC 1612.1 States: “For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply”.
- The line of limited wave action (LiMWA) crosses the building.
- The building is in a Coastal A flood zone.
- Construction in a Coastal A flood zone has very similar construction requirements of a “V” flood zone.
- FEMA manual P-936 “Floodproofing Non-Residential Buildings” states “Dry floodproofing is not permitted” in Coastal A flood zones.
- Floodproofing is not recognized as a construction method on Coastal A flood zone properties through FBC.

Clearwater Community Development Code 47.035

variance criteria:

- ◆ **Special conditions exist**
- ◆ **Applicant did not cause special conditions**
- ◆ **No privilege conferred**
- ◆ **Minimum required to use building**
- ◆ **Variance is in harmony with codes**

Findings of Fact

FINDINGS OF FACT

- 1) Flood zone construction maps for Clearwater are the Pinellas County Vulnerability Maps overlaying the Federal Emergency Management Agency (FEMA) flood maps.
- 2) Maps show subject building is in a Coastal A flood zone (LiMWA crosses building)
- 3) Code requirements:
 - a) ASCE 24 is part of the Florida Building Code (FBC)
 - b) ASCE 24 section 612.1 does not allow floodproofing in a Coastal A flood zone (LiMWA line).
 - c) Florida Building Code Chapter 1612.4.1 amends 6.2.1 of ASCE 24 to allow dry floodproofing in Coastal A zones with some exceptions.
 - d) City of Clearwater amended FBC 1612.4.2 to delete Paragraph 2 of ASCE 24 – 612.4.
- 4) Deletion of ASCE 612.4(2) eliminates dry floodproofing in Coastal A flood zones.

Findings of Fact

- ◆ No special conditions exist
- ◆ Circumstance results from design choice
- ◆ Variance will confer privilege
- ◆ Building can be used without variance
- ◆ Variance would be out of harmony

Conclusions of Law

CONCLUSIONS OF LAW

The subject building is located in a Coastal A flood zone. Coastal A construction requirements are mostly the same as in a “V” flood zone and does not allow floodproofing.

Variance criteria are not met.

RECOMMENDATION TO THE BOARD

Deny the applicant's request.