



Building Board of Adjustments and Appeals

**Friday, April 24th, 2026
9:00 am**

**2800 N. Horseshoe Dr.
Naples, FL 34104
Growth Management
Community Development Department
Conference Room 609/610**

**If you have any questions or wish to meet with staff,
Please contact,
Anisley San Roman at (239) 252-2393**

Building Board of Adjustments and Appeals

Agenda

Friday, April 24th, 2026

9:00 am

2800 N. Horseshoe Dr., Naples, FL 34104

Growth Management Community Development, Conference Rooms 609/610

NOTICE:

All persons wishing to speak on any agenda item must register prior to speaking. Requests to address the Authority on subjects, which are not on this agenda, must be submitted in writing with an explanation to the Executive Director, Collier County Water and Wastewater Authority, GMCD/Office of Operations and Regulatory Management, 2800 Horseshoe Drive North, Naples Florida 34104, at least ten (10) days in prior to the date of the meeting and will be heard under "Open to the Public." Any person who decides to appeal a decision of this Authority will need a record of proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All registered public speakers will be limited to three (3) minutes unless permission for additional time is granted by the Chairman.

Board Members:

Jonathan D Walsh (Chairman)

John A Melton (Vice-Chairman)

Michael A Mick

Eloy Ricardo

William Swanson

Legal Counsel:

Ronald Tomasko,

Assistant County Attorney

Secretary:

Fred Clum, Chief Building Official

Staff Liaison:

Robert Moore, Staff Liaison

Anisley SanRoman, Operations Support

A G E N D A

- I. Call to Order
- II. Roll Call
- III. Additions and Revisions to Agenda
- IV. Adoption of Agenda – Meeting of April 24th, 2026
- V. New Business
 - a. FS 553.8425 Local product approval. Page 5
- VI. Old Business
- VII. Other Business
- VIII. Adjourn

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Rec 3/21/24

BUILDING BOARD OF ADJUSTMENTS AND APPEALS (BOAA)

Applicant Contact Information

Name of Owner: Daniel Tropp
 Address: 6014 Shirley St Suite C City: Naples State: FL ZIP: 34109
 Phone: 239-403-3630 E-Mail Address: supenorpropane@yahoo.com
 Name of Petitioner (if different than owner or agent): Spencer Propano

Property Information, if applicable

Permit Number: _____ Parcel #: _____

Appeal Information

Decision Being Appealed: Describe the decision made by the Building Official or Code Compliance Director.

Refusing to accept professional engineered locally made material. This has been approved for years and is now being rejected. No code change has been made to change approval of products used for installation

Reason for Appeal: Explain why you believe the decision was incorrect or why relief/variance should be granted. Petitioner must provide specific code article and/or statutory provision, rule, or order seeking interpretation and application of the *Florida Building Code, 8th Edition (2023)*. Please submit any permit documents, plans, drawings, code references, photos, reports or additional pages as applicable.

Requested Action by BOAA: Example: Overtum permit denial, approval alternate construction method, grant variance, etc.

Application Fee: \$500.00

Spencer Propano
Petitioner Name


Petitioner Signature

3-21-24
Date

Please submit completed form to BuildingAdmin@collier.gov

To be completed by the staff liaison of the board of adjustments and appeals:

Approved for Meeting: Meeting Date: _____

On March 10th 2206 Mr. Trip came to the GMD permitting and inspections office at 2800 N Horseshoe drive

He logged in to the Kiosk as, Company Name: Fred Klum Sucks, Reason for visit: Fred Klum is dumb

We have no one here by the spelling of the name submitted.

After speaking with several public servants, he verbally abused Ms. Thomas, she placed a call to the Naples Police Department, who responded and said he had not committed any offence.

Mr Philabaum gave Mr Tripp Collier County's application and Instructions for approval of alternate material, design or method of construction.

He demanded to meet with the Building Official, Ms. Paredes met with him and explained that would need to be scheduled, so he asked for 50 meetings at 10 am for the next 50 days, when she explained that a fee of 200.00 was charge per meeting, he withdrew his request and stated he would resolve his issue by email. He would rather spend his money in court.

I sent Mr Tripp an email asking what he wanted to confirm regarding permit PRGS20251250349, the submitted traffic lid? His reply was NO, he knows the lid meets code, he wants a final determination whether a PE or Architect can submit alternate means and methods. I replied on March 11th that yes per FS 553.8425 they could, the signed and sealed document must be accompanied by testing or comparative analysis. I sent Mr Trip a final determination of the applicable F.S. 553.8425 on Saturday 3/21/2026 with the application to appeal the determination to the Collier County BOAA, which he did on Wednesday 3/25/2026, Fee slip was produced and sent 3/25/2026

On 3/24/2026 Mr Tripp informed me via email "Let's put your dumb ass through another review. "

I contacted NFPA and Florida State Fire Marshall who both responded, install tanks per NFPA 58 and applicable codes

Summary:

It seems Mr Tripp feels the Testing or Comparative analysis per the FS 553.8425 (2) is not required.

(2) For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.

I fully support the right to file an appeal the interpretation with BOAA , however the way he conducts oneself, especially toward public servants, is not supported. In addition, it may be in violation of FS 838.021 Threat against public servant.

Select Year: 2025

The 2025 Florida Statutes

[Title XLVI](#)
CRIMES

[Chapter 838](#)
BRIBERY; MISUSE OF PUBLIC OFFICE

[View Entire Chapter](#)

838.021 Corruption by threat against public servant.—

(1) It is unlawful to harm or threaten to harm any public servant, his or her immediate family, or any other person with whose welfare the public servant is interested with the intent to:

(a) Influence the performance of any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.

(b) Cause or induce the public servant to use or exert, or procure the use or exertion of, any influence upon or with any other public servant regarding any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.

(2) Prosecution under this section shall not require any allegation or proof that the public servant ultimately sought to be unlawfully influenced was qualified to act in the desired way, that the public servant had assumed office, that the matter was properly pending before him or her or might by law properly be brought before him or her, that the public servant possessed jurisdiction over the matter, or that his or her official action was necessary to achieve the person's purpose.

(3)(a) Whoever unlawfully harms any public servant or any other person with whose welfare the public servant is interested shall be guilty of a felony of the second degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(b) Whoever threatens unlawful harm to any public servant or to any other person with whose welfare the public servant is interested shall be guilty of a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

History.—s. 61, ch. 74-383; s. 37, ch. 75-298; s. 1316, ch. 97-102; s. 13, ch. 2010-117.

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Fred Clum

From: John McCormick
Sent: Thursday, April 9, 2026 2:39 PM
To: Anisley SanRoman; Fred Clum
Subject: FW: April 24th - BOAA

John McCormick
Division Director - Building Review & Permitting
Building Plan Review & Inspection

Office: [239-252-2490](tel:239-252-2490)
Mobile: [239-315-1152](tel:239-315-1152)

GMCD 2800 Horseshoe Dr. N Naples, FL 34104
Naples, FL 34112
John.McCormick@collier.gov



My email address has changed. Effective immediately, please update your contact list to use this new address: John.McCormick@collier.gov

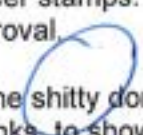
From: Superior Propane <superiorpropane@yahoo.com>
Sent: Thursday, April 9, 2026 1:24 PM
To: John McCormick <John.McCormick@collier.gov>
Subject: Re: April 24th - BOAA

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

The Florida Fuel Gas Code in its entirety. NFPA 58 in its entirety NFPA54 in its entirety.

Fred Clums interpretation of the definition of listed materials including the section right under his highlighted sections that say: or License professional engineer or architect.

Florida Building code standards Florida Statutes in its entirety. That would be Florida Statute 553 in its entirety. Any and all public record sent to building department by Superior propane from 3-1-26 up until the meeting. This will include structural documents from permits with professional engineer stamps. It will also include welding certificates accepted for field welds in place without third party approval.

I will also be bringing to the meeting a slug hammer. And a steel dome vs the shitty dome Fred Clum and Paul Philbaum have forced companies to use which are not legal for Propane tanks.  to show the strength. I will be bring in visquine so i dont make a mess in the building.

I will also be bringing a UG only tank to the front of the building to help better show how propane tanks function. Since apparently nobody understands. So we will need to go outside for a few minutes during the meeting.

There will also be a report from the FDACS about the domes being forced upon propane contractors by the county that we dont have yet but will be bringing to the meeting.

Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

On Thursday, April 9, 2026 at 07:49:14 AM EDT, John McCormick <john.mccormick@collier.gov> wrote:

We need your material as we prepare for meeting this month – please submit to Aisley as soon as possible.
Thanks

John McCormick
Division Director - Building Review & Permitting
Building Plan Review & Inspection

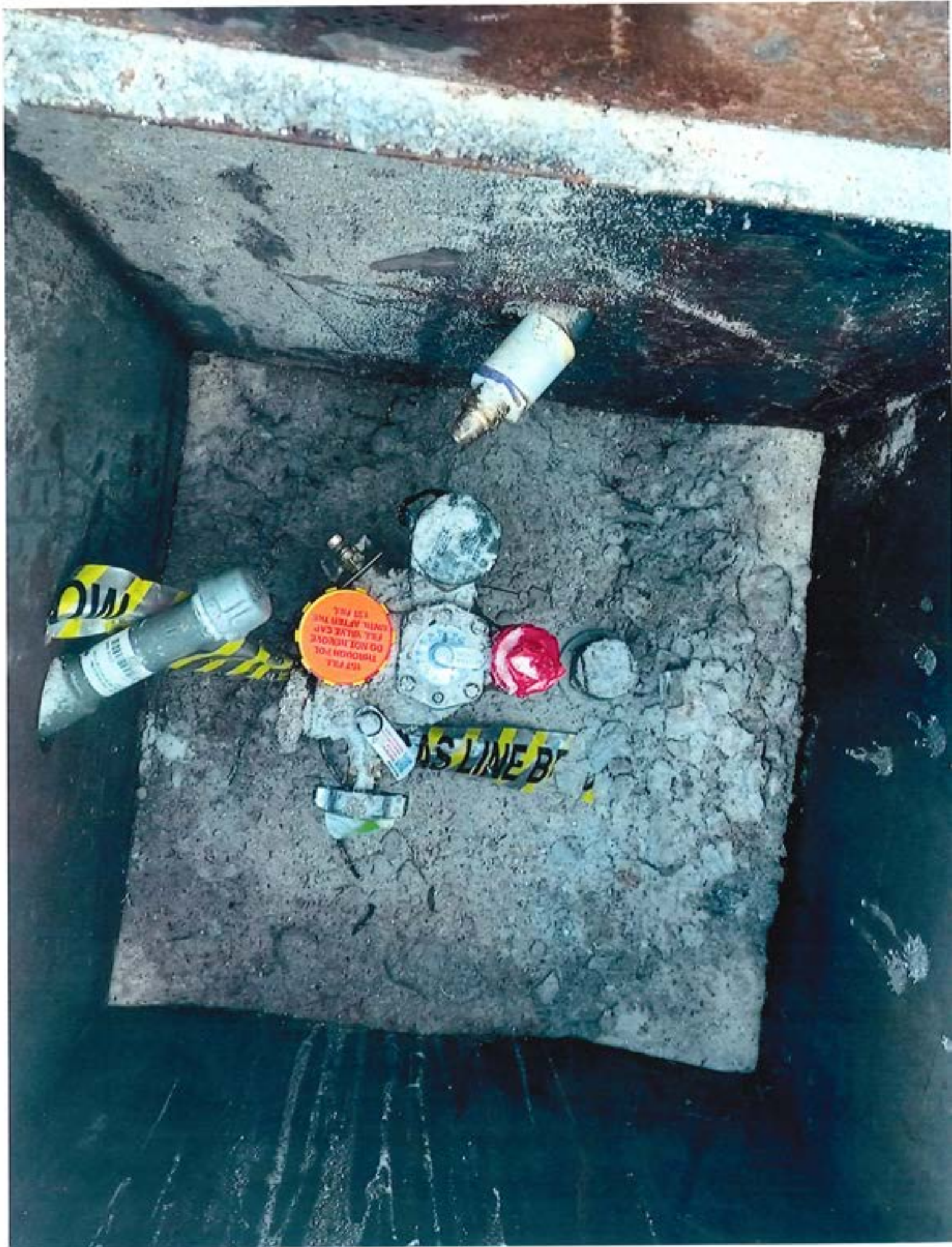
Office:239-252-2490
Mobile:239-315-1152

GMCD 2800 Horseshoe Dr. N Naples, FL 34104
Naples, FL 34112
John.McCormick@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: John.McCormick@collier.gov



Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.





H-20 LOADING SPECIFICATIONS

Summary of top deck stresses under H-20 loading conditions (32,000 lbs/14,500 kg)

	PAVERS	ASPHALT	CONCRETE	PAVERS WITH CONCRETE
English	21.3 psi • 3.15" pavers • 1" sand base • 12" of aggregate	21.3 psi • 4" of asphalt concrete • 12" of aggregate	18.7 psi • 4" of Portland Cement Concrete • 4" of aggregate	15.0 psi • 2.36" pavers • 5" of Portland Cement Concrete
Metric	146.8 kN/m ² (kPa) • 8 cm pavers • 2.5 cm sand base • 30.5 cm of aggregate	146.8 kN/m ² (kPa) • 10 cm of asphalt concrete • 30.5 cm of aggregate	128.9 kN/m ² (kPa) • 10 cm of Portland Cement Concrete • 10 cm of aggregate	103.4 kN/m ² (kPa) • 6 cm pavers • 12.7 cm of Portland Cement Concrete

The Silva Cell can support vehicle loading up to AASHTO H-20 rating of 32,000 lbs. (14,500 kgs) per axle. This rating refers to the ability of a roadway to safely accommodate 3-4 axle vehicles, such as a large semi-truck and trailer.

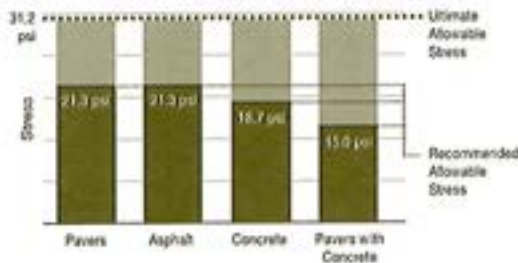
The tables and associated paving conditions listed here are represented in our standard product details and specifications.

Loading standards vary worldwide and your particular project may have different needs. Please consult with Deep Root to review and optimize the use of the Silva Cell to your project requirements.

Physical load testing was completed by TRI Environmental in order to determine the ultimate allowable stress of the Silva

Cell. The applied stress values from the applied loading on the pavement surface were determined using Sigma/W, a finite element program, for each of the design cases. These values were compared to the ultimate allowable stress (considering a minimum safety factor of 1.45). In all cases, the material self weight is used.

The values in the table to the right are the applied stresses due to various loading scenarios and are calculated based on having the ground surface loads dissipated through the pavement surface.



— is the recommended allowable stress that can be applied to the deck and represents a minimum safety factor of 1.45 when compared to the ultimate allowable stress value

■ Factor of Safety

Typical H-20 Axle Loading at the Pavement Surface

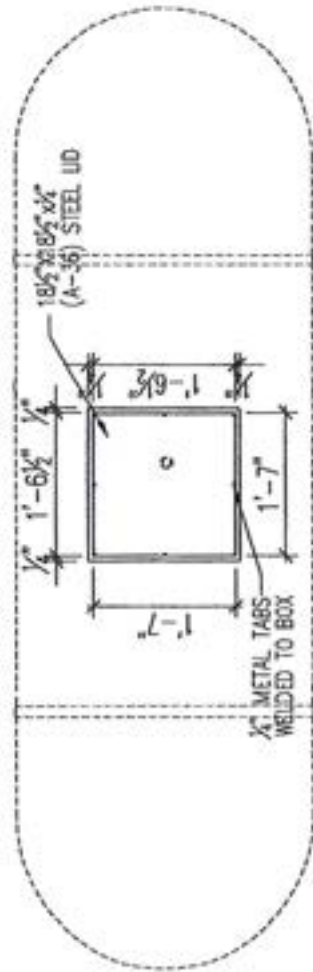
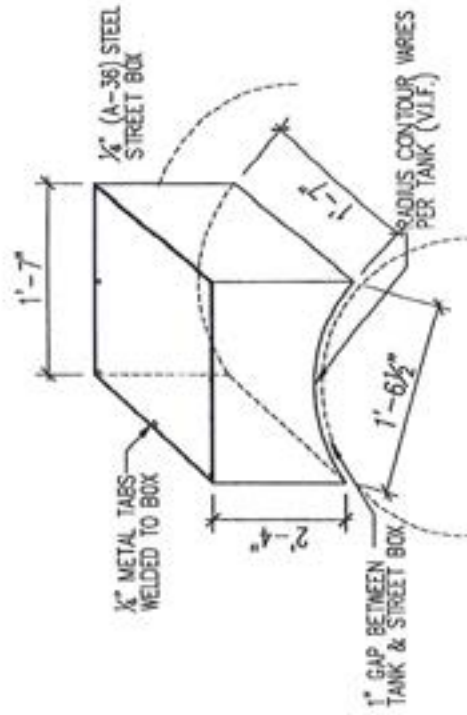


Sample

Deep Root Partners, L.P.
Corporate Offices: 530 Washington Street, San Francisco, CA 94111
Tel: 800 414 ROOT (488.7668) Fax: 800 277.7668 www.deeproot.com
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DeepRoot

As
submitted



1 UNDERGROUND TANK DETAIL

N.T.S.

STREET BOX DETAIL

Digitally signed by
Lan-Anh Nguyen
Date: 2023.07.20
16:38:35 -04'00'



This has been digitally signed and certified by Lan-Anh Nguyen, P.E., License No. 12512, State of Florida. The digital signature is a cryptographic code that is unique to the signer and is used to verify the authenticity of the document. The digital signature is not a seal and does not constitute a seal or any other certification.

THIS DRAWING AND SECTION IS VALID FOR 12 MONTHS AFTER THE DATE IT IS ISSUED & SEALED.
DATE: _____

CLIENT:

ALL CONSTRUCTION REQUIREMENTS HAVE BEEN PREPARED UNDER THE DIRECT SUPERVISION OF LAN-ANH NGUYEN, P.E., LICENSE NO. 12512, REGISTERED PROFESSIONAL ENGINEER, STATE OF FLORIDA. THE ENGINEER'S COMPANY SHALL BE RESPONSIBLE FOR ALL APPROVABLE SECTIONS OF THE FLORIDA BUILDING CODE 2020. THE CONSULTANT SHALL BE RESPONSIBLE FOR ALL APPROVABLE SECTIONS OF THE FLORIDA BUILDING CODE 2020. THE CONSULTANT SHALL BE RESPONSIBLE FOR ALL APPROVABLE SECTIONS OF THE FLORIDA BUILDING CODE 2020. THE CONSULTANT SHALL BE RESPONSIBLE FOR ALL APPROVABLE SECTIONS OF THE FLORIDA BUILDING CODE 2020.

CONSULTANT
LAN ENGINEERING
CIVIL ENGINEERING
1000 N.W. 107th Ave., Suite 100
Miami, FL 33177



NEW IMAGE DESIGN & BUILD, LLC
CLEARWATER, FL 34614
PHONE: (888) 333-3000 / (727) 354-0008
WWW.NEIDB.COM

**MASTER LP STEEL
DOME LID & BOX**

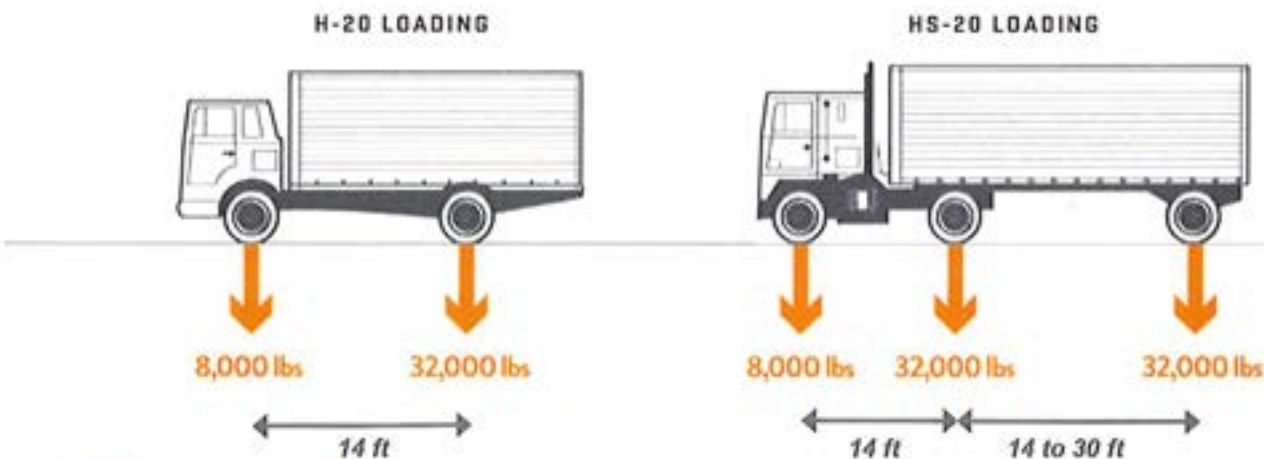
PROJECT: 20230720-22
DATE: 7/20/2023
DRAWN BY: LAN
SCALE: AS SHOWN
SHEET: 1 OF 1

WHAT DOES HS-20 TRAFFIC RATING MEAN?

This is the term used by AASHTO and ACI to describe normal MOVING traffic loading conditions up to 18-wheeler loading. This loading assumes a 16,000 lbs wheel load and therefore a 32,000 lbs axle load. It also takes into consideration the additional loading that occurs from moving vehicles. These loads are called IMPACT and LIVE LOAD SURCHARGE and are an additional safety factors that help prevent underground enclosures from having a structural failure and collapsing in from traffic conditions. There are few construction materials that are designed to withstand these type of loadings other than concrete.

WHAT IS THE DIFFERENCE BETWEEN H-20 AND HS-20?

Generally speaking, these terms are used interchangeably, but there is a slight difference. You can see the different diagrams showing the difference between H-20 and HS-20. There is minimal, if any, cost savings from designing structures with H-20 versus HS-20, so my recommendation is to always require HS-20 loading if you think there is any possibility of vehicle traffic.



Sample

WHAT DOES THE NUMBER "44" REPRESENT IN HS-20-44?

Quite often, this number "44" is mistakenly assumed to mean 44,000 lbs in some design context. The number "44" actually refers to the year, 1944, in which the HS-20 traffic loading conditions were originally developed by AASHTO.

WHAT IS THE DIFFERENCE BETWEEN HS-20 AND TIER 22 RATINGS?

It is difficult to compare these two designations but there are some key points that people sometimes confuse when dealing with different load ratings. One of the differences between these ratings, is HS-20 refers to traffic loading conditions with wheel loads up to 45,136 lbs, when considering impact and load factors, while Tier 22 is using a 33,750 lbs wheel load tested in a vertical position. The ANSI/SCTE 77 2007 code for the various Tier designations include Tier 5, 8, 15, and 22 are meant for small boxes with only INCIDENTAL traffic conditions. Any underground enclosures with potential wheel loading conditions should consider using HS-20 traffic loading criteria and materials should be limited to concrete, steel, and/or cast/ductile iron materials.



WHEN DO I NEED TO CONSIDER DESIGNING ABOVE & BEYOND HS-20 TRAFFIC RATING?

It is smart to consider special designs if you have larger than standard 18-wheeler traffic driving over your structures. Large construction equipment including front loaders, forklifts, mobile cranes all should be considered when installing underground structures. Airport, marine, and railroad facilities should also be looked at closely to determine what type of loading conditions will be present.

WHAT ARE THE CONCERNS WHEN INSTALLING AN UNDERGROUND ENCLOSURE?

The most critical factors include the type of loading conditions that could create a structural failure leading to the collapse of the enclosure. Vehicle loads on top of the enclosure dictate how the top and bottom of the enclosure should be designed. Lateral loads from soil, water, and loading derived from moving vehicles impact the design considerations of the side walls of an enclosure.

WHAT IS THE DIFFERENCE BETWEEN HS-20 AND HL93?

HS-20 is the truck live loadings of the AASHTO specification, where H stands for highway, S stands for semi-trailer, 20 stands for 20-ton weight of the tractor (first two axles). Each axle will carry the loads as follow, the first axle carries 8,000 pounds, the second axle, 14 feet away carries 32,000 pounds and a single-axle semitrailer 14-30 ft away from the second axle carries 32,000 pounds.

HL93 is the Basic LRFD Design Live Load, where H stands for Highway, L stands for Loading and LRFD stands for Load and Resistance Factor Design. The HL93 design loading consists of a combination of "Design Truck Plus Design Lane Load" or "Design Tandem Plus Design Lane Load" which ever produces the worst case. A "Design Truck "is same as the HS-20 load. The "Design Tandem "consists of two axles, each axle weighing 25 kips spaced 4 ft apart. The Design Lane Load is equal to 640 pounds per linear foot. This uniformly distributed load is designed to apply on the above grade bridge deck but It does not apply to below ground structures per ASTM C1577.

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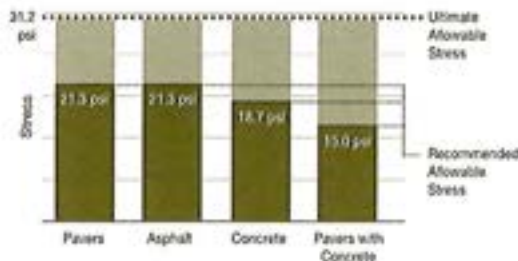
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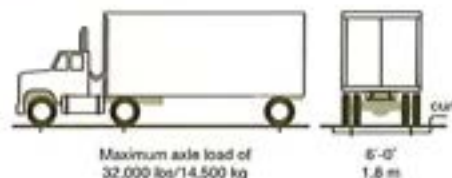
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— is the recommended allowable stress that can be applied to the deck and represents a minimum safety factor of 1.45 when compared to the ultimate allowable stress value

■ Factor of Safety

Typical H-20 Axle Loading at the Pavement Surface



Sample

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DeepRoot

H-20 LOAD RATING EXPLAINED

WHAT IS H-20 LOADING?

There is often confusion when simply referring to H-20 Load Rating – does it mean 16,000 lbs, 20,000 lbs, or 40,000 lbs? H-20 loading is 16,000 lbs and Bingham & Taylor plastic meter lids and meter pits meet this criteria.

The American Association of State Highway Transportation Officials (AASHTO) established performance criteria for the manufacturing of gray iron castings subject to heavy traffic commonly known as H-20 or HS-20 loading. H-20 refers to a two-axle truck and HS-20 refers to a truck with more than 2 axles. The design criteria for both H-20 and HS-20 consists of truck axle loading of 32,000 lbs, or 16,000 lbs per wheel load.



Load Testing Setup

WHAT IS THE AASHTO M-306 STANDARD?

The AASHTO M-306 Standard applies to gray cast iron frames and covers that may be placed in traffic service and load bearing is a consideration. It requires a safety factor of 2.5 x the H-20 loading, which equates to a 40,000 lb proof load (2.5 x 16,000 lbs).

AASHTO M-306 TESTING SPECIFICATIONS

Although H-20 and AASHTO M-306 specifically apply to metal castings, many in the waterworks industry have used these designations and specifications when describing plastic or composite meter lids and meter pits. Here are some key testing parameters according to AASHTO M-306:

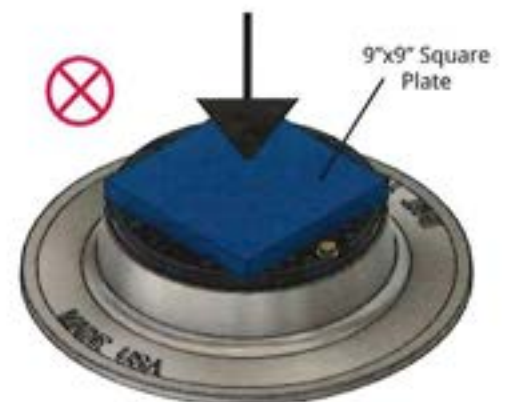
- The proof load shall be applied evenly over a 9"x9" square area at the center of the lid. For items where a 9"x9" footprint would transfer load directly to the frame, the loading footprint size shall be smaller than the corresponding frame clear opening.
- The loading footprint size shall not exceed 9" in any direction.

Sample

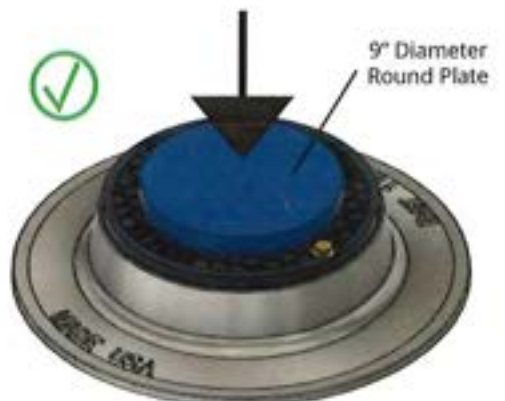
B&T PLASTIC METER LIDS AND METER PITS

To avoid any confusion, Bingham & Taylor will always specify the proof load that our products are tested under. Our plastic meter lids and meter pits meet a proof load of 20,000 lbs and are tested with the key parameters of AASHTO M-306, including that the loading does not directly transfer to the frame. B&T uses a 9" diameter steel plate to ensure proper testing of the lid.

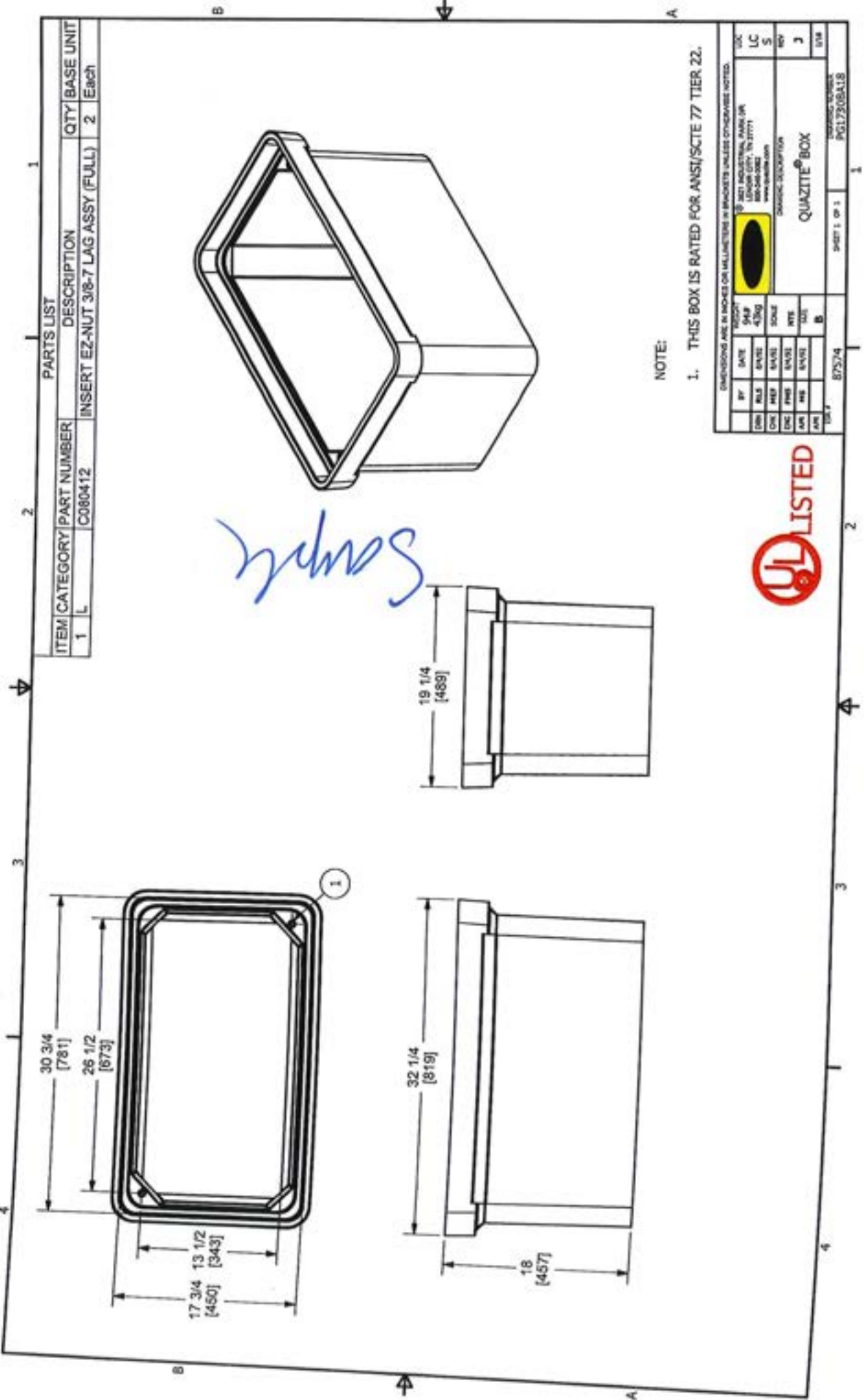
Our plastic meter lids and meter pits are not intended to be installed in the roadway and are suitable for pedestrian and incidental light-duty traffic.



Lid Not Properly Tested
Load Transferred to Frame




Lid Properly Tested
Load Fully on Lid



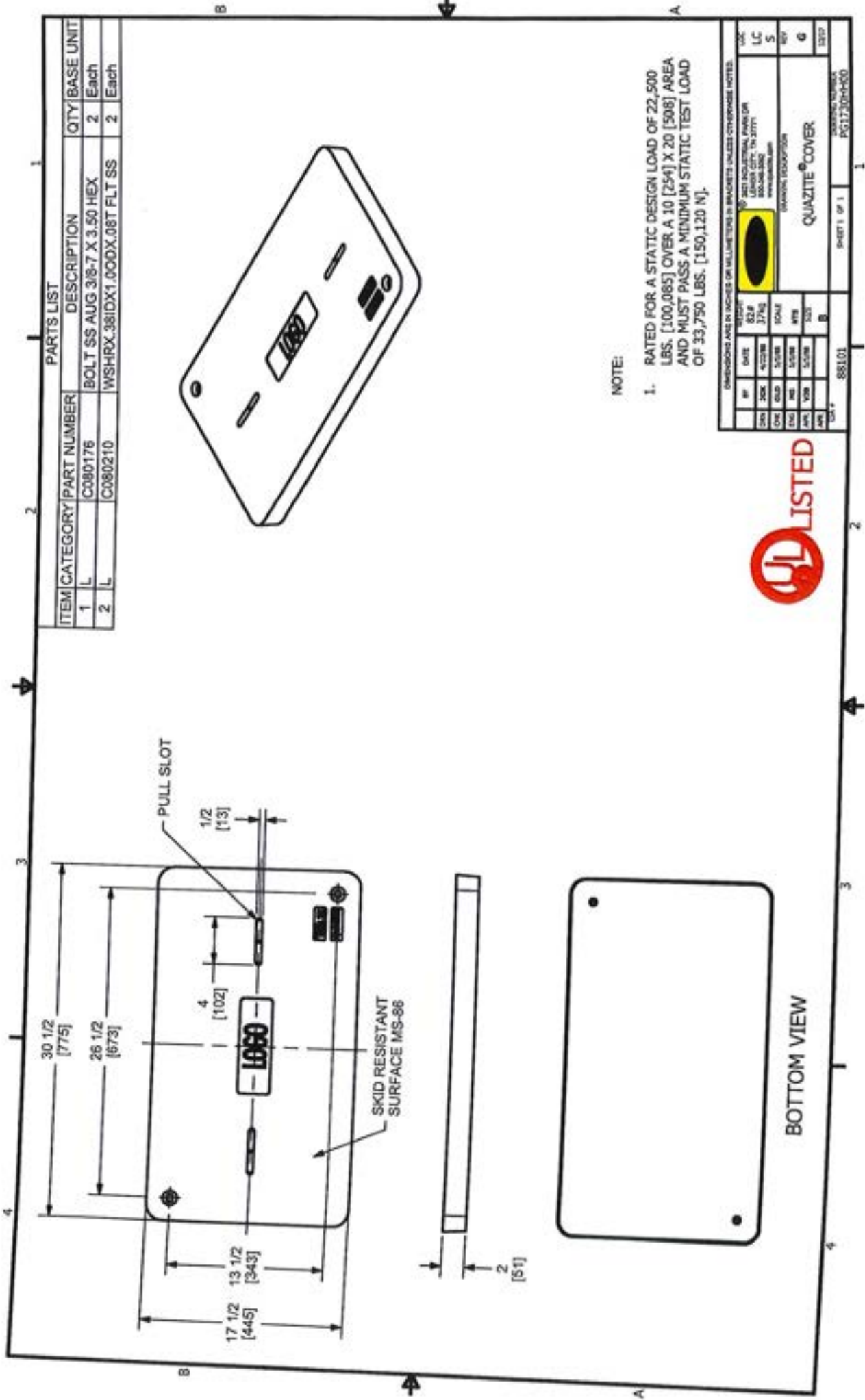
PARTS LIST					
ITEM	CATEGORY	PART NUMBER	DESCRIPTION	QTY	BASE UNIT
1	L	C080412	INSERT EZ-NUT 3/8-7 LAG ASSY (FULL)	2	Each

NOTE:

1. THIS BOX IS RATED FOR ANSI/SCTE 77 TIER 22.

DIMENSIONS ARE IN INCHES OR MILLIMETERS UNLESS OTHERWISE NOTED.				2021 INDUSTRIAL MARK (R) 100-04-002 (R) 21171 www.ul.com		LUC LC S
BY	DATE	ISSUED	SCALE	REV	DATE	BY
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QUARTZITE BOX QUARTZITE BOX				SHEET 1 OF 1 8752/4 PGI7208A18		





Growth Management Division
2800 Horseshoe Drive N.
Naples, FL
34104
239-252-2400

Collier County Payment Slip (MS)

Date: March 25, 2026 *Sunt*
Amount Owed: \$ 500.00
Contact Description: David Tripp, Address: 2060 21ST ST SW, Phone: (239) 403-3630
Comments: Building Board of Adjustments and Appeals Request.

FEES:

<u>Fee Description</u>	<u>MS Reference Number</u>	<u>Amount</u>
Building Board of Adjustments and Appeals	MS20260000086	\$500.00
	Total Amount Due:	\$500.00

To pay online use the following link:
<https://cyportal.colliercountyfl.gov/CityViewWeb/>
Payment must be made under Miscellaneous Fees.

Fred Clum

From: Fred Clum <fredclum@msn.com>
Sent: Thursday, March 26, 2026 4:11 AM
To: Fred Clum
Subject: FW: AskFLDFS

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Sent from my Galaxy

----- Original message -----
From: "Flowers, Elijah" <Elijah.Flowers@myfloridacfo.com>
Date: 3/25/26 3:09 PM (GMT-05:00)
To: fredclum@msn.com
Subject: RE: AskFLDFS

Good afternoon,

The answer to your question will be installation-specific. Therefore, I suggest that you consult directly with your local Authority Having Jurisdiction regarding the application of the appropriate Codes to the specific project/installation.

The Florida Fire Prevention Code and NFPA 58, Liquefied Petroleum Gas Code, as referenced within, have specific conditions that must be met for the installation.

NFPA 58: 6.8.7.1

ASME container assemblies intended for underground installation, including interchangeable aboveground-underground container assemblies, shall be installed underground in accordance with 6.8.7.1(A) through 6.8.7.1(M).
(B)

3/26/26
FINES MASSIVE
STATES
FINES

At installations within 10 ft (3 m) of a public vehicular thoroughfare or designated parking location, the shell of a noninterchangeable underground container shall be installed 18 in. (460 mm) below grade or vehicular barrier protection shall be provided.

Best regards,

Elijah Flowers
Senior Code Analyst
Office of Chief Financial Officer Blaise Ingoglia
Florida Department of Financial Services
Division of State Fire Marshal
Office: (850) 413-3731
Cell: (850) 766-3001
Email: Elijah.flowers@myfloridacfo.com



Please note that Florida has a broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

Note that my answers, opinions, and interpretations are my own based on my knowledge, experience and training and should not be considered a formal position of the State Fire Marshal. For a formal statement, please utilize the petition for declaratory statement form, located at this web page:

<https://www.myfloridacfo.com/division/sfm/foia/declaratory-statement-summaries>

From: FLDFS <no-reply@myfloridacfo.com>
Sent: Wednesday, March 25, 2026 11:57 AM
To: SFM <SFM@myfloridacfo.com>
Subject: AskFLDFS



AskFLDFS
myfloridacfo.com

Form: AskFLDFS
A new response was submitted on 25 March 2026, 11:56 AM.

Select a State Fire Marshal
choice

EMAIL ADDRESS fredclum@msn.com

ZIPCODE 34102

First Name Frederic

Last Name Clum

TELEPHONE 2393008816

FAX

STREET ADDRESS OR PO BOX NUMBER 630 7th Ave S

CITY Naples

STATE FL

SUBJECT

Propane Tank locations

MY MESSAGE

Can a propane tank be installed beneath a residential driveway ?

Page URL/Link

[View response](#)

Fred Clum

From: Thomas Mastroberto
Sent: Wednesday, March 25, 2026 9:34 AM
To: Fred Clum
Subject: LPG tanks in driveways

Good morning Mr. Fred

Here's what NFPA has said about tanks under driveways. (sorry not much help).

NFPA
3/25/26

NFPA 58 (2024 Edition) permits the installation of underground LPG tanks under certain conditions, including driveways. Relevant considerations include:

1. **Depth Requirements:** For underground containers installed within 10 feet (3 meters) of a public vehicular thoroughfare or parking location, the tank's shell must be installed at a minimum depth of **18 inches below grade**, or appropriate **vehicular barrier protection** must be provided. ⁽¹⁾
2. **Damage Prevention:** The installation must account for potential **damage from vehicles** if the container or piping is beneath driveways, roads, or streets. This includes protecting the container and associated components from physical impact. ⁽²⁾ ⁽³⁾
3. **General Restrictions:**
 1. Underground containers must be **outside of any buildings and not beneath structures**. ⁽⁴⁾ ⁽⁵⁾
 2. Minimum separation distances from buildings and property lines may apply. **Typically 10 feet horizontally**. However, equivalency provisions in Section 1.5 allow **installations based on local jurisdiction approval** if the tank cannot meet standard distance requirements. ⁽⁶⁾ ⁽⁷⁾

Before installation, always confirm compliance with local codes and notify the **Authority Having Jurisdiction (AHJ)** for additional requirements specific to the site.

For more details: [NFPA 58/2024](#) ⁽¹⁾ ⁽³⁾.

Thomas Mastroberto
Site Plans Reviewer III
Building Plan Review & Inspection

Office: [239-252-7348](tel:239-252-7348)

2800 N Horseshoe DR



Naples, Florida 34109
Thomas.Mastroberto@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Thomas.Mastroberto@collier.gov

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

3/11/26
Response

Permit Number : PRGS20251250349

Correction1:

Underground tank Specifications were turned in with an " Engineered and stamped" rated traffic dome. I will relabel them for you as " exhibit 1" for the tank underground specifications and " exhibit 2" for the Engineered traffic bearing dome. Also the code does not state that the regulator must be vented away from the driveway. The code states the regular must be vented if it is located in a "probable" area that could flood. Fema does not determine the probable flooded areas. They designed a map of "natural disaster flooding" which is not " probable as it may never occur. And in 95% of cases never does occur. Acts of GOD are not covered in the Florida building code. So unless you are able to prove that the dome of the tank is in area that is probable to flooding this does not make sense in this application. Our code

Corection 2:

We did not submit a " listed" product. We supplied and Engineered and certified product by that Engineer. These are not the same thing so this correction is not applicable to our submittal and a listed product is not required per code. Engineers are third party licensed agency that design and approve structural components to building plans. This is why engineers approve Trusses and Tie Beams and put their seal on building plans. Because either is an acceptable practice in Building code.

Correction 3:

My plans are very legible. I was able to find and locate all the information regarding these corrections with ease. And my plans have always been in accordance with NFPA58 and NFPA54 aswell as the florida fuel gas code.

Florida Statutes for Local Product approval.

553.8425 Local product approval.—

(1) For local product approval, products or systems of construction shall demonstrate compliance with the **structural windload requirements** of the Florida Building Code through one of the following methods:

(a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;

(b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;

(c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;

(d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

See
2 of 553.8425

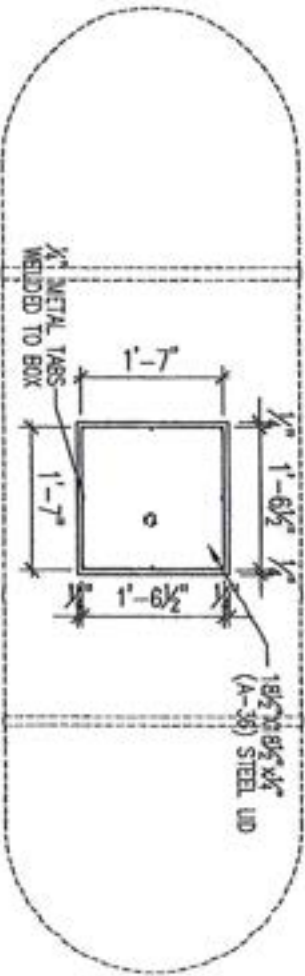
Not
included

Expiration Date: 08/31/2026

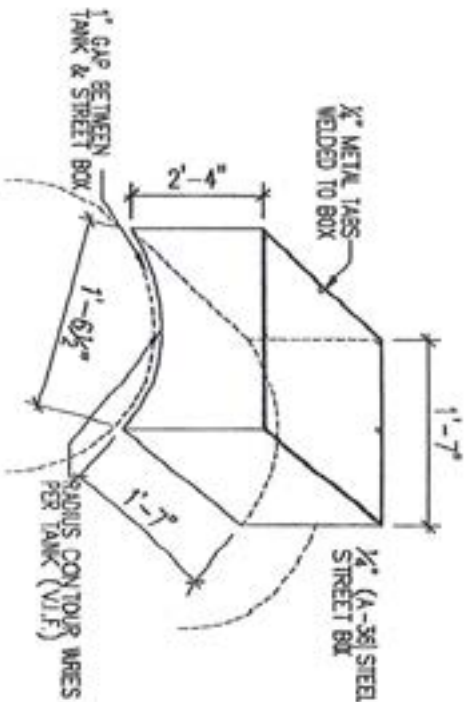
3 Revision Submittal Status: Accepted ☺

Review Type	Outcome	Est. Completion Date	Completed
☺ Gas Review	Rejected	04/02/2026	03/05/2026
Reviewer: Michael Sinning ((239) 252-2400) Send Email			
<p><u>Correction 1:</u> Miscellaneous Corrections <u>Status:</u> Outstanding <u>Date Status Changed:</u> 03/05/2026</p>			
Corrections:	<p><u>Comments:</u> Your plan appears to specify a propane tank buried underneath a driveway or what could be considered a parking location. Please provide the manufacturers specification sheet and installation directions for what you call "traffic bearing dome" as a listed AASHTO enclosure designed for intentional vehicle drive over as per FBC Fuel Gas 305.1. and NFPA 58 (2020) 6.8.6.1 (C) Please note that the vent from the regulator shall be piped to a remote location 5' from the driveway. Please indicate this on the site plan.</p>		
<p><u>Correction 2:</u> Miscellaneous Corrections <u>Status:</u> Outstanding <u>Date Status Changed:</u> 03/05/2026</p>			
<p><u>Comments:</u> 3.2.5^m Listed, Equipment, materials, or services included in a list published by an organization that is acceptable to the authority having jurisdiction and concerned with evaluation of products or services, that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services, and whose listing states that either the equipment, material, or service meets appropriate designated standards or has been tested and found suitable for a specified purpose.</p>			
<p><u>Correction 3:</u> Miscellaneous Corrections <u>Status:</u> Outstanding <u>Date Status Changed:</u> 03/05/2026</p>			
<p><u>Comments:</u> Informational only no response required: FBC 107.2.1 Construction documents shall be of sufficient clarity to indicate location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations as determined by the building official. NOTE: All corrections are to include a response letter identifying the changes made for each rejection comment and corrections on the plans clouded This review shall be considered incomplete pending receipt of requested and required information. Subsequent review(s) may reveal additional deficiencies.</p>			
☺ Final Type Review	Pending	04/16/2026	
☺ Zoning Review	Pending	04/02/2026	

Exhibit 2 "Engineered" Not Listed



1 UNDERGROUND TANK DETAIL
N.I.S



STREET BOX DETAIL

EXTD
7/20/24
PS
Note

Rev 2/4/24



This is the best digital reproduction of the original seal. It is not a legal seal. The original seal is the only legal seal. The original seal is the only legal seal.

Digitally signed by
Lan-Anh Nguyen
Date: 2023.07.20
16:38:35 -04'00'



NOTE: CONSTRUCTION MANAGERS HAVE BEEN PROVIDED UNDER THE DIRECT SUPERVISION OF THE ENGINEER'S OFFICE. THE ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE STREET BOX DETAIL. THE ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE STREET BOX DETAIL. THE ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE STREET BOX DETAIL.

CLIENT
MASTER LP STEEL
DOME LID & BOX

NO. OF SHEETS	1
DATE	7/20/24
SCALE	AS SHOWN
SHEET	1

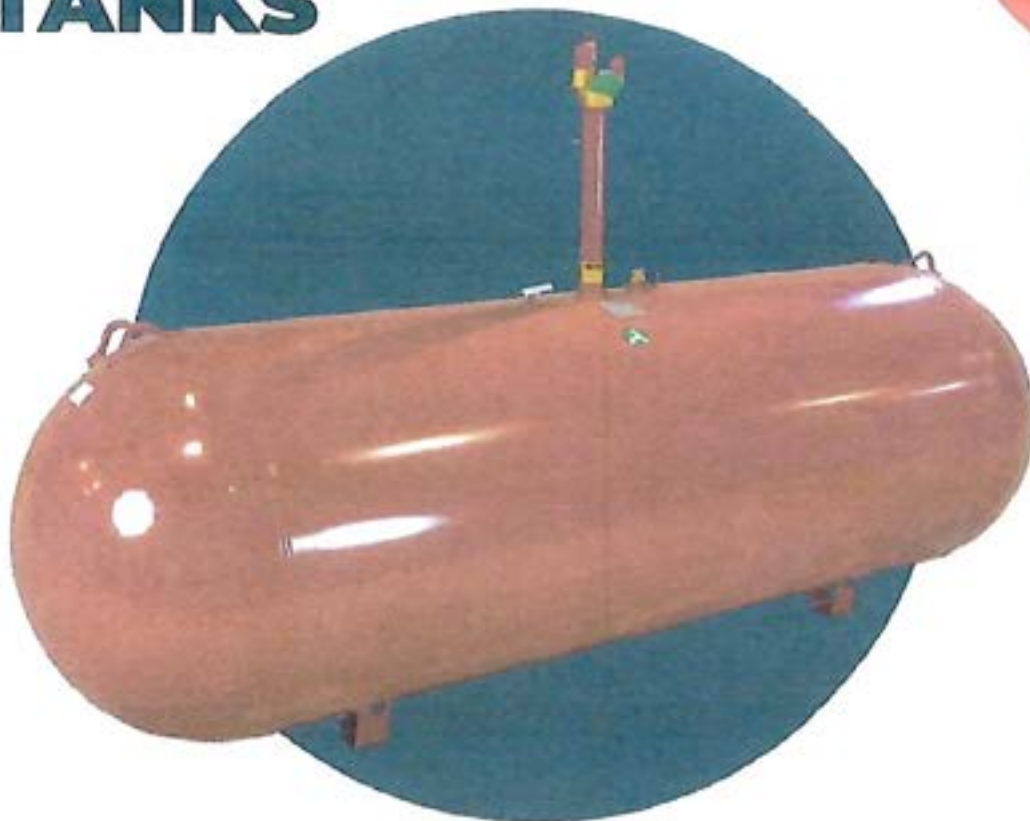
EXTD 7/20/24



Exhibit 1

TRIARCTANK
HIGH PERFORMANCE INNOVATION

UNDERGROUND DOMESTIC TANKS



Standard WG offering:
120 - 2000 WG
Standard color:
Redox

GENERAL SPECIFICATIONS

Designed and built to ASME Section VIII, Division 1
Complies with NFPA 58 & registered with national board
Rated at 250 PSI from -20° to 125°F
Vacuum purged - Ready to fill
Choice of Rego or Cavagna valves
Rochester liquid level gauges standard with steel gears
Superior powder coated finish
Underground black plastic shroud and lid included with purchase (standard)
Boom crane delivery standard

*NOTES

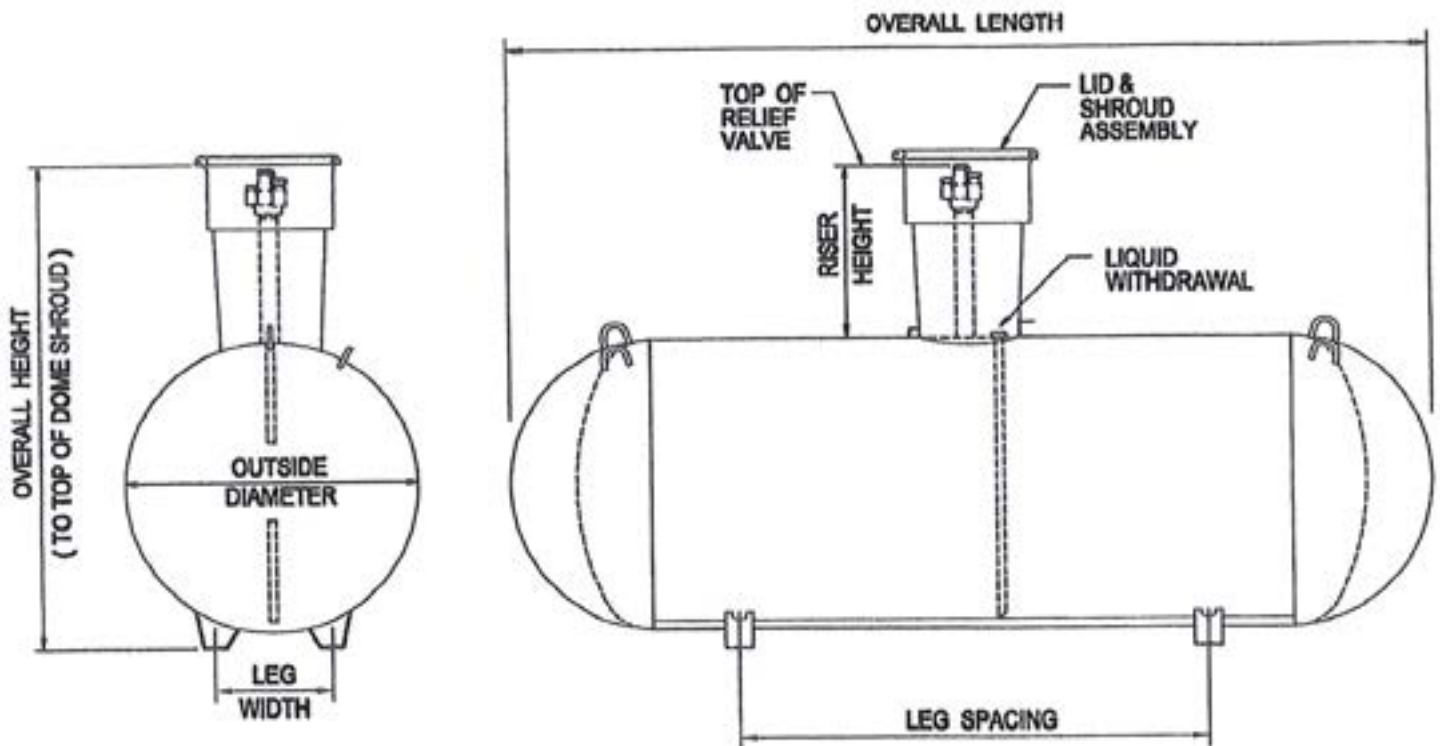
Vessel finished with white powder paint must be installed aboveground only
Vessel finished with red powder must be buried with proper cathodic protection (sold separately) and coating must be continuous/uninterrupted and must comply with federal, state, and local code



2999 Olympus Blvd
Suite 450
Dallas, TX 75019

888 558 8225
customerservice@triarctank.com

Exhibit 1

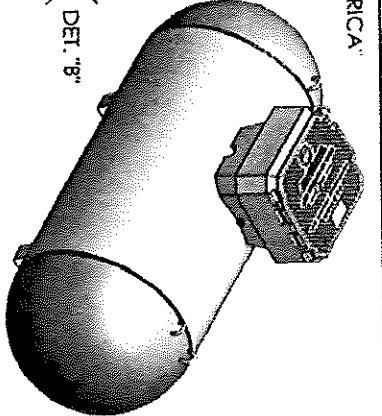
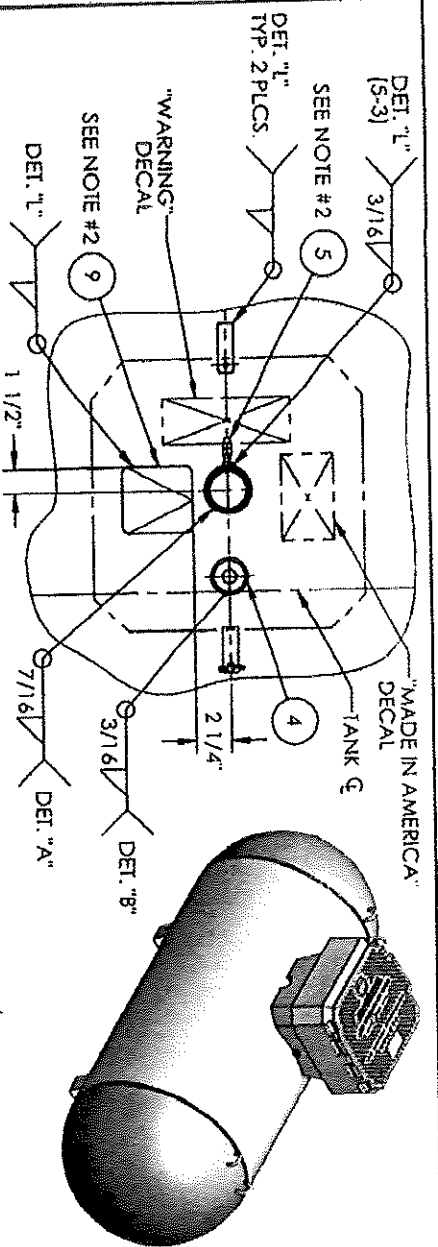
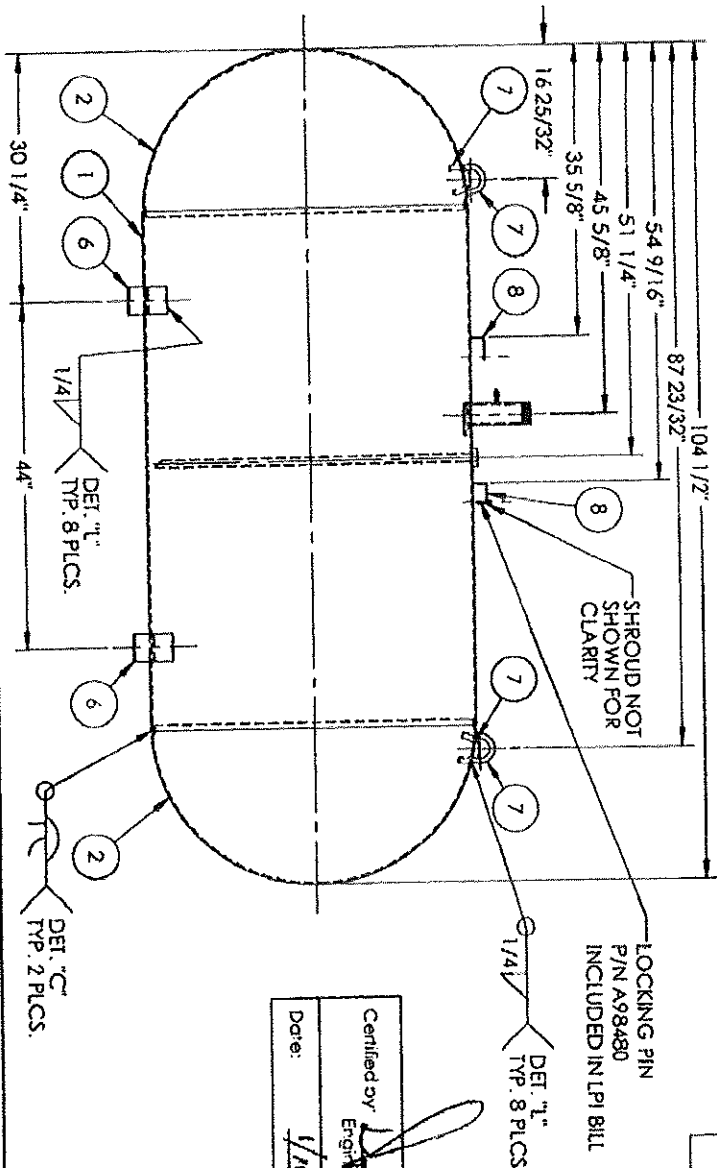


UNDERGROUND VESSEL DIMENSIONAL INFORMATION

Water Capacity	Outside Diameter	Head Type	Overall Length	Overall Height		Leg Width	Leg Spacing	Weight	Quantity	
				14" Riser height	20"				Full Load	Per stack
*120 wg.	24"	Ellip	5' - 5 7/8"	3' - 4 5/8"	4' - 6 3/4"	10 1/8"	3' - 0"	268 lbs.	63	9
*250 wg.	31.5"	Hemi	7' 2 1/2"	4' 0 5/8"	5' - 2 1/16"	12 3/4"	3' - 6"	490 lbs.	42	7
*320 wg.	31.5"	Hemi	8' - 11 3/4"	4' - 0 5/8"	5' - 2 1/16"	12 3/4"	4' - 0 1/4"	610 lbs.	28	7
500 wg.	37.42"	Hemi	9' - 10"	4' - 6 1/2"	5' - 8 1/8"	15"	5' - 0"	921 lbs.	25	5
1000 wg.	40.96"	Hemi	15' - 10 7/8"	4' - 9 1/2"	6' - 0"	16 1/4"	9' - 0"	1,760 lbs.	15	5
1465 wg.	46.77"	Ellip	17' - 6 7/8"	5' - 3 7/8"	6' - 5"	21"	10' - 0"	2,830 lbs.	6	3
2000 wg.	46.77"	Ellip	23' - 9"	5' - 3 7/8"	6' - 5"	21"	14' - 0"	3,685 lbs.	6	3

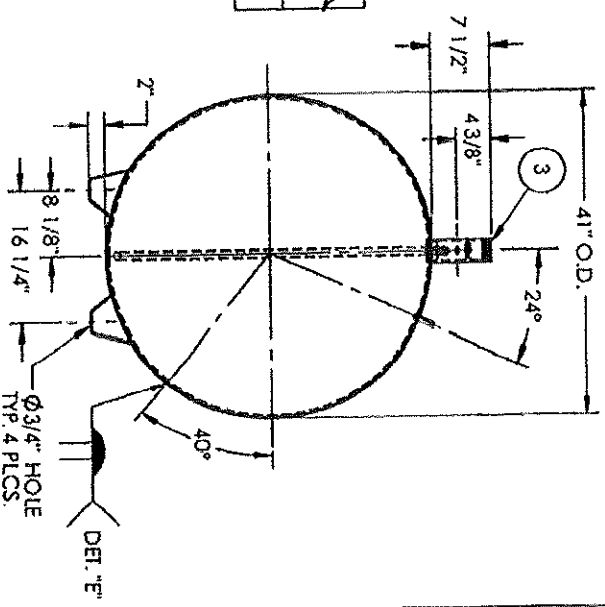
All vessels dimensions are approximate.

Exhibit 1



ITEM NO.	PART NO.	DESCRIPTION	QTY.
1	68286-20-SL	SHELL LAYOUT FOR 41" TANK	1
2	H46758	41" O.D. HEMI HEAD JOGGLED	2
3	A97196	2-1/2" S/80 PIPE X 8-1/4" LONG TOE	1
4	A62265	3/4 NPT TUBE ASSEMBLY	1
5	A97239	3/8-16 H.H.C.S. X 1 1/2" LONG S.S.	1
6	A97026.1	AGA FOOT BRACKET	4
7	A57563	LIFT LUG 5/8" X 6.4375"	4
8	A98679	KEEPER CLIP	2
9	A97031.6	ASME DATA PLATE	1
10	A97198	3/4" S/40 PIPE X 10-7/8" LONG T.O.E	1
11	G13023	SIGHT GAUGE, JUNIOR DIAL 4 BOLT	1
12	V21270.8	MULTIVALVE ASSEMBLY W/DIP TUBE	1

TANK HAS DUPLICATE NAMEPLATE



Certified by: *[Signature]*
Engineering Mgr
Date: 1/10/25

- NOTES:
- INTERIOR OF VESSEL TO BE CLEAN, DRY & FREE OF MOST RUST, DIRT, OIL, SLAG & OTHER FOREIGN PARTICULATE MATTER.
 - MASK ITEMS #8 & #9 PRIOR TO PAINT.
 - APPLY DECALS AFTER COATING IS DRY.
 - VACUUM PURGE TANK TO -20PSI.
 - SHROUD AND HARDWARE SHIPPED SEPARATELY.
 - FOR NON-CORROSIVE SERVICE.

SPECIFICATIONS

O.D. 41 LGTH. 104.5 HEAD (H1): 0.202 MATL. SA-414C
 WT. 978 LBS HEAD (H2): N/A MATL. N/A
 S.A. 98.8 SQ.FT. SHELL: 0.239 MATL. SA-455
 GAL. 500 CU.FT. 72.7 CRN. R3786.5C
 CODE: ASME Section VIII, Div. 1 LATEST EDITION
 STD. TOLERANCES: M-2461 (UNLESS OTHERWISE NOTED)

MAWP 250 PSI @ 400°F
 TEST 325 PSI
 RT-4 MDMT: -20°F @ 250 PSI
 X-RAY: FULL / SPOT
 CORR ALW 0 SH 0 HD
 WELD DETAILS: M-1932

MANJESTER
 HORIZONTAL PROPANE TANK
 500 GAL. NOM. UG(SR)

RELEASED FOR PRODUCTION DATE

REVISIONS

REV	BY	DESCRIPTION
A	DS	FEET SPACING WAS 47.
B	UG	REVISED PER ECR# 53920 AND UPDATED TO CURRENT STANDARDS. SEE Q350
C	RK	TUBING ASSEMBLY #4 WAS A97024 WT. WAS 987#

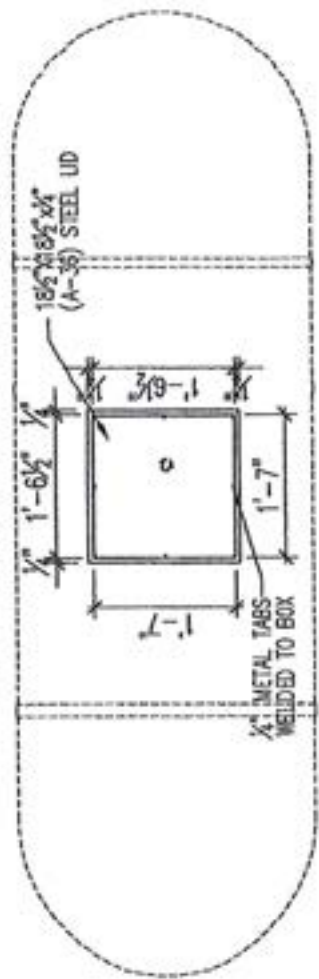
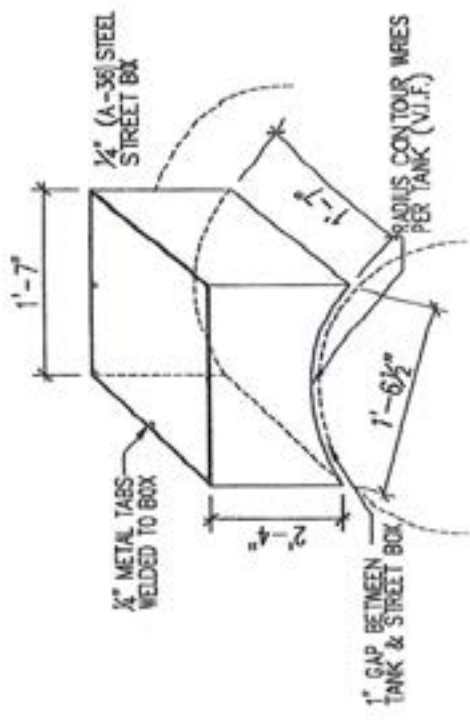
DATE	APR	APPR. BY:
8/14/2024	DS	
10/29/2024	MK	
11/11/2024	MK	

DRAWN BY: HD DATE: 5/6/2024
 DATE: 5/14/2024
 SCALE: NONE
 DRWG NO. 68286.20

3/11/26

Not listed
"Engineered"

Exhibit 2



1 UNDERGROUND TANK DETAIL
N.T.S.
STREET BOX DETAIL

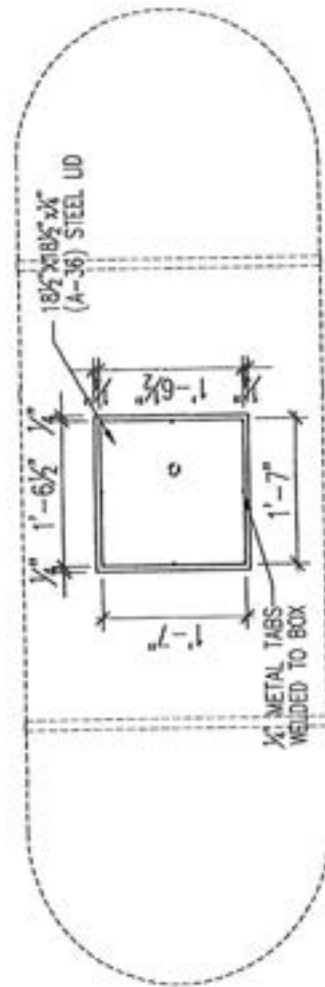
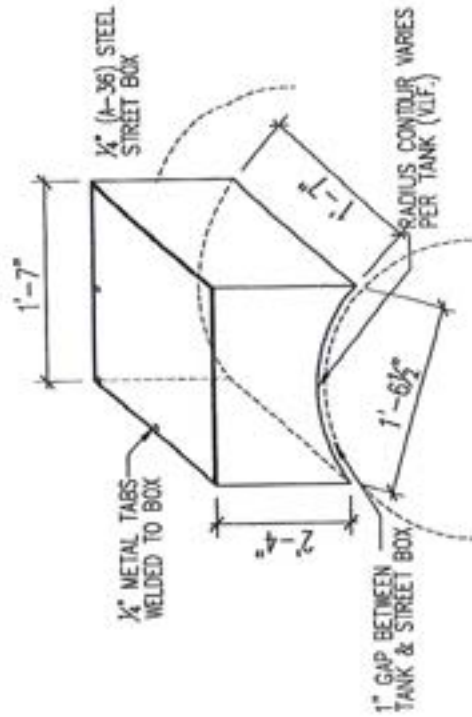
Digitally signed by
Lan-Anh Nguyen
Date: 2023.07.20 5:18 P
16:38:35 -04'00' 7/20/24



		CONSULTANT LAN ENGINEERING C.E. #2590 11000 W. BAYVIEW BLVD. SUITE 200 MIAMI, FL 33147	PROJECT: DOMESTIC-12 SITE: 7/19/2023 DRAWN BY: C.L. SCALE: AS SHOWN	SHEET 1 OF 1
			CLIENT: MASTER LP STEEL DOMELID & BOX	

THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED UNDER THE DIRECT SUPERVISION OF
 LAN-ANH NGUYEN, P.E., A LICENSED PROFESSIONAL ENGINEER, MEMBER IN GOOD STANDING WITH THE
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 MODIFICATION OF THESE DOCUMENTS WITHOUT THE WRITTEN CONSENT OF LAN ENGINEERING, P.A. IS STRICTLY PROHIBITED. THE DRAWING AND DESIGN IS VALID FOR 12 MONTHS AFTER THE DATE IT IS ISSUED & SEALED.
 (S.E.)

exhibit 2 up to date.



1 UNDERGROUND TANK DETAIL

N.T.S.

STREET BOX DETAIL

Digitally signed by Pierre M Valles

Date:

2025.11.20

20:09:40

-05'00'



THIS SEAL AND SIGN ELECTRONICALLY SIGNED AND SEALED BY PIERRE M. VALLES IN ACCORDANCE WITH THE FLORIDA PROFESSIONAL ENGINEERING AND SURVEYING STATUTES AND THE PUBLIC POLICY OF THIS OCCUPATION AND NOT BEING REPRODUCED OR COPIED AND NOT BEING USED FOR ANY OTHER PURPOSE. THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC SIGNATURE.

		<p>CONSULTANT PIERRE M. VALLES, P.E. FL REG. NO. 12483 WITH ADDITIONAL SPECIALTY: MECHANICAL ENGINEERING ELECTRICAL ENGINEERING</p>	<p>CLIENT: MASTER SET FOR CONCRETE PAD FLORIDA</p>	<p>PROJECT # 2025-01-15</p>	<p>DATE: 11/19/2025</p>	<p>DRAWN BY: S.S.</p>	<p>SCALE: AS SHOWN</p>	<p>SHEET 1 OF 1</p>
				<p>NOTE: UNDERGROUND INSTALLATIONS HAVE BEEN PREPARED UNDER THE DIRECT SUPERVISION OF PIERRE M. VALLES, P.E. (FL REG. NO. 12483), ENGINEER, MECHANICAL, ELECTRICAL, AND SURVEYING. CONSULTANT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES OF THE FLORIDA BUILDING CODE BOOK. THESE PLANS SHALL BE SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THIS DRAWING AND DESIGN IS VALID FOR 12 MONTHS AFTER THE DATE IT IS ISSUED & SEALED.</p>				

2/14/11 JLV

714ST



Fred Clum

From: Truman Henson <thenson@ocalafl.gov>
Sent: Tuesday, March 24, 2026 10:05 AM
To: Fred Clum
Subject: RE: Propane tank lid

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Correct.

Truman Henson
Chief Building Official
City of Ocala
Growth Management Dept
201 SE 3rd Street (2nd Floor)
Ocala, FL 34471
(office) 352-629-8477 (mobile) 352-843-6810
Email: thenson@ocalafl.gov



From: Fred Clum <Fred.Clum@collier.gov>
Sent: Tuesday, March 24, 2026 9:02 AM
To: Truman Henson <thenson@ocalafl.gov>
Subject: RE: Propane tank lid

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks

So may i assume there are no Propane tanks installed in driveways in Ocala ?

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 341104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Truman Henson <thenson@ocalafl.gov>
Sent: Tuesday, March 24, 2026 8:22 AM
To: Fred Clum <Fred.Clum@collier.gov>
Subject: RE: Propane tank lid

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Good morning again, Fred. I've talked with my guys and none recall ever seeing an installation like this in the City of Ocala. So, I'm afraid I can't provide much help, but hope that you'll reach out again as other topics arise.

Be well,

Truman Henson
Chief Building Official
City of Ocala
Growth Management Dept
201 SE 3rd Street (2nd Floor)



Ocala, FL 34471

(office) 352-629-8477 (mobile) 352-843-6810

Email: thenson@ocalafl.gov



From: Fred Clum <Fred.Clum@collier.gov>

Sent: Monday, March 23, 2026 8:03 AM

To: Truman Henson <thenson@ocalafl.gov>

Subject: RE: Propane tank lid

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Truman , for the reply

Regards

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Truman Henson <thenson@ocalafl.gov>

Sent: Monday, March 23, 2026 7:55 AM



To: Fred Clum <Fred.Clum@collier.gov>
Subject: RE: Propane tank lid

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Good morning,

I apologize for the slow response....I was out of the office last week and am just back and trying to catch up.

In response to your question, I don't recall any instance in Ocala where that type of installation has been reviewed or completed. However, I will check with my plumbing and gas guys a bit later today and see if they can shed any further light for you.

Truman Henson

Chief Building Official
City of Ocala
Growth Management Dept
201 SE 3rd Street (2nd Floor)
Ocala, FL 34471
(office) 352-629-8477 (mobile) 352-843-6810
Email: thenson@ocalafl.gov



From: Fred Clum <Fred.Clum@collier.gov>
Sent: Thursday, March 19, 2026 2:15 PM
To: Truman Henson <thenson@ocalafl.gov>
Subject: Propane tank lid

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Truman

Greetings , I am the B.O. of Collier County FL, reaching out to AHJs to gather some info on Traffic Rated Propane Tank Lids

When a propane tank is installed under a driveway [if you permit it] what tank lid or dome do you require ?

Thanks for the reply
Fred

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov



Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 24, 2026 8:03 AM
To: Fred Clum
Subject: Re: PRGS 20251250349 Florida Building code Statute

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

I do not understand your email states that an engineer can approve materials.

So is my sign and sealed professional engineering with the listing that it complies with 2020 building code is approved or are you rejecting it?

If you are rejecting it then yes. Lets put your dumb ass through another review.

Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

On Saturday, March 21, 2026 at 03:36:49 AM EDT, Fred Clum <fred.clum@collier.gov> wrote:

Mr Tripp,

In reply to your request below, after review of applicable Florida Statutes and Florida Building code regarding alternative materials, design and methods of construction and equipment FS 553.8425 & FBC 104.11

A Florida professional engineer or Florida registered architect engineer may submit alternate products means and method , each submittal shall comply with FS 884.124 (2) (4) & (6)

Final determination

553.8425 Local Product Approval / Florida Building Code 104.11 Alternative Materials, design and methods of construction and equipment.

Ref FS 553.8425 A Florida registered Engineered or Architect may submit for a local product approval. It shall be accompanied with a product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code.

For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.

553.8425 Local product approval. —

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;
- (d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;
- (e) A statewide product approval issued by the Florida Building Commission; or
- (f) Designation of compliance with a prescriptive, material standard adopted by the commission by rule under s. [553.842\(15\)](#).

(2) For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.

(3) Local building officials may accept modifications to approved products or their installations if sufficient evidence is submitted to the local building official to demonstrate compliance with the code or the intent of the code, including such evidence as certifications from a Florida registered architect or Florida professional engineer.

(4) Products demonstrating compliance shall be manufactured under a quality assurance program audited by an approved quality assurance entity.

(5) Products bearing a certification mark, label, or listing by an approved certification agency require no further documentation to establish compliance with the code.

(6) Upon review of the compliance documentation, and a finding that the product complies with the code, the authority having jurisdiction or a local building official shall deem the product approved for use in accordance with its approval and limitation of use.

(7) Approval shall be valid until such time as the product changes and decreases in performance; the standards of the code change, requiring increased performance; or the approval is otherwise suspended or revoked. Changes to the code do not void the approval of products previously installed in existing buildings if such products met building code requirements at the time the product was installed.

You may appeal this interpretation to Collier County BOAA [application attached]

Kind Regards

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office:239-252-4232

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov



Collier County



From: Superior Propane <superiorpropane@yahoo.com>
Sent: Wednesday, March 11, 2026 12:59 PM
To: Fred Clum <Fred.Clum@collier.gov>
Subject: Re: PRGS 20251250349 Florida Building code Statutes

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

You are mistaken.

I don't care about the dome.

What I want interpreted in Professional Engineering allowed for construction documents.

It if that lid is allowable. I know it is. What I want is to set you up for the biggest failure of your life.

I want you to Interpret the statute I just sent you as it is found in the Building code.

Because you accept professional engineering everyday. And yet for propane permits you are not.

So let's hear your interpretation of PE seals

On construction documents. Because all steel the beams and all columns and stair cases have PE seals to have them approved.

Goodluck. Be careful. You may have to tell

Contractors they have to have all UL listed beams and staircases, hand rails for 2nd floors.

All of these are custom built

Locally and have PE seals on their documents to meet code.

So again. I don't care about the dome. What I care about is your

Blatant overreach.

So please tell me how PE specifications for steel tie beams and staircases are 100-% accepted and yet you claim a PE cannot seal and certify a vehicular traffic protection.

Kind Regards,

Superior Propane
239-403-3630

6014 Shirley St Suite C
Naples, FL 34109

www.SuperiorPropaneFL.com

On Wednesday, March 11, 2026 at 08:13:51 AM EDT, Fred Clum <fred.clum@collier.gov> wrote:

Mr Tripp,

Thanks so much for your email. Initially, I would like to clarify that I do not intend to argue with anyone. Per the Florida Statute 553.775 the Building Official may interpret the code. Based on the content of your email I am assuming you are requesting a formal code determination regarding the tank dome [attached] in question as submitted on permit PRGSS20251250349.

In addition, the ruling of the BOAA on Tuesday June 18th, 2024, was to determine if a motor vehicle was a source of ignition when applicable to a propane tank placed under a driveway, they ruled it was not. The issue of whether a propane tank could be placed in a driveway was not the issue, as it may be placed under a driveway meeting applicable code for such placement.

Allow a few days to research and reply with a formal code Interpretation for Local product approval per FS 553.8425, regarding the attached documents [Master LP Steel Dome Lid & Box] submitted in permit PRGSS20251250349

553.775 Interpretations.—

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

Very Kind Regards,

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office:239-252-4232

2800 N. Horseshoe Dr.

Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:14 PM
To: Fred Clum <Fred.Clum@collier.gov>; Paul Philabaum <Paul.Philabaum@collier.gov>
Subject: Florida Building code Statutes

This email was sent to your old CollierCountyFL.gov email address. Please contact the sender to change to your new email domain @Collier.gov

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Florida law allows for Local approval of products to be signed by a PE and state that they conform with the Florida building code.

Fred, as you learned in the past, I do not argue if I am not correct. An engineered dome stamped and approved by an engineer is 100% legal in the state of Florida and conforms directly to the Florida Building Code.

This has been supplied on every jobsite. This is also the reason PE can sign off on trusses, Structural steel beams, custom-made staircases, and hand railing for 2nd floors and pools.

None of these items in your Building permits has UL-listed and stamped products. The beams are made locally to the engineer's design. Beams made locally by an engineer's design. This is a structural protection apparatus designed by an engineer to support the weight of the driveway and protect the domes from vehicular traffic.

553.8425 Local product approval.—

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;

(b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;

(c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;

(d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Fred Clum

From: Miranda Paredes
Sent: Tuesday, March 10, 2026 12:21 PM
To: Fred Clum
Subject: FW: Meeting Request for Fred Klum

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

Miranda Paredes
Operations Support Specialist I
Building Plan Review & Inspection

Office: [239-252-2713](tel:239-252-2713)

2800 Horseshoe Drive North
Naples, Florida 34104
Miranda.Paredes@collier.gov

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From: Miranda Paredes <Miranda.Paredes@collier.gov>
Sent: Tuesday, March 10, 2026 12:20 PM
To: Superiorpropane@yahoo.com
Cc: Ryan Cathey <Ryan.Cathey@collier.gov>
Subject: RE: Meeting Request for Fred Klum

Good afternoon David,



Can I have a brief description of what will be discussed in this meeting? Please know all meeting requests have a fee of \$200, that must be paid prior to the meeting being held once scheduled.

Miranda Paredes
Operations Support Specialist I
Building Plan Review & Inspection

Office: [239-252-2713](tel:239-252-2713)

2800 Horseshoe Drive North
Naples, Florida 34104
Miranda.Paredes@collier.gov



My email address has changed. Effective immediately, please update your contact list to use this new address: Miranda.Paredes@collier.gov

From: Ryan Cathey <Ryan.Cathey@collier.gov>
Sent: Tuesday, March 10, 2026 12:10 PM
To: Miranda Paredes <Miranda.Paredes@collier.gov>
Cc: Superiorpropane@yahoo.com
Subject: Meeting Request for Fred Klum

Good Afternoon Miranda,
I am sending this on behalf of David. He was in the building earlier today and has requested a meeting with Fred Klum. He specifically requested 50 meetings at 10:00am. I have CC'd David on this e-mail for any follow up correspondence.
Thank you,

Ryan Cathey
Supervisor - Operations I
Code Enforcement

Office: [239-252-2418](tel:239-252-2418)



2800 Horseshoe Dr N
Naples, FL 34104
Ryan.Cathey@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Ryan.Cathey@collier.gov

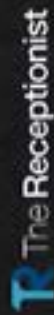
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Fred Clum

From: Paul Philabaum
Sent: Tuesday, March 10, 2026 12:26 PM
To: Fred Clum
Cc: Doug Sposito
Subject: Sign in

Follow Up Flag: Follow up
Flag Status: Flagged

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David

is here to see you

Arrived Tuesday, March 10, 2026 at 11:46am (EDT)



Full Name
Company Name
Reason for your visit?
Button

David
Fred Klum Sucks
fred klum is dumb
Plan Review



Paul Philabaum
Chief Building Inspector
Building Plan Review & Inspection

Office: [239-252-2920](tel:239-252-2920)

2400 N Horseshoe Dr
Naples, FL 34104
Paul.Philabaum@collier.gov



My email address has changed. Effective immediately, please update your contact list to use this new address: Paul.Philabaum@collier.gov

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Fred Clum

From: Fred Clum
Sent: Tuesday, March 10, 2026 1:02 PM
To: Doug Sposito; Gregory Hamm; Myron Jacobs; Paul Philabaum; Robert Moore; Wayne Hendrickx; William Craft
Cc: John McCormick; Fred Clum
Subject: ALTERNATIVE design product 2.pdf
Attachments: ALTERNATIVE design product 2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

This is the path to submit Alternative Design

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov



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**APPLICATION AND INSTRUCTIONS FOR THE APPROVAL OF AN ALTERNATIVE MATERIAL,
DESIGN OR METHOD OF CONSTRUCTION - FAC 61G20-3, FBC 2023 SEC 1703**

Name of Applicant: _____

Job Address: _____

Property Owners Name: _____

Name of Job site EOR: _____ License #: _____

This is for an:

Alternative Material Design Method of Construction

Description of proposed alternative: _____

Name of Manufacturer: _____

Name of Testing Agency: _____

Name of Quality Assurance Agency: _____

Name of Person Certifying Independence: _____

Name and title of person authorized to sign on behalf of the agency or signature, registration number and seal in the case of architects and engineers: _____

All reports and documentation required in subsections 61G20-3.005(1) and (2), F.A.C., and submitted for review shall contain the basic information listed below. Design drawings submitted for permitting purposes are not to be construed to be an evaluation report and do not require this information. When the Code or the building official requires a standard test as a component of a product approval using the evaluation methods, the test lab must be accredited by a Florida approved accreditation body for the test performed. The entity issuing the evaluation report or certification is responsible for ensuring that the test lab is accredited.

Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

Signature of Applicant License # Date

Checklist of the minimum information required with each application:

Application form

Name and address of the manufacturer, evaluation entity, engineer or architect or testing laboratory.

Statement of compliance with the appropriate section or standard of the Code.

Complete description of the product, including all drawings, manufacturer's product designations and materials, except materials specifications identified as proprietary.

Technical documentation, including all substantiating data, supporting the compliance statement. Substantiating data shall include all test reports and calculations which may be referenced within the evaluation report.

Installation requirements. Installation instructions including attachments developed by an evaluation entity, test lab or by the manufacturer's licensed design professional.

Limitations and conditions of use.

Certification of independence in conformance with Rule 61G20-3.009, F.A.C.

Name, title and signature of person authorized to sign on behalf of entity or signature, registration number and seal in the case of architects and engineers.

A signed-sealed statement from the EOR is required, attesting that the material, method or work offered for the purpose intended, is not less than the equivalent of that prescribed in the code



INSTRUCTIONS FOR SINGLE JOB, SITE SPECIFIC APPROVAL OF AN ALTERNATIVE MATERIAL, DESIGN OR METHOD OF CONSTRUCTION

FAC 61G20-3, FBC 2023 SEC 1703

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved.

An alternative material, design or method of construction shall be approved where the building official finds that the proposed alternative meets all of the following:

- A. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code.
- B. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code

-
- A. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code.**

For the building official to review a particular material, design or method of construction for a Collier County single job site-specific installation the manufacturer must have the material, design or method of construction evaluated for compliance with standards established by the code, by a Florida Building Commission approved entity or Florida licensed P.E. or R.A.

The applicant must submit each of the following:

- 1) Documentation on the evaluation of the alternative material, design or method of construction to the building department signed and sealed by a Licensed Engineer demonstrating compliance with all applicable codes.**
 - a. A Florida Building Commission approved agency shall provide all information as necessary for the building official to determine that the agency meets the applicable requirements specified in Sections FBC 1703.1.1 through 1703.1.3.
 - b. All reports and documentation required in subsections 61G20-3.005(1) and (2), of the Florida Administrative Code shall contain the information listed below. Design drawings submitted for permitting purposes are not to be construed to be an evaluation report and do not require this information. When the Code or Building Official requires a standard test as a component of approval using evaluation methods, the test lab must be accredited by a Florida approved accreditation body for the test performed. The

entity issuing the evaluation report or certification is responsible to ensure that the test lab is accredited.

1. Name and address of the manufacturer, evaluation entity, engineer or architect or testing laboratory.
2. Statement the entity is a Florida Building Commission approved agency
3. Statement of compliance with the appropriate section or standard of the Code.
4. Complete description of the product, including all drawings, manufacturer's product designations and materials, except materials specifications identified as proprietary.
5. Technical documentation, including all substantiating data, supporting the compliance statement. Substantiating data shall include all test reports and calculations which may be referenced within the evaluation report.

2) A certification of independence by approved agencies

- a. An approved agency shall be objective, competent and independent from the contractor responsible for the work being inspected. The agency shall disclose to the building official and the registered design professional in responsible charge, possible conflicts of interest so that objectivity can be confirmed.
- b. The certification of independence by the agency shall be provided by a Florida registered architect or licensed professional engineer as applicable or by an officer of the entity, agency or laboratory and must attest to each of the following:
 1. The entity, agency or laboratory does not have, nor does it intend to acquire or will it acquire, a financial interest in any company manufacturing or distributing products tested or labeled by the agency.
 2. The entity, agency or laboratory is not owned, operated or controlled by any company manufacturing or distributing products it tests or labels.
 3. The Florida registered architect or licensed professional engineer performing an evaluation does not have nor will acquire, a financial interest in any company manufacturing or distributing products for which the reports are being issued.
 4. The Florida registered architect or licensed professional engineer performing an evaluation does not have nor will acquire, a financial interest in any other entity involved in the approval process of the product.

3) Demonstration of active monitoring of production by a Florida approved QA entity

- a. A Quality assurance agency shall audit the quality assurance program of manufacturers and audit production quality of products. Auditing of a quality assurance program shall be by one or more of the following methods: visits to manufacturing facilities, inspection of products at construction sites, inspection of products at state distribution facilities or testing of regular production items. Such auditing shall be performed at intervals not to exceed 12 months.
- b. The following products listed in Rule 61G20-3.001, F.A.C., shall be manufactured under a quality assurance program audited by an approved quality assurance entity.
 1. Panel Walls
 2. Exterior Doors
 3. Roofing Products

4. Skylights
5. Windows
6. Shutters
7. Structural Components
8. Impact Protective Systems

- c. This rule also applies to approval of products and systems, which comprise the building envelope and structural frame, for compliance with the structural requirements of the Florida Building Code.

4) Installation instructions consistent with the evaluation of the product

- a. Installation instructions, including any attachments shall be developed by an evaluation entity, test lab or by the manufacturer's licensed design professional. At a minimum they shall include the following:
 - i. The installation method must replicate the testing conditions
 - ii. Type, and grade of anchor, and/or manufacturer's anchor specifications including minimum nominal size, minimum penetration into substrate and minimum edge distances
 - iii. Type, physical dimensions, material and grade of any accessory item or strap, if applicable
 - iv. Spacing of anchors, shims, accessory items and straps
 - v. Illustrated diagrams of the attachment of the product to the structure
 - vi. Limitations and conditions of use

5) Follow up inspection services for prefabricated assemblies

- a. Where structural components or other items regulated by this code are not visible for inspection after completion of a prefabricated assembly, the owner or the owner's authorized agent shall submit a report of each prefabricated assembly. The report shall indicate the complete details of the assembly, including a description of the assembly and its components, the basis upon which the assembly is being evaluated, test results and similar information and other data as necessary for the building official to determine conformance to this code. Such a report shall be approved by the building official.

B. The material, method or work offered is for the purpose intended, not less than the equivalent of that prescribed in this code

A signed sealed statement from the EOR is required, attesting that the material, method or work offered for the purpose intended, is not less than the equivalent of that prescribed in the code as it pertains to each of the following. Each category below must be specifically addressed by citing the relevant portions of the testing and evaluation reports:

1. Quality
 2. Strength
 3. Effectiveness
 4. Fire resistance
 5. Durability
 6. Safety
-

All reports and documentation required in subsections 61G20-3.005(1) and (2), F.A.C., and submitted for review shall contain the basic information listed below. Design drawings submitted for permitting purposes are not to be construed to be an evaluation report and do not require this information. When the Code or the building official requires a standard test as a component of a product approval using the evaluation methods, the test lab must be accredited by a Florida approved accreditation body for the test performed. The entity issuing the evaluation report or certification is responsible to ensure that the test lab is accredited.

Minimum information required with each report

- a. Name and address of the manufacturer, evaluation entity, engineer or architect or testing laboratory.
- b. Statement of compliance with the appropriate section or standard of the Code.
- c. Complete description of the product, including all drawings, manufacturer's product designations and materials, except materials specifications identified as proprietary.
- d. Technical documentation, including all substantiating data, supporting the compliance statement. Substantiating data shall include all test reports and calculations which may be referenced within the evaluation report.
- e. Installation requirements. Installation instructions including attachments shall be developed by an evaluation entity, test lab or by the manufacturer's licensed design professional.
- f. Limitations and conditions of use.
- g. Certification of independence in conformance with Rule 61G20-3.009, F.A.C.
- h. Name, title and signature of person authorized to sign on behalf of entity or signature, registration number and seal in the case of architects and engineers.

Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

Fred Clum

From: Fred Clum
Sent: Tuesday, March 10, 2026 1:30 PM
To: Miranda Paredes
Cc: Consuela Thomas
Subject: RE: Meeting Request for Fred Klum

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you both for your involvement ,
if the email goes to fred.klum , I wont get it

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office:[239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Miranda Paredes <Miranda.Paredes@collier.gov>
Sent: Tuesday, March 10, 2026 1:27 PM
To: Fred Clum <Fred.Clum@collier.gov>
Cc: Consuela Thomas <Consuela.Thomas@collier.gov>
Subject: FW: Meeting Request for Fred Klum



Fred,

Connie and I spoke with Mr. Tripp this afternoon. I informed him we have availability on Monday 3/16/26 at 10am for a meeting with you and Paul, but that there is an applicable \$200 fee per the new fee schedule effective 1/1/26. Mr. Tripp stated he would instead email you and if this can not be resolved through email, he would rather spend his money taking this to court.

Miranda Paredes
Operations Support Specialist I
Building Plan Review & Inspection

Office: [239-252-2713](tel:239-252-2713)

2800 Horseshoe Drive North
Naples, Florida 34104
Miranda.Paredes@collier.gov



My email address has changed. Effective immediately, please update your contact list to use this new address: Miranda.Paredes@collier.gov

From: Miranda Paredes <Miranda.Paredes@collier.gov>
Sent: Tuesday, March 10, 2026 12:21 PM
To: Fred Clum <Fred.Clum@collier.gov>
Subject: FW: Meeting Request for Fred Klum

FYI

Miranda Paredes
Operations Support Specialist I
Building Plan Review & Inspection

Office: [239-252-2713](tel:239-252-2713)

2800 Horseshoe Drive North



Naples, Florida 34104
Miranda.Paredes@collier.gov

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From: Miranda Paredes <Miranda.Paredes@collier.gov>
Sent: Tuesday, March 10, 2026 12:20 PM
To: Superiorpropane@yahoo.com
Cc: Ryan Cathey <Ryan.Cathey@collier.gov>
Subject: RE: Meeting Request for Fred Klum

Good afternoon David,

Can I have a brief description of what will be discussed in this meeting? Please know all meeting requests have a fee of \$200, that must be paid prior to the meeting being held once scheduled.

Miranda Paredes
Operations Support Specialist I
Building Plan Review & Inspection

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2800 Horseshoe Drive North
Naples, Florida 34104
Miranda.Paredes@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Miranda.Paredes@collier.gov

From: Ryan Cathey <Ryan.Cathey@collier.gov>
Sent: Tuesday, March 10, 2026 12:10 PM
To: Miranda Paredes <Miranda.Paredes@collier.gov>
Cc: Superiorpropane@yahoo.com
Subject: Meeting Request for Fred Klum



Good Afternoon Miranda,
I am sending this on behalf of David. He was in the building earlier today and has requested a meeting with Fred Klum. He specifically requested 50 meetings at 10:00am. I have CC'd David on this e-mail for any follow up correspondence.
Thank you,

Ryan Cathey
Supervisor - Operations I
Code Enforcement

Office: [239-252-2418](tel:239-252-2418)

2800 Horseshoe Dr N
Naples, FL 34104
Ryan.Cathey@collier.gov



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Fred Clum

From: Fred Clum
Sent: Tuesday, March 10, 2026 2:17 PM
To: Paul Philabaum
Cc: Robert Moore; Doug Sposito; Troy Komarowski; John McCormick
Subject: 553.775 Interpretations

Follow Up Flag: Follow up
Flag Status: Flagged

The 2025 Florida Statutes

[Title XXXIII](#)
REGULATION OF TRADE, COMMERCE,
INVESTMENTS, AND SOLICITATIONS

[Chapter 553](#)
BUILDING CONSTRUCTION
STANDARDS

[View Entire Chapter](#)

553.775 Interpretations.—

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

The Florida Building Code (FBC) is primarily interpreted by local building officials, inspectors, and plans examiners, who are responsible for enforcing it at the municipal or county level. The 17-member Florida Building Commission holds the authority for official interpretations, amendments, and issuing binding declaratory statements.

Key entities authorized to interpret the FBC include:

1. **Local Building Officials/Departments:** These are the primary authorities for interpreting and enforcing the code on specific construction projects, acting as the first line of interpretation for permits and inspections.

1. If a local building official's interpretation is disputed, the process often moves to a local board of appeals before potentially being reviewed by the Florida Building Commission.
2. **Florida Building Commission (FBC)**: The ultimate authority, which develops the code and issues formal interpretations (Declaratory Statements) when disputes arise.
3. **Building Officials Association of Florida (BOAF)**: Provides non-binding, advisory interpretations to help resolve code questions.

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov



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Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:14 PM
To: Fred Clum; Paul Philabaum
Subject: Florida Building code Statutes

Follow Up Flag: Follow up
Flag Status: Flagged

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Florida law allows for Local approval of products to be signed by a PE and state that they conform with the Florida building code.

Fred, as you learned in the past. I do not argue if I am not correct. An engineered dome stamped and approved by an engineer is 100% legal in the state of Florida and conforms directly to the Florida Building Code.

This has been supplied on every jobsite. This is also the reason PE can sign off on trusses, Structural steel beams, custom-made staircases, and hand railing for 2nd floors and pools.

None of these items in your Building permits has UL-listed and stamped products. The beams are made locally to the engineer's design. Beams made locally by an engineer's design. This is a structural protection apparatus designed by an engineer to support the weight of the driveway and protect the domes from vehicular traffic.

553.8425 Local product approval.–

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;

(d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

Fred Clum

From: Michael Sinning
Sent: Tuesday, March 10, 2026 3:47 PM
To: Fred Clum
Cc: Paul Philabaum
Subject: David Trip, Superior Propane

Follow Up Flag: Follow up
Flag Status: Flagged

PRGS20251250349. Tank lid is not UL listed.

Michael Sinning
Plans Reviewer II
Building Plan Review & Inspection

Office: [239-252-2558](tel:239-252-2558)

2800 N. Horsehoe Drive
Naples, Florida 34104
Michael.Sinning@collier.gov



My email address has changed. Effective immediately, please update your contact list to use this new address: Michael.Sinning@collier.gov

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 6:51 PM
To: Michael Sinning
Cc: Fred Clum
Subject: Re: PRGS20251250349

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Zoning has no jurisdiction over propane and underground tanks. Why it gets sent there is about the same as the stupidity that you accept PE signatures daily for local products and are now violating the law and statute 553 with your review.

Which I do intend on making a professional complaint to the BPBR that you are denying a permit after a Board of Appeals has ruled against Fred clum and the building department on the documentation required for an under driveway tank.

You have been submitted what is legally required. A Professional license engineer can approve any construction documents. And has done so in my documents.

Paul Philabaum was sent the text right out of the Florida statutes. Same reason you accept engineering stamps on all residential plans. Including stairs, fences, railings on balconies, roof trusses. All have been accepted by the county for construction documents.

But a pattern of bias has been well noted against the propane industry. An industry Fred clum cannot interpret the code because he is not a fire marshal. Fire marshal has already interpreted the fire code.

But I would like to see a copy of your fire plan review license since you are reviewing fire code.

Kind Regards,
David Tripp
Superior Propane
239-403-3630

6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

On Tuesday, March 10, 2026 at 03:33:26 PM EDT, Michael Sinning <michael.sinning@collier.gov> wrote:

A zoning review is still PENDING. When zoning is complete final type will be sending a corrections letter. You can check the status in the portal.

Michael Sinning
Plans Reviewer II
Building Plan Review & Inspection

Office:239-252-2558

2800 N. Horsehoe Drive
Naples, Florida 34104
Michael.Sinning@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address:Michael.Sinning@collier.gov

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:29 PM
To: Michael Sinning <Michael.Sinning@collier.gov>
Subject: PRGS20251250349

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Good afternoon,

I am unable to upload the documents to the permit that you rejected; it does not give me the option. Please see the attached.

Kind Regards,
Laura Horne
Superior Propane
[239-403-3630](tel:239-403-3630)
6014 Shirley St Suite C
Naples, FL 34109

www.SuperiorPropaneFL.com

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Fred Clum

From: Fred Clum
Sent: Wednesday, March 11, 2026 8:14 AM
To: 'superiorpropane@yahoo.com'
Cc: Doug Sposito (Doug.Sposito@collier.gov); Miranda Paredes; Paul Philabaum; John McCormick (John.McCormick@collier.gov)
Subject: PRGS 20251250349 Florida Building code Statutes
Attachments: 708 100TH AVE UG ONLY-STEEL DOME SPECS.pdf; FS 553.8425 .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Tracking:	Recipient	Delivery
	'superiorpropane@yahoo.com'	Delivered: 3/11/2026 8:14 AM
	Doug Sposito (Doug.Sposito@collier.gov)	Delivered: 3/11/2026 8:14 AM
	Miranda Paredes	Delivered: 3/11/2026 8:14 AM
	Paul Philabaum	Delivered: 3/11/2026 8:14 AM
	John McCormick (John.McCormick@collier.gov)	Delivered: 3/11/2026 8:14 AM
	Donna Guitard (Donna.Guitard@collier.gov)	Delivered: 3/11/2026 8:14 AM

Mr Tripp,

Thanks so much for your email. Initially, I would like to clarify that I do not intend to argue with anyone. Per the Florida Statue 553.775 the Building Official may interpret the code. Based on the content of your email I am assuming you are requesting a formal code determination regarding the tank dome [attached] in question as submitted on permit PRGS20251250349.

In addition, the ruling of the BOAA on Tuesday June 18th, 2024 , was to determine if a motor vehicle was a source of ignition when applicable to a propane tank placed under a driveway , they ruled it was not. The issue of whether a propane tank could be placed in a driveway was not the issue, as it may be placed under a driveway meeting applicable code for such placement.

Allow a few days to research and reply with a formal code Interpretation for Local product approval per FS 553.8425 , regarding the attached documents [Master LP Steel Dome Lid & Box] submitted in permit PRGS20251250349

553.775 Interpretations.-

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

Very Kind Regards,

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:14 PM
To: Fred Clum <Fred.Clum@collier.gov>; Paul Philabaum <Paul.Philabaum@collier.gov>
Subject: Florida Building code Statutes

This email was sent to your old CollierCountyFL.gov email address. Please contact the sender to change to your new email domain @Collier.gov

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Florida law allows for Local approval of products to be signed by a PE and state that they conform with the Florida building code.

Fred, as you learned in the past. I do not argue if I am not correct. An engineered dome stamped and approved by an engineer is 100% legal in the state of Florida and conforms directly to the Florida Building Code.

This has been supplied on every jobsite. This is also the reason PE can sign off on trusses, Structural steel beams, custom-made staircases, and hand railing for 2nd floors and pools.

None of these items in your Building permits has UL-listed and stamped products. The beams are made locally to the engineer's design. Beams made locally by an engineer's design. This is a structural protection apparatus designed by an engineer to support the weight of the driveway and protect the domes from vehicular traffic.

553.8425 Local product approval. –

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

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- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;
- (d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

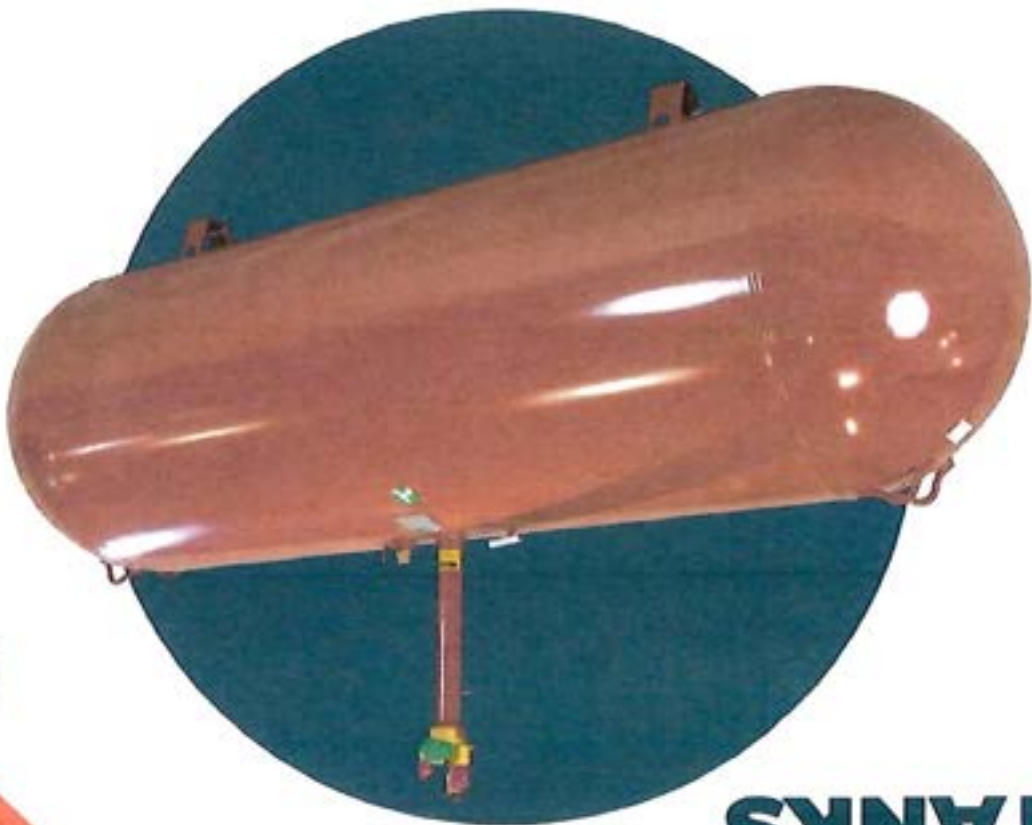
Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

Vessel finished with white powder paint must be installed aboveground only
 protection (sold separately) and coating must be buried with proper cathodic
 and must comply with federal, state, and local code

NOTES

- Designed and built to ASME Section VIII, Division 1
- Complies with NFPA 58 & registered with national board
- Rated at 250 PSI from -20° to 125°F
- Vacuum purged - Ready to fill
- Choice of Rego or Cavagna valves
- Rochester liquid level gauges standard with steel gears
- Superior powder coated finish
- Underground black plastic shroud and lid included with purchase (standard)
- Boom crane delivery standard

GENERAL SPECIFICATIONS



UNDERGROUND
 DOMESTIC
 TANKS

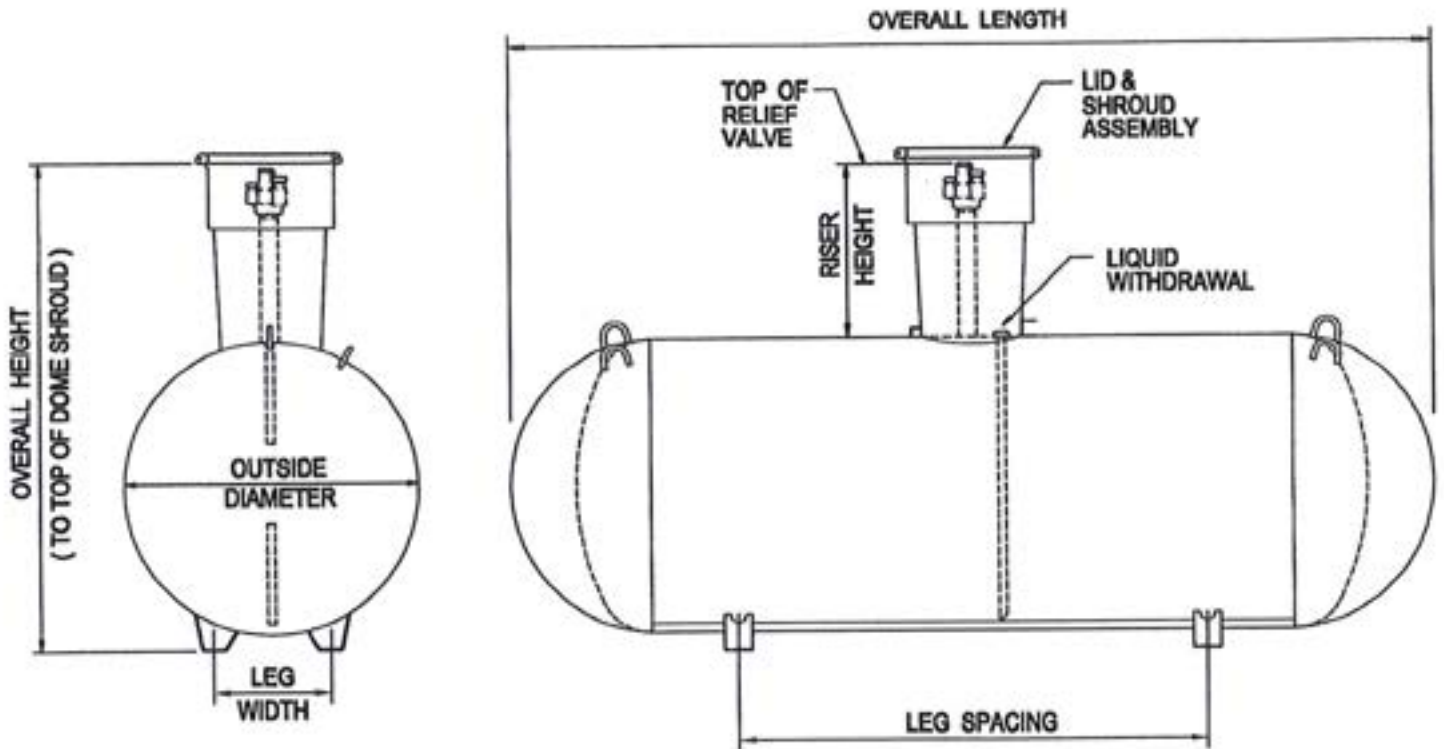
Standard Wg offering: 120 - 2000 WG
 Standard color: Redox



2999 Olympus Blvd
 Suite 450
 Dallas, TX 75019

888 558 8225

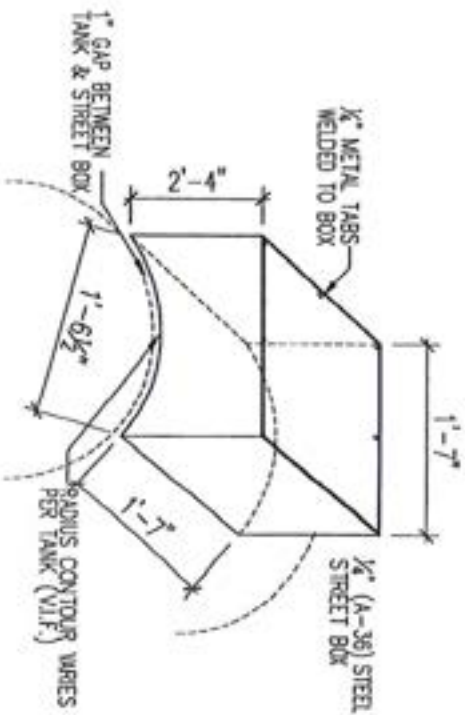
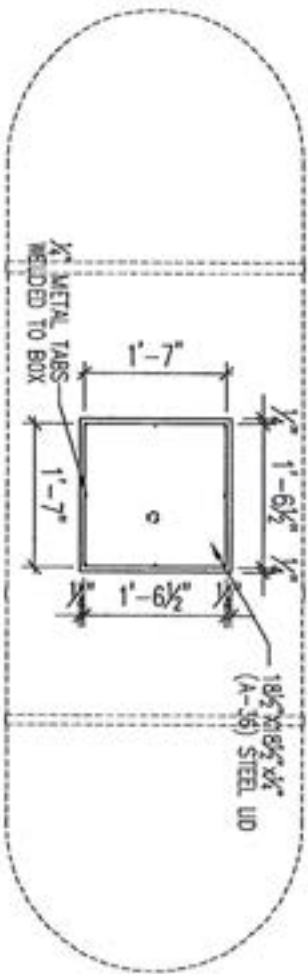
customer@triarcorp.com



UNDERGROUND VESSEL DIMENSIONAL INFORMATION

Water Capacity	Outside Diameter	Head Type	Overall Length	Overall Height		Leg Width	Leg Spacing	Weight	Quantity	
				14" Riser height	28"				Full Load	Per stack
*120 wg.	24"	Ellip	5' - 5 7/8"	3' - 4 5/8"	4' - 6 3/4"	10 1/8"	3' - 0"	268 lbs.	63	9
*250 wg.	31.5"	Hemi	7' 2 1/2"	4' 0 5/8"	5' - 2 1/16"	12 3/4"	3' - 6"	490 lbs.	42	7
*320 wg.	31.5"	Hemi	8' - 11 3/4"	4' - 0 5/8"	5' - 2 1/16"	12 3/4"	4' - 0 1/4"	610 lbs.	28	7
500 wg.	37.42"	Hemi	9' - 10"	4' - 6 1/2"	5' - 8 1/8"	15"	5' - 0"	921 lbs.	25	5
1000 wg.	40.96"	Hemi	15' - 10 7/8"	4' - 9 1/2"	6' - 0"	16 1/4"	9' - 0"	1,760 lbs.	15	5
1465 wg.	46.77"	Ellip	17' - 6 7/8"	5' - 3 7/8"	6' - 5"	21"	10' - 0"	2,830 lbs.	6	3
2000 wg.	46.77"	Ellip	23' - 9"	5' - 3 7/8"	6' - 5"	21"	14' - 0"	3,685 lbs.	6	3

All vessels dimensions are approximate.



1 UNDERGROUND TANK DETAIL

N.T.S. STREET BOX DETAIL



This seal is the property of the State of California. It shall be used only for the purpose for which it was issued. It shall be returned to the State of California upon request.

Digitally signed by
Lan-Anh Nguyen
Date: 2023.07.20
16:38:35 -04'00'



THESE DRAWINGS, SPECIFICATIONS AND ALL OTHER INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF LAN ENGINEERING CONSULTANT. NO PART OF THESE DRAWINGS, SPECIFICATIONS OR OTHER INFORMATION SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LAN ENGINEERING CONSULTANT.

CLIENT: MASTER LP STEEL DOME LID & BOX

PROJECT #	GENERAL-23	SHEET
DATE	7/19/2023	1
DRAWN BY	LAN	
SCALE	AS NOTED	

Select Year: 2025

The 2025 Florida Statutes

Title XXXIII	Chapter 553	View Entire Chapter
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS	BUILDING CONSTRUCTION STANDARDS	

553.8425 Local product approval.—

- (1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:
- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
 - (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
 - (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;
 - (d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;
 - (e) A statewide product approval issued by the Florida Building Commission; or
 - (f) Designation of compliance with a prescriptive, material standard adopted by the commission by rule under s. [553.842\(15\)](#).
- (2) For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.
- (3) Local building officials may accept modifications to approved products or their installations if sufficient evidence is submitted to the local building official to demonstrate compliance with the code or the intent of the code, including such evidence as certifications from a Florida registered architect or Florida professional engineer.
- (4) Products demonstrating compliance shall be manufactured under a quality assurance program audited by an approved quality assurance entity.
- (5) Products bearing a certification mark, label, or listing by an approved certification agency require no further documentation to establish compliance with the code.
- (6) Upon review of the compliance documentation, and a finding that the product complies with the code, the authority having jurisdiction or a local building official shall deem the product approved for use in accordance with its approval and limitation of use.
- (7) Approval shall be valid until such time as the product changes and decreases in performance; the standards of the code change, requiring increased performance; or the approval is otherwise suspended or revoked. Changes to the code do not void the approval of products previously installed in existing buildings if such products met building code requirements at the time the product was installed.

History.—s. 19, ch. 2005-147; s. 66, ch. 2006-1.

Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Wednesday, March 11, 2026 12:59 PM
To: Fred Clum
Subject: Re: PRGS 20251250349 Florida Building code Statutes

Follow Up Flag: Follow up

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

You are mistaken.

I don't care about the dome.

What I want interpreted in Professional Engineering allowed for construction documents.

It if that lid is allowable. I know it is. What I want is to set you up for the biggest failure of your life.

I want you to Interpret the statute I just sent you as it is found in the Building code.

Because you accept professional engineering everyday. And yet for propane permits you are not.

So let's hear your interpretation of PE seals

On construction documents. Because all steel tie beams and all columns and stair cases have PE seals to have them approved.

Goodluck. Be careful. You may have to tell

Contractors they have to have all UL listed beams and staircases, hand rails for 2nd floors.

All of these are custom built

Locally and have PE seals on their documents to meet code.

So again. I don't care about the dome. What I care about is your Blatant overreach.

So please tell me how PE specifications for steel tie beams and staircases are 100-% accepted and yet you claim a PE cannot seal and certify a vehicular traffic protection.

Kind Regards,

Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

On Wednesday, March 11, 2026 at 08:13:51 AM EDT, Fred Clum <fred.clum@collier.gov> wrote:

Mr Tripp,

Thanks so much for your email. Initially, I would like to clarify that I do not intend to argue with anyone. Per the Florida Statue 553.775 the Building Official may interpret the code. Based on the content of your email I am assuming you are requesting a formal code determination regarding the tank dome [attached] in question as submitted on permit [PRGS20251250349](#).

In addition, the ruling of the BOAA on Tuesday June 18th, 2024 , was to determine if a motor vehicle was a source of ignition when applicable to a propane tank placed under a driveway , they ruled it was not. The issue of whether a propane tank could be placed in a driveway was not the issue, as it may be placed under a driveway meeting applicable code for such placement.

Allow a few days to research and reply with a formal code Interpretation for Local product approval per FS [553.8425](#) , regarding the attached documents [Master LP Steel Dome Lid & Box] submitted in permit [PRGS20251250349](#)

553.775 Interpretations.—

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

Very Kind Regards,

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office:239-252-4232

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:14 PM
To: Fred Clum <Fred.Clum@collier.gov>; Paul Philabaum <Paul.Philabaum@collier.gov>
Subject: Florida Building code Statutes

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Florida law allows for Local approval of products to be signed by a PE and state that they conform with the Florida building code.

Fred, as you learned in the past, I do not argue if I am not correct. An engineered dome stamped and approved by an engineer is 100% legal in the state of Florida and conforms directly to the Florida Building Code.

This has been supplied on every jobsite. This is also the reason PE can sign off on trusses, Structural steel beams, custom-made staircases, and hand railing for 2nd floors and pools.

None of these items in your Building permits has UL-listed and stamped products. The beams are made locally to the engineer's design. Beams made locally by an engineer's design. This is a structural protection apparatus designed by an engineer to support the weight of the driveway and protect the domes from vehicular traffic.

553.8425 Local product approval.—

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;

(d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

Kind Regards,
David Tripp
Superior Propane
[239-403-3630](tel:239-403-3630)
6014 Shirley St Suite C
Naples, FL 34109

www.SuperiorPropaneFL.com

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Thursday, March 12, 2026 3:15 PM
To: Fred Clum; Paul Philabaum; William Richards; Michael Sinning
Subject: Quazite Domes

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

These domes installation violates NFPA58 code for Propane tanks.

Tanks must be free and clear of any rocks or gravel and must be installed in clean fill .
NFPA 58 6.6.1(M) Backfill shall be free of rocks and abrasives.

These domes require gravel on top of the tank and they do not show this applicable for a propane tank but for natural gas valves.

Also, the dome is rated for incidental vehicular traffic.

Attached is a link to a video of the installation of the dome per manufacturer's specifications.

[H20 Assembly - 13"x24"x18" | PG1324Z12009 | Hubbell Power Systems](#)

Kind Regards,
David tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

Fred Clum

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Thursday, March 12, 2026 3:58 PM
To: PublicRecordRequest; Fred Clum; Paul Philabaum
Subject: Propane permits. Under driveway tanks

Follow Up Flag: Follow up
Flag Status: Flagged

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Superior Propane

Notice of Public record request: 3-12-26

Any Fuel Gas permits pulled within the last 12 months requiring vehicle traffic bearing domes in driveways.

I only need the permit numbers at this time.

Kind Regards,
David Tripp
Superior Propane
239-403-3630
6014 Shirley St Suite C
Naples, FL 34109
www.SuperiorPropaneFL.com

Select Year: 2025

The 2025 Florida Statutes

[Title XXXII](#)
REGULATION OF PROFESSIONS AND
OCCUPATIONS

[Chapter 468](#)
MISCELLANEOUS PROFESSIONS AND
OCCUPATIONS

[View Entire
Chapter](#)

468.604 Responsibilities of building code administrators, plans examiners, and inspectors.—

(1) It is the responsibility of the building code administrator or building official to administrate, supervise, direct, enforce, or perform the permitting and inspection of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems within the boundaries of their governmental jurisdiction, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The building code administrator or building official shall faithfully perform these responsibilities without interference from any person. These responsibilities include:

(a) The review of construction plans to ensure compliance with all applicable sections of the code. The construction plans must be reviewed before the issuance of any building, system installation, or other construction permit. The review of construction plans must be done by the building code administrator or building official or by a person having the appropriate plans examiner license issued under this chapter.

(b) The inspection of each phase of construction where a building or other construction permit has been issued. The building code administrator or building official, or a person having the appropriate building code inspector license issued under this chapter, shall inspect the construction or installation to ensure that the work is performed in accordance with applicable sections of the code.

(2) It is the responsibility of the building code inspector to conduct inspections of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. Each building code inspector must be licensed in the appropriate category as defined in s. 468.603. The building code inspector's responsibilities must be performed under the direction of the building code administrator or building official without interference from any unlicensed person.

(3) It is the responsibility of the plans examiner to conduct review of construction plans submitted in the permit application to assure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The review of construction plans must be done by the building code administrator or building official or by a person licensed in the appropriate plans examiner category as defined in s. 468.603. The plans examiner's responsibilities must be performed under the supervision and authority of the building code administrator or building official without interference from any unlicensed person.

(4) The Legislature finds that the electronic filing of construction plans will increase governmental efficiency, reduce costs, and increase timeliness of processing permits. If the building code administrator or building official provides for electronic filing, then construction plans, drawings, specifications, reports, final documents, or documents prepared or issued by a licensee may be dated and electronically signed and sealed by the licensee in accordance with ss. 668.001-668.006, and may be transmitted electronically to the building code administrator or building official for approval.

History.—s. 2, ch. 98-419; s. 32, ch. 2000-141; s. 13, ch. 2000-372; s. 34, ch. 2001-186; s. 3, ch. 2001-372; s. 4, ch. 2012-13; s. 1, ch. 2012-58.

Select Year: 2025

The 2025 Florida Statutes

Title XXXIII	Chapter 553	View Entire Chapter
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS	BUILDING CONSTRUCTION STANDARDS	

553.775 Interpretations.—

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

(2) Local enforcement agencies, local building officials, state agencies, and the commission shall interpret provisions of the Florida Building Code and the Florida Accessibility Code for Building Construction in a manner that is consistent with declaratory statements and interpretations entered by the commission, except that conflicts between the Florida Fire Prevention Code and the Florida Building Code shall be resolved in accordance with s. 553.73(11)(c) and (d).

(3) The following procedures may be invoked regarding interpretations of the Florida Building Code or the Florida Accessibility Code for Building Construction:

(a) Upon written application by any substantially affected person or state agency or by a local enforcement agency, the commission shall issue declaratory statements pursuant to s. 120.565 relating to the enforcement or administration by local governments of the Florida Building Code or the Florida Accessibility Code for Building Construction.

(b) When requested in writing by any substantially affected person or state agency or by a local enforcement agency, the commission shall issue a declaratory statement pursuant to s. 120.565 relating to this part and ss. 515.25, 515.27, 515.29, and 515.37. Actions of the commission are subject to judicial review under s. 120.68.

(c) The commission shall review decisions of local building officials and local enforcement agencies regarding interpretations of the Florida Building Code or the Florida Accessibility Code for Building Construction after the local board of appeals has considered the decision, if such board exists, and if such appeals process is concluded within 25 business days.

1. The commission shall coordinate with the Building Officials Association of Florida, Inc., to designate a panel composed of seven members to hear requests to review decisions of local building officials. Five members must be licensed as building code administrators under part XII of chapter 468, one member must be licensed as an architect under chapter 481, and one member must be licensed as an engineer under chapter 471. Each member must have experience interpreting or enforcing provisions of the Florida Building Code and the Florida Accessibility Code for Building Construction.

2. Requests to review a decision of a local building official interpreting provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction may be initiated by any substantially affected person, including an owner or builder subject to a decision of a local building official or an association of owners or builders having members who are subject to a decision of a local building official. In order to initiate review, the substantially affected person must file a petition with the commission. The commission shall adopt a form for the

petition, which shall be published on the Building Code Information System. The form shall, at a minimum, require the following:

- a. The name and address of the county or municipality in which provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction are being interpreted.
- b. The name and address of the local building official who has made the interpretation being appealed.
- c. The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any; and an explanation of how the petitioner's substantial interests are being affected by the local interpretation of the Florida Building Code or the Florida Accessibility Code for Building Construction.
- d. A statement of the provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction which are being interpreted by the local building official.
- e. A statement of the interpretation given to provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction by the local building official and the manner in which the interpretation was rendered.
- f. A statement of the interpretation that the petitioner contends should be given to the provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction and a statement supporting the petitioner's interpretation.
- g. Space for the local building official to respond in writing. The space shall, at a minimum, require the local building official to respond by providing a statement admitting or denying the statements contained in the petition and a statement of the interpretation of the provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction which the local jurisdiction or the local building official contends is correct, including the basis for the interpretation.

3. The petitioner shall submit the petition to the local building official, who shall place the date of receipt on the petition. The local building official shall respond to the petition in accordance with the form and shall return the petition along with his or her response to the petitioner within 5 days after receipt, exclusive of Saturdays, Sundays, and legal holidays. The petitioner may file the petition with the commission at any time after the local building official provides a response. If no response is provided by the local building official, the petitioner may file the petition with the commission 10 days after submission of the petition to the local building official and shall note that the local building official did not respond.

4. Upon receipt of a petition that meets the requirements of subparagraph 2., the commission shall immediately provide copies of the petition to the panel, and the commission shall publish the petition, including any response submitted by the local building official, on the Building Code Information System in a manner that allows interested persons to address the issues by posting comments.

5. The panel shall conduct proceedings as necessary to resolve the issues; shall give due regard to the petitions, the response, and to comments posed on the Building Code Information System; and shall issue an interpretation regarding the provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction within 21 days after the filing of the petition. The panel shall render a determination based upon the Florida Building Code or the Florida Accessibility Code for Building Construction or, if the code is ambiguous, the intent of the code. The panel's interpretation shall be provided to the commission, which shall publish the interpretation on the Building Code Information System and in the Florida Administrative Register. The interpretation shall be considered an interpretation entered by the commission, and shall be binding upon the parties and upon all jurisdictions subject to the Florida Building Code or the Florida Accessibility Code for Building Construction, unless it is superseded by a declaratory statement issued by the Florida Building Commission or by a final order entered after an appeal proceeding conducted in accordance with subparagraph 7.

6. It is the intent of the Legislature that review proceedings be completed within 21 days after the date that a petition seeking review is filed with the commission, and the time periods set forth in this paragraph may be waived only upon consent of all parties.

7. Any substantially affected person may appeal an interpretation rendered by the panel by filing a petition with the commission. Such appeals shall be initiated in accordance with chapter 120 and the uniform rules of

procedure and must be filed within 30 days after publication of the interpretation on the Building Code Information System or in the Florida Administrative Register. Hearings shall be conducted pursuant to chapter 120 and the uniform rules of procedure. Decisions of the commission are subject to judicial review pursuant to s. [120.68](#). The final order of the commission is binding upon the parties and upon all jurisdictions subject to the Florida Building Code or the Florida Accessibility Code for Building Construction.

8. The burden of proof in any proceeding initiated in accordance with subparagraph 7. is on the party who initiated the appeal.

9. In any review proceeding initiated in accordance with this paragraph, including any proceeding initiated in accordance with subparagraph 7., the fact that an owner or builder has proceeded with construction may not be grounds for determining an issue to be moot if the issue is one that is likely to arise in the future.

This paragraph provides the exclusive remedy for addressing requests to review local interpretations of the Florida Building Code or the Florida Accessibility Code for Building Construction and appeals from review proceedings.

(d) Upon written application by any substantially affected person, contractor, or designer, or a group representing a substantially affected person, contractor, or designer, the commission shall issue or cause to be issued a formal interpretation of the Florida Building Code or the Florida Accessibility Code for Building Construction as prescribed by paragraph (c).

(e) Local decisions declaring structures to be unsafe and subject to repair or demolition are not subject to review under this subsection and may not be appealed to the commission if the local governing body finds that there is an immediate danger to the health and safety of the public.

(f) Upon written application by any substantially affected person, the commission shall issue a declaratory statement pursuant to s. [120.565](#) relating to an agency's interpretation and enforcement of the specific provisions of the Florida Building Code or the Florida Accessibility Code for Building Construction which the agency is authorized to enforce. This subsection does not provide any powers, other than advisory, to the commission with respect to any decision of the State Fire Marshal made pursuant to chapter 633.

(g) The commission may designate a commission member who has demonstrated expertise in interpreting building plans to attend each meeting of the advisory council created in s. [553.512](#). The commission member may vary from meeting to meeting, shall serve on the council in a nonvoting capacity, and shall receive per diem and expenses as provided in s. [553.74\(3\)](#).

(h) The commission shall by rule establish an informal process of rendering nonbinding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction. The commission is specifically authorized to refer interpretive issues to organizations that represent those engaged in the construction industry. The commission shall immediately implement the process before completing formal rulemaking. It is the intent of the Legislature that the commission create a process to refer questions to a small, rotating group of individuals licensed under part XII of chapter 468, to which a party may pose questions regarding the interpretation of code provisions. It is the intent of the Legislature that the process provide for the expeditious resolution of the issues presented and publication of the resulting interpretation on the Building Code Information System. Such interpretations shall be advisory only and nonbinding on the parties and the commission.

(4) In order to administer this section, the commission may adopt by rule and impose a fee for filing requests for declaratory statements and binding and nonbinding interpretations to recoup the cost of the proceedings which may not exceed \$125 for each request for a nonbinding interpretation and \$250 for each request for a binding review or interpretation. For proceedings conducted by or in coordination with a third party, the rule may provide that payment be made directly to the third party, who shall remit to the department that portion of the fee necessary to cover the costs of the department.

History.—s. 9, ch. 2005-147; s. 5, ch. 2006-65; s. 8, ch. 2007-1; s. 5, ch. 2007-187; s. 14, ch. 2008-191; s. 35, ch. 2010-176; s. 49, ch. 2013-14; s. 21, ch. 2014-154; s. 18, ch. 2016-129.

this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.7.2 A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.8 Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, and to the building official of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

- (a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.
- (b) Indicate the manner and type of inspection forming the basis for the inspection report.
- (c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.
- (d) State whether unsafe or dangerous conditions, as those terms are defined in the *Florida Building Code*, were observed.
- (e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
- (f) Identify and describe any items requiring further inspection.

110.9.9 The association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner,

regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to received notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector-prepared summary on the association's website, if the association is required to have a website.

110.9.10 A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

110.9.11 A board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

SECTION 111 CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction
7. The name of the *building official*.
8. The edition of the code under which the *permit* was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design *occupant load*.
12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the *building permit*.

[A] 111.3 **Temporary occupancy.** The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

[A] 111.4 **Revocation.** The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 **Certificate of completion.** A certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

SECTION 112 SERVICE UTILITIES

[A] 112.1 **Connection of service utilities.** A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

[A] 112.2 **Temporary connection.** The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

[A] 112.3 **Authority to disconnect service utilities.** The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible

the *owner* and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner* or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 BOARD OF APPEALS RESERVED

SECTION 114 VIOLATIONS RESERVED

SECTION 115 STOP WORK ORDER

[A] 115.1 **Authority.** Where the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

[A] 115.2 **Issuance.** The stop work order shall be in writing and shall be given to the *owner* of the property involved, the *owner's* authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

[A] 115.3 **Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT RESERVED

SECTION 117 VARIANCES IN FLOOD HAZARD AREAS

117.1 **Flood hazard areas.** Pursuant to Section 553.73(5), *Florida Statutes*, the variance procedures adopted in the local flood plain management ordinance shall apply to requests submitted to the building official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of Section R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.



CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code, certifying that at the time of issuance this structure was in compliance with the various ordinances of the County regulating building construction for use for the following:

Per FBC section 111.5, a certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

Permit Number: PRMFH20241144138

Date Issued: March 19, 2025

Permitted Address: 1549 Sandpiper ST 37, (Unit) , Naples

Parcel: 71171480009

Owner Information: NASH FAMILY TRUST
1 CHECKENDON DRIVE
ETOBICOKE, M9W 2Y4

Building Official: Fred Clum

Job Description: PLACE UNIT BACK TO ITS ORIGINAL STATE DUE TO HURRICANE MILTON. SEE ATTACHED SCOPE OF WORK AND PLANS FOR FURTHER DETAILS. NO MECHANICAL WORK TO BE DONE. NO ELECTRICAL WORK TO BE DONE. NO STRUCTURAL WORK TO BE DONE. MINOR PLUMBING WORK TO BE DONE. REV 1 - REVISION TO SHOW EXISTING ISLAND ON PLANS. NO ADDITIONAL WORK WAS DONE. INSPECTOR REQUESTED FOR US TO SHOW THE EXISTING ISLAND ON THE PLANS AS IT WAS MISSED ON SOME UNITS. NOT ALL SANDPIPER UNITS HAVE AN ISLAND.
1549 Sandpiper ST 37, (Unit) , Naples

Number of Electrical Meters:

cc/cc

Fred Clum, Building Official

The described portion of the structure has been inspected for compliance with the requirements of the FBC 8th Edition 2023 w/ 2024 sup1 for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. For buildings and structures in flood hazard areas, documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction. Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.



Collier County
Building Plan Review & Inspection Division
CERTIFICATE OF OCCUPANCY

This Certificate is issued pursuant to the requirements of the Florida Building Code, certifying that at the time of issuance this structure was in compliance with the various ordinances of the County regulating building construction for use for the following:

Permit Number: PRMFH20230416488 Date Issued: April 12, 2024

Permitted Address: 1549 Sandpiper ST 5, (Unit) , Naples Parcel: 71170200002

Owner Information: LAUREN A WETZEL REV TRUST
208 EADIE WAY SPRING CITY , PA 19475-

Use & Occupancy: R-2 Design Occupant Load:
Construction Type: Type III B (Unprotected) Automatic Sprinkler System:
Building Official: Fred Clum Number of Electrical Meters:

Job Description: Remodel Kitchen, Remodel of existing Guest and Master Bathroom, like for like. Update interior finishes throughout condo. Lanai conversion to living.

1549 Sandpiper ST 5, (Unit) , Naples [bold out CO]

cc/co



Fred Clum, Building Official

The described portion of the structure has been inspected for compliance with the requirements of the FBC 7th Edition 2020 w/ 2022 sup2 for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. For buildings and structures in flood hazard areas, documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.
Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.



CERTIFICATE OF COMPLETION

This Certificate is issued pursuant to the requirements of the Florida Building Code, and Florida Statute 553.791 with the Private Provider certifying that at the time of issuance this structure was in compliance with the various ordinances of the County regulating building construction for use for the following:

Per FBC section 111.5, a certificate of completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

Permit Number: PREL20250415851
Permitted Address: 15469 Turin DR, Naples

Date Issued: September 18, 2025
Parcel: 31346016963

Owner Information: GRIFFIN III, JOHN A
15491 RIO PONACE CT
NAPLES, FL 34114

Building Official: Fred Clum

Business Name:

Job Description: Installing a 26KW Generac generator onto a precast pad. installing 200 amp NSE transfer switch
Ref{PRGS20250415853}

15469 Turin DR, Naples

Number of Electrical Meters:

Private provider inspections were performed by: <NO CONTACT NAME AVAILABLE>

Per Section 553.71, Florida Statutes, the local government, the local building official, and their building code enforcement personnel shall be immune from liability to any person or party for any action or inaction by a fee owner of a building, or by a private provider or its duly authorized representative, in connection with building code inspection services as authorized in this act.

PP / CC

Fred Clum, Building Official

The described portion of the structure has been inspected for compliance with the requirements of the FBC 8th Edition 2023 w/ 2024 sup1 for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. For buildings and structures in flood hazard areas, documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction. Note: A new certificate is required if the use of the building or premises is changed, or if alterations are made to the building or property described. A new certificate voids any certificate or prior date.

This permit was issued in accordance with Florida Statute Section 553.791 utilizing a Private Provider.

The Florida Senate

2020 Florida Statutes

<p>Title XXXIII REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS</p>	<p>Chapter 553 BUILDING CONSTRUCTION STANDARDS</p> <p>Entire Chapter</p>	<p>SECTION 80 Enforcement.</p>
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553.80 Enforcement.—

(1) Except as provided in paragraphs (a)-(g), each local government and each legally constituted enforcement district with statutory authority shall regulate building construction and, where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities, unless such responsibility has been delegated to another unit of government pursuant to s. [553.79\(9\)](#).

(a) Construction regulations relating to correctional facilities under the jurisdiction of the Department of Corrections and the Department of Juvenile Justice are to be enforced exclusively by those departments.

(b) Construction regulations relating to elevator equipment under the jurisdiction of the Bureau of Elevators of the Department of Business and Professional Regulation shall be enforced exclusively by that department.

(c) In addition to the requirements of s. [553.79](#) and this section, facilities subject to the provisions of chapter 395 and parts II and VIII of chapter 400 shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of chapter 395 and parts II and VIII of chapter 400 and the certification requirements of the Federal Government. Facilities subject to the provisions of part IV of chapter 400 may have facility plans reviewed and shall have construction surveyed by the state agency authorized to do so under the requirements of part IV of chapter 400 and the certification requirements of the Federal Government.

(d) Building plans approved under s. [553.77\(3\)](#) and state-approved manufactured buildings, including buildings manufactured and assembled offsite and not intended for habitation, such as lawn storage buildings and storage sheds, are exempt from local code enforcing agency plan reviews except for provisions of the code relating to erection, assembly, or construction at the site. Erection, assembly, and construction at the site are subject to local permitting and inspections. Lawn storage buildings and storage sheds bearing the insignia of approval of the department are not subject to s. [553.842](#). Such buildings that do not exceed 400 square feet may be delivered and installed without need of a contractor's or specialty license.

(e) Construction regulations governing public schools, state universities, and Florida College System institutions shall be enforced as provided in subsection (6).

(f) The Florida Building Code as it pertains to toll collection facilities under the jurisdiction of the turnpike enterprise of the Department of Transportation shall be enforced exclusively by the turnpike enterprise.

(g) Construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Families shall be enforced exclusively by the department in conjunction with the Agency for Health Care Administration's review authority under paragraph (c).

The governing bodies of local governments may provide a schedule of fees, as authorized by s. [125.56\(2\)](#) or s. [166.222](#) and this section, for the enforcement of the provisions of this part. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. The authority of state enforcing agencies to set fees for enforcement shall be derived from authority existing on July 1, 1998. However, nothing contained in this subsection shall operate to limit such agencies from adjusting their fee schedule in conformance with existing authority.

(2)(a) Any two or more counties or municipalities, or any combination thereof, may, in accordance with the provisions of chapter 163, governing interlocal agreements, form an enforcement district for the purpose of enforcing and administering the provisions of the Florida Building Code. Each district so formed shall be registered with the

department on forms to be provided for that purpose. Nothing in this subsection shall be construed to supersede provisions of county charters which preempt municipal authorities respective to building codes.

(b) With respect to evaluation of design professionals' documents, if a local government finds it necessary, in order to enforce compliance with the Florida Building Code and issue a permit, to reject design documents required by the code three or more times for failure to correct a code violation specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by rule of the Florida Building Commission adopted pursuant to chapter 120, the local government shall impose, each time after the third such review the plans are rejected for that code violation, a fee of four times the amount of the proportion of the permit fee attributed to plans review.

(c) With respect to inspections, if a local government finds it necessary, in order to enforce compliance with the Florida Building Code, to conduct any inspection after an initial inspection and one subsequent reinspection of any project or activity for the same code violation specifically and continuously noted in each rejection, including, but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by rule of the Florida Building Commission adopted pursuant to chapter 120, the local government shall impose a fee of four times the amount of the fee imposed for the initial inspection or first reinspection, whichever is greater, for each such subsequent reinspection.

(3)(a) Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

(b)1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet or the square footage of the primary structure, whichever is less.

b. Addition, alteration, or repairs by a nonowner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.

c. Building and inspection fees.

2. However, the exemptions under subparagraph 1. do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraphs 1.a., b., and c., shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

(4) When an enforcement district has been formed as provided herein, upon its registration with the department, it shall have the same authority and responsibility with respect to building codes as provided by this part for local governing bodies.

(5) State and regional agencies with special expertise in building code standards and licensing of contractors and design professionals shall provide support to local governments upon request.

(6) Notwithstanding any other law, state universities, Florida College System institutions, and public school districts shall be subject to enforcement of the Florida Building Code under this part.

(a)1. State universities, Florida College System institutions, or public school districts shall conduct plan review and construction inspections to enforce building code compliance for their building projects that are subject to the Florida Building Code. These entities must use personnel or contract providers appropriately certified under part XII of chapter 468 to perform the plan reviews and inspections required by the code. Under these arrangements, the entities are not subject to local government permitting requirements, plans review, and inspection fees. State universities, Florida College System institutions, and public school districts are liable and responsible for all of their buildings, structures, and facilities. This paragraph does not limit the authority of the county, municipality, or code enforcement

district to ensure that buildings, structures, and facilities owned by these entities comply with the Florida Building Code or to limit the authority and responsibility of the fire official to conduct firesafety inspections under chapter 633.

2. In order to enforce building code compliance independent of a county or municipality, a state university, Florida College System institution, or public school district may create a board of adjustment and appeal to which a substantially affected party may appeal an interpretation of the Florida Building Code which relates to a specific project. The decisions of this board, or, in its absence, the decision of the building code administrator, may be reviewed under s. [553.775](#).

(b) If a state university, Florida College System institution, or public school district elects to use a local government's code enforcement offices:

1. Fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges, and public school districts may not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

2. Counties and municipalities shall expedite building construction permitting, building plans review, and inspections of projects of state universities, Florida College System institutions, and public schools that are subject to the Florida Building Code according to guidelines established by the Florida Building Commission.

3. A party substantially affected by an interpretation of the Florida Building Code by the local government's code enforcement offices may appeal the interpretation to the local government's board of adjustment and appeal or to the commission under s. [553.775](#) if no local board exists. The decision of a local board is reviewable in accordance with s. [553.775](#).

(c) The Florida Building Commission and code enforcement jurisdictions shall consider balancing code criteria and enforcement to unique functions, where they occur, of research institutions by application of performance criteria in lieu of prescriptive criteria.

(d) School boards, Florida College System institution boards, and state universities may use annual facility maintenance permits to facilitate routine maintenance, emergency repairs, building refurbishment, and minor renovations of systems or equipment. The amount expended for maintenance projects may not exceed \$200,000 per project. A facility maintenance permit is valid for 1 year. A detailed log of alterations and inspections must be maintained and annually submitted to the building official. The building official retains the right to make inspections at the facility site as he or she considers necessary. Code compliance must be provided upon notification by the building official. If a pattern of code violations is found, the building official may withhold the issuance of future annual facility maintenance permits.

This part may not be construed to authorize counties, municipalities, or code enforcement districts to conduct any permitting, plans review, or inspections not covered by the Florida Building Code. Any actions by counties or municipalities not in compliance with this part may be appealed to the Florida Building Commission. The commission, upon a determination that actions not in compliance with this part have delayed permitting or construction, may suspend the authority of a county, municipality, or code enforcement district to enforce the Florida Building Code on the buildings, structures, or facilities of a state university, Florida College System institution, or public school district and provide for code enforcement at the expense of the state university, Florida College System institution, or public school district.

(7)(a) The governing bodies of local governments may provide a schedule of reasonable fees, as authorized by s. [125.56\(2\)](#) or s. [166.222](#) and this section, for enforcing this part. These fees, and any fines or investment earnings related to the fees, shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government. A local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous 4 fiscal years. For purposes of this subsection, the term "operating budget" does not include reserve amounts. Any amount exceeding this limit must be used as authorized in subparagraph 2. However, a local government which established, as of

January 1, 2019, a Building Inspections Fund Advisory Board consisting of five members from the construction stakeholder community and carries an unexpended balance in excess of the average of its operating budget for the previous 4 fiscal years may continue to carry such excess funds forward upon the recommendation of the advisory board. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government and shall include consideration for refunding fees due to reduced services based on services provided as prescribed by s. [553.791](#), but not provided by the local government. Fees charged shall be consistently applied.

1. As used in this subsection, the phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

2. A local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees.

3. The following activities may not be funded with fees adopted for enforcing the Florida Building Code:

- a. Planning and zoning or other general government activities.
- b. Inspections of public buildings for a reduced fee or no fee.
- c. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.
- d. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code as defined in subparagraph 1.

4. A local government shall use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated under this subsection are maintained and allocated or used solely for the purposes described in subparagraph 1.

5. The local enforcement agency, independent district, or special district may not require at any time, including at the time of application for a permit, the payment of any additional fees, charges, or expenses associated with:

- a. Providing proof of licensure pursuant to chapter 489;
- b. Recording or filing a license issued pursuant to this chapter;
- c. Providing, recording, or filing evidence of workers' compensation insurance coverage as required by chapter 440; or
- d. Charging surcharges or other similar fees not directly related to enforcing the Florida Building Code.

(b) By December 31, 2020, the governing body of a local government that provides a schedule of fees shall create a building permit and inspection utilization report and post the report on its website. The information in the report shall be derived from relevant information available in the most recently completed financial audit. After December 31, 2020, the governing body of a local government that provides a schedule of fees shall update its building permit and inspection utilization report before making any adjustments to the fee schedule. The report shall include:

1. Direct and indirect costs incurred by the local government to enforce the Florida Building Code, including costs related to:

a. Personnel services costs, including salary and related employee benefit costs incurred by the local government to enforce the Florida Building Code.

b. Operating expenditures and expenses.

2. Permit and inspection utilization information, including:

- a. Number of building permit applications submitted.
- b. Number of building permits issued or approved.
- c. Number of building inspections and reinspections requested.
- d. Number of building inspections and reinspections conducted.
- e. Number of building inspections conducted by a private provider.
- f. Number of audits conducted by the local government of private provider building inspections.

- g. Number of personnel dedicated by the local government to enforce the Florida Building Code, issue building permits, and conduct inspections.
 - h. Other permissible activities for enforcing the Florida Building Code as described in subparagraph (a)1.
3. Revenue information, including:
- a. Revenue derived from fees pursuant to paragraph (a).
 - b. Revenue derived from fines pursuant to paragraph (a).
 - c. When applicable, investment earnings from the local government's investment of revenue derived from fees and fines pursuant to paragraph (a).
 - d. Balances carried forward by the local government pursuant to paragraph (a).
 - e. Balances refunded by the local government pursuant to paragraph (a).
 - f. Revenue derived from other sources, including local government general revenue.
- (c) The governing body of a local government that issues building permits may charge a person only one search fee, in an amount commensurate with the research and time costs incurred by the governing body, for identifying building permits for each unit or subunit assigned by the governing body to a particular tax parcel identification number.
- (8) The Department of Agriculture and Consumer Services is not subject to local government permitting requirements, plan review, or inspection fees for agricultural structures, such as equipment storage sheds and pole barns that are not used by the public.

History.—s. 11, ch. 74-167; s. 3, ch. 75-111; s. 5, ch. 77-365; s. 3, ch. 85-97; s. 805, ch. 97-103; ss. 50, 51, ch. 98-287; ss. 85, 86, ch. 2000-141; ss. 34, 35, ch. 2001-186; ss. 3, 4, ch. 2001-372; s. 87, ch. 2002-1; s. 27, ch. 2002-20; s. 12, ch. 2005-147; s. 64, ch. 2006-1; s. 15, ch. 2008-191; s. 37, ch. 2010-176; s. 127, ch. 2014-17; s. 276, ch. 2014-19; s. 23, ch. 2014-154; s. 21, ch. 2016-129; s. 10, ch. 2017-149; s. 7, ch. 2019-75; s. 3, ch. 2019-121.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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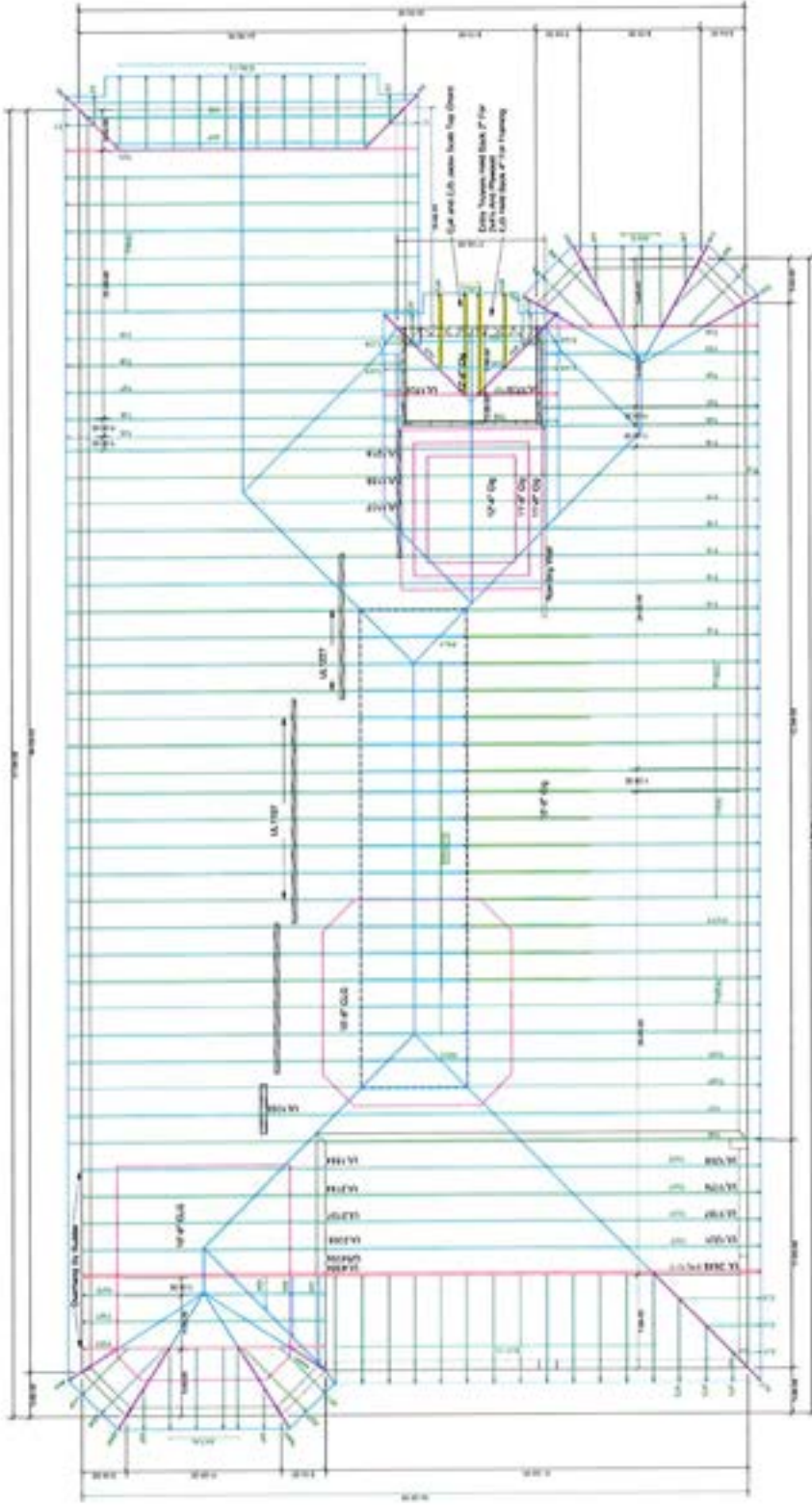
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10' of Bay
11' of Bay
12' of Bay
13' of Bay

Palazzo-Costar-B & C Troy Pkg W/Master Bay Edt Lamin Tanden Gar.

IMPORTANT!
The Drawing Must be Approved and
Sealed by a Professional Engineer or
Architect before Publication. All
Dimensions and Conditions Must be
Accepted by the Client. All
Dimensions and Conditions Must be
Accepted by the Client.

ROOF LEAKAGE		FLOOR LEAKAGE	
TOTAL	28 P/P	TOTAL	48 P/P
PERM	15 P/P	PERM	15 P/P
NON-PERM	13 P/P	NON-PERM	33 P/P
TOTAL	43 P/P	TOTAL	96 P/P
PERM	15 P/P	PERM	15 P/P
NON-PERM	28 P/P	NON-PERM	81 P/P

By: _____ Date: _____

1602 Industrial Park
Plant City, FL 33566
Ph. (813) 759-5922
Fax (813) 752-1502

Palazzo-Costar-B & C Troy Pkg W/Master Bay Edt Lamin Tanden Gar.

Palazzo-Costar-B & C Troy Pkg W/Master Bay Edt Lamin Tanden Gar.

Palazzo-Costar-B & C Troy Pkg W/Master Bay Edt Lamin Tanden Gar.

Palazzo-Costar-B & C Troy Pkg W/Master Bay Edt Lamin Tanden Gar.

Fred Clum

From: Fred Clum
Sent: Monday, March 23, 2026 6:28 AM
To: Fred Clum
Subject: FW: PRGS 20251250349 Florida Building code Statute
Attachments: Board of Adjustments and Appeals (BOAA).pdf

FYI

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:339-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Fred Clum <Fred.Clum@collier.gov>
Sent: Saturday, March 21, 2026 3:37 AM
To: Superiorpropane@yahoo.com
Cc: Doug Sposito <Doug.Sposito@collier.gov>; Paul Philabaum <Paul.Philabaum@collier.gov>; Troy Komarowski <Troy.Komarowski@collier.gov>; John McCormick <John.McCormick@collier.gov>; Consuela Thomas <Consuela.Thomas@collier.gov>; Anisley SanRoman <Anisley.SanRoman@collier.gov>
Subject: RE: PRGS 20251250349 Florida Building code Statute

Mr Tripp,

In reply to your request below, after review of applicable Florida Statutes and Florida Building code regarding alternative materials, design and methods of construction and equipment FS 553.8425 & FBC 104.11



A Florida professional engineer or Florida registered architect engineer may submit alternate products means and method , each submittal shall comply with FS 884.124 (2) (4) & (6)

Final determination

553.8425 Local Product Approval / Florida Building Code 104.11 Alternative Materials, design and methods of construction and equipment.

Ref FS 553.8425 A Florida registered Engineer or Architect may submit for a local product approval. It shall be accompanied with a product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code.

For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.

553.8425 Local product approval. –

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;
- (d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;
- (e) A statewide product approval issued by the Florida Building Commission; or
- (f) Designation of compliance with a prescriptive, material standard adopted by the commission by rule under s. [553.842\(15\)](#).

(2) For product-evaluation reports that indicate compliance with the code based upon a test report from an approved testing laboratory and rational or comparative analysis by a Florida registered architect or Florida professional engineer, the testing laboratory or the evaluating architect or engineer must certify independence from the product manufacturer.

(3) Local building officials may accept modifications to approved products or their installations if sufficient evidence is submitted to the local building official to demonstrate compliance with the code or the intent of the code, including such evidence as certifications from a Florida registered architect or Florida professional engineer.

(4) **Products demonstrating compliance shall be manufactured under a quality assurance program audited by an approved quality assurance entity.**

(5) Products bearing a certification mark, label, or listing by an approved certification agency require no further documentation to establish compliance with the code.

(6) **Upon review of the compliance documentation, and a finding that the product complies with the code, the authority having jurisdiction or a local building official shall deem the product approved for use in accordance with its approval and limitation of use.**

(7) Approval shall be valid until such time as the product changes and decreases in performance; the standards of the code change, requiring increased performance; or the approval is otherwise suspended or revoked. Changes to the code do not void the approval of products previously installed in existing buildings if such products met building code requirements at the time the product was installed.

You may appeal this interpretation to Collier County BOAA [application attached]

Kind Regards

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Wednesday, March 11, 2026 12:59 PM



To: Fred Clum <Fred.Clum@collier.gov>

Subject: Re: PRGS 20251250349 Florida Building code Statutes

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You are mistaken.

I don't care about the dome.

What I want interpreted in Professional Engineering allowed for construction documents.

It if that lid is allowable. I know it is. What I want is to set you up for the biggest failure of your life.

I want you to Interpret the statute I just sent you as it is found in the Building code.

Because you accept professional engineering everyday. And yet for propane permits you are not.

So let's hear your interpretation of PE seals

On construction documents. Because all steel tie beams and all columns and stair cases have PE seals to have them approved.

Goodluck. Be careful. You may have to tell

Contractors they have to have all UL listed beams and staircases, hand rails for 2nd floors.

All of these are custom built

Locally and have PE seals on their documents to meet code.

So again. I don't care about the dome. What I care about is your

Blatant overreach.

So please tell me how PE specifications for steel tie beams and staircases are 100-% accepted and yet you claim a PE cannot seal and certify a vehicular traffic protection.

Kind Regards,

Superior Propane

239-403-3630

6014 Shirley St Suite C

On Wednesday, March 11, 2026 at 08:13:51 AM EDT, Fred Clum <fred.clum@collier.gov> wrote:

Mr Tripp,

Thanks so much for your email. Initially, I would like to clarify that I do not intend to argue with anyone. Per the Florida Statute 553.775 the Building Official may interpret the code. Based on the content of your email I am assuming you are requesting a formal code determination regarding the tank dome [attached] in question as submitted on permit [PRGS20251250349](#).

In addition, the ruling of the BOAA on Tuesday June 18th, 2024, was to determine if a motor vehicle was a source of ignition when applicable to a propane tank placed under a driveway, they ruled it was not. The issue of whether a propane tank could be placed in a driveway was not the issue, as it may be placed under a driveway meeting applicable code for such placement.

Allow a few days to research and reply with a formal code Interpretation for Local product approval per FS [553.8425](#), regarding the attached documents [Master LP Steel Dome Lid & Box] submitted in permit [PRGS20251250349](#)

553.775 Interpretations.—

(1) It is the intent of the Legislature that the Florida Building Code and the Florida Accessibility Code for Building Construction be interpreted by building officials, local enforcement agencies, and the commission in a manner that protects the public safety, health, and welfare at the most reasonable cost to the consumer by ensuring uniform interpretations throughout the state and by providing processes for resolving disputes regarding interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction which are just and expeditious.

Very Kind Regards,

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office:239-252-4232

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Superior Propane <superiorpropane@yahoo.com>
Sent: Tuesday, March 10, 2026 3:14 PM
To: Fred Clum <Fred.Clum@collier.gov>; Paul Philabaum <Paul.Philabaum@collier.gov>
Subject: Florida Building code Statutes

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Florida law allows for Local approval of products to be signed by a PE and state that they conform with the Florida building code.

Fred, as you learned in the past, I do not argue if I am not correct. An engineered dome stamped and approved by an engineer is 100% legal in the state of Florida and conforms directly to the Florida Building Code.

This has been supplied on every jobsite. This is also the reason PE can sign off on trusses, Structural steel beams, custom-made staircases, and hand railing for 2nd floors and pools.

None of these items in your Building permits has UL-listed and stamped products. The beams are made locally to the engineer's design. Beams made locally by an engineer's design. This is a structural protection apparatus designed by an engineer to support the weight of the driveway and protect the domes from vehicular traffic.

553.8425 Local product approval.—

(1) For local product approval, products or systems of construction shall demonstrate compliance with the structural windload requirements of the Florida Building Code through one of the following methods:

- (a) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code;
- (b) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code;
- (c) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code;
- (d) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code;

Kind Regards,
David Tripp
Superior Propane

[239-403-3630](tel:239-403-3630)
6014 Shirley St Suite C
Naples, FL 34109

www.SuperiorPropaneFL.com

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

BUILDING BOARD OF ADJUSTMENTS AND APPEALS (BOAA)**Applicant Contact Information**

Name of Owner: _____

Address: _____ City: _____ State: _____ ZIP: _____

Phone: _____ E-Mail Address: _____

Name of Petitioner (if different than owner or agent): _____

Property Information, if applicable

Permit Number: _____ Parcel #: _____

Appeal Information**Decision Being Appealed:** Describe the decision made by the Building Official or Code Compliance Director.**Reason for Appeal:** Explain why you believe the decision was incorrect or why relief/variance should be granted. Petitioner must provide specific code article and/or statutory provision, rule, or order seeking interpretation and application of the *Florida Building Code, 8th Edition (2023)*. Please submit any permit documents, plans, drawings, code references, photos, reports or additional pages as applicable.**Requested Action by BOAA:** Example: Overturn permit denial, approval alternate construction method, grant variance, etc.

Application Fee: \$500.00

Petitioner Name_____
Petitioner Signature_____
DatePlease submit completed form to BuildingAdmin@collier.gov

To be completed by the staff liaison of the board of adjustments and appeals:

Approved for Meeting:

Meeting Date: _____

Fred Clum

From: Nathaniel Woodhull <nwoodhull@capecoral.gov>
Sent: Friday, March 20, 2026 10:41 AM
To: Fred Clum
Subject: RE: Next BOAF Gulf coast chapter meeting March 25

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Dear Fred,

IMO it is quite similar to the roofing specification interpretations within FBC. Between the manufacturer and our interpretation, we (administration, manufacturer, and contractor/design professional hopefully have consensus).

I agree that the code is not as explicit as we'd like regarding a "prohibition," but it does set a very high bar for installations in vehicular areas. Here are some points that might help clarify our position based on **NFPA 58 (2020 & 2024 Editions)**:

NFPA 58 (2020 & 2024) 6.8.6.1 (C) Installation within 10ft. of a public vehicular thoroughfare or designated parking location shall be provided with vehicular barrier protection for the container's fitting housing, housing cover, container connections, and piping.

NFPA 58 (2024) 58-1, Origin and Development paragraph 4

- **3.3.84 Vehicle Barrier Protection (VBP) Vehicle Barrier Protection (VBP).** "A system or method to provide physical protection for LP-Gas Storage areas or installations from vehicular incursion."
- **AASHTO H20 vs. LP-Specific Listing:** You are correct that while many composite or cast-iron lids meet AASHTO H20 load ratings, they are often listed for water or electrical use. NFPA 58 Section 5.2.1.1 requires that appurtenances be protected by a housing or device "designed, fabricated, tested" for that purpose. Using a water meter lid for a propane tank would likely violate the "listed for use" requirement unless the manufacturer specifically certifies it for LP gas environments (addressing static, venting, and chemical resistance). ****** Joe routinely looks at the Specs in the submissions for this language ******
- **Remote Venting & Discharge (Section 6.4.4.3):** If a traffic-rated lid is used, it must be ventilated. However, the discharge from the safety relief valve must still meet the separation distances in **Table 6.4.1.1** (at least 10 feet from ignition sources and building openings). If the "lid"

seals the dome area to protect it from traffic, a remote vent line would be necessary to ensure relief gases discharge to a safe, compliant location rather than accumulating under a heavy traffic lid. 6.4 Container Separation Distances

- **Practical Conflict:** Most manufacturers' warranties and installation instructions (which are enforceable under the code) state that tanks should only be buried in "dirt and earth" areas not subject to vehicular loads.

Unless the applicant can provide a manufacturer's specification showing the tank and its housing are specifically listed for "traffic loading" and provide an engineered plan for remote venting that meets the 10-foot relief valve setback, we should likely maintain that the installation is non-compliant.

I hope this helps.



Nathaniel Woodhull, Plans Examiner III

DEVELOPMENT SERVICES
1015 Cultural Park Boulevard Cape Coral, Florida 33990
Tel: 4608 (574-0608)
nwoodhull@capecoral.gov

From: Fred Clum <Fred.Clum@collier.gov>
Sent: Friday, March 20, 2026 8:04 AM
To: Nathaniel Woodhull <nwoodhull@capecoral.gov>
Subject: RE: Next BOAF Gulf coast chapter meeting March 25

Thanks, Nathaniel for the response , I agree 100% with Joe, however I cant find any reference that prohibits or allows tanks installed in a Traffic Thorofare [such as a drive way]

As such , if it is in a driveway there must be a Listed Traffic Rated Lid and remote venting , in my opinion .

While I can find these lids that comply with ASSHTO H20 , none address specifically for use with Propane Tanks or remote venting of same ?

Thanks again

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov

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From: Nathaniel Woodhull <nwoodhull@capecoral.gov>
Sent: Friday, March 20, 2026 6:51 AM
To: Fred Clum <Fred.Clum@collier.gov>
Subject: RE: Next BOAF Gulf coast chapter meeting March 25

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Fred,

This is right from Joe Marconi, HVAC & Plumbing Senior Reviewer:

[Code References for LP Tank Domes \(NFPA 58\)](#)



Container Appurtenances Protection (Section 5.2.1.2): Containers must be equipped with a protective housing (dome) or a device to protect against physical damage to valves and regulators.

While the dome itself has specific construction rules, its position relative to the building is governed by **Table 6.4.1.1 of NFPA 58**. For example, any tank filled on-site must have its filling connection (located under the dome) at least **10 feet** from external sources of ignition or any driving surface (road or driveway)



Nathaniel Woodhull, Plans Examiner III
DEVELOPMENT SERVICES
1015 Cultural Park Boulevard Cape Coral, Florida 33990
Tel: 4608 (574-0608)
nwoodhull@capescoral.gov

From: Fred Clum <Fred.Clum@collier.gov>

Sent: Thursday, March 19, 2026 2:32 PM

To: Robert Hatton <rhatton@larjo.com>; John Clements <john.clements@bureauveritas.com>; Roger Remek <roger.remek@bureauveritas.com>; Alessandro <ABeliatto@leegov.com>; Andrew Carozzo <Carozzo@charlottecountyfl.gov>; Andrew Constantine <andrew.constantine@charlottecountyfl.gov>; Andrew Delligatti <andrew.delligatti@charlottecountyfl.gov>; andy.mihaly@sarasotafl.gov; anthony.haas@charlottecountyfl.gov; anthony.jones@charlottecountyfl.gov; Antia <ARichards@leegov.com>; arleneonenergy@gmail.com; Alfredo (term 8/1/2025 1f)(INCA3118267) <ARodriguez5@leegov.com>; Allen <ASimons@leegov.com>; aweisinspector@gmail.com; Boyte <BADams2@leegov.com>; ben.bailey@charlottecountyfl.gov; Bruce <BJones@leegov.com>; Bruce <BKeising@leegov.com>; Butch <Blipstak@leegov.com>; bmanning@cityofpuntafordafl.com; brett.carroll@charlottecountyfl.gov; brian.crane@charlottecountyfl.gov; capesideconsult@gmail.com; Carrol Dupre <carrol.dupre@bureauveritas.com>; Carmine <CCatalano@leegov.com>; Christine Biondo <christopher.bellitt@charlottecountyfl.gov>; cm@archstetics.com; Cynthia Jones <cynthia.jones@bureauveritas.com>; daniel.gerry@charlottecountyfl.gov; danielschram@aol.com; dapplegate@venicefl.gov; Darryl <DAubuchon@leegov.com>; "DAVID ENGELHART" <david.engelhart@comcast.net>; David.Freed@charlottecountyfl.gov; Diana <DBrown3@leegov.com>; David <DCallison@leegov.com>; David <DKrebs@leegov.com>; David <DLaming@leegov.com>; David <DMartinez@leegov.com>; Dominic Biondo <charlottecountyfl.gov>; Donna.Bailey@charlottecountyfl.gov; dthomas@ocalafl.gov; Dempsey <DVick@leegov.com>; Dar <DWindsor@leegov.com>; edward.gerry@charlottecountyfl.gov; Emmanuel <ETabarca@leegov.com>; favez.ismail@hotmail.com; Frederick.Mink@charlottecountyfl.gov; gary.belle@sarasotafl.gov; Burnett, Glenn <gurnett@leegov.com>; Gary <GCarbone@leegov.com>; gscribbett14316@gmail.com; Gregory"

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Subject: RE: Next BOAF Gulf coast chapter meeting March 25

Thanks

Code Ref ? Please

Fred Clum
Chief Building Official
Building Plan Review & Inspection

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My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Robert Hatton <rhatton@larjo.com>

Sent: Thursday, March 19, 2026 2:25 PM

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Subject: Re: Next BOAF Gulf coast chapter meeting March 25

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Underground LP tanks installed beneath driveways or vehicular areas shall be provided with a manufacturer listed traffic rated dome assembly

Robert Hatton, CBO, CFM
Building Official

Largo - Your community of choice
201 Highland Ave

Largo, FL 33779-0296

rhatten@largo.com
Office (727) 586-7417



The current Building Code is the 8th Edition, 2023 (FBC)

Building Division Customer Service Hours

Monday - Friday 8am - 4pm

Wednesday 8am - 3pm

First Wednesday of each month 8am - 12pm

Inspection Hours

Monday - Friday 8am - 3:30pm

Building Division Applications and Forms

From: Fred Clum <Fred.Clum@collier.gov>

Sent: Thursday, March 19, 2026 2:19 PM

To: John Clements <john.clements@bureauveritas.com>; Roger Remek <roger.remek@bureauveritas.com>; Alessandro <ABeliato@leegov.com>;

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Subject: RE: Next BOAF Gulf coast chapter meeting March 25

May I ask a question ,

When a propane tank is installed under a driveway [if you permit it] what tank lid or dome do you require ?

Thanks for the replies

Fred Clum
Chief Building Official
Building Plan Review & Inspection

Office: [239-252-4232](tel:239-252-4232)

2800 N. Horseshoe Dr.
Naples, Florida 34104
Fred.Clum@collier.gov



Collier County



My email address has changed. Effective immediately, please update your contact list to use this new address: Fred.Clum@collier.gov

From: Roger Remek <roger.remek@bureauveritas.com>

Sent: Wednesday, March 18, 2026 3:55 PM

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Subject: Next BOAF Gulf coast chapter meeting March 25

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Hi

Please see attached the meetings from the last meeting and the next meeting is March 25.

Thank you,



Roger Remek, BN,PX,RPX,CBO

Building Inspector/ Plans Examiner

C 239.396.0144

www.capfla.com | Roger.Remek@bureauveritas.com

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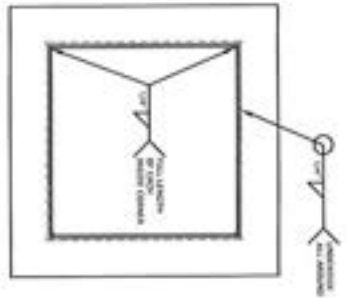


Aaron M Gillmor PE

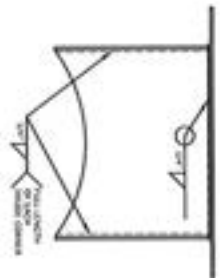
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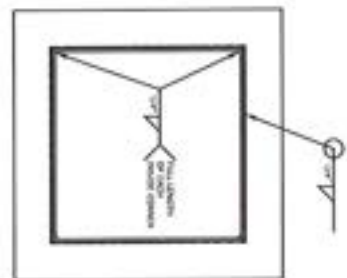
TOP VIEW



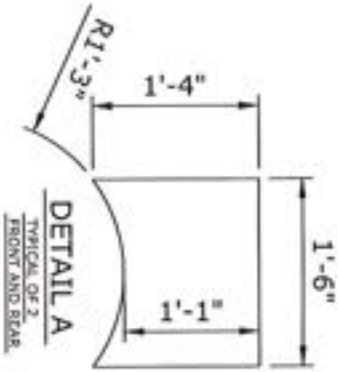
FRONT AND REAR VIEW



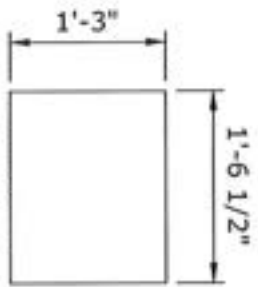
SIDE VIEWS



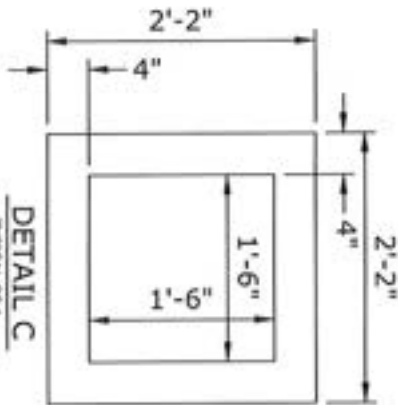
BOTTOM VIEW



DETAIL A
TYPICAL OF 2
FRONT AND REAR



DETAIL B
TYPICAL OF 2
SIDE



DETAIL C
TYPICAL OF 1
TOP FLANGE

STRUCTURAL NOTES:

GENERAL NOTES: CONSTRUCTION INCLUDING VERIFICATION OF DIMENSIONS, ELEVATIONS, AND FIELD CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER OR RECORD PRIOR TO CONSTRUCTION.
THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS PERTAINING TO THE NEW WORK AND REPORT DISCREPANCIES BETWEEN THE DRAWINGS AND THE FIELD CONDITIONS TO THE ENGINEER FOR REVIEW.

DRAWING SHALL NOT BE SCALED. CONTACT THE ENGINEER IF CLARIFICATION OF ANY DIMENSION IS REQUIRED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ROOF EJECTION PROCEDURES TO ENSURE THE SAFETY OF THE BUILDING AND ITS COMPONENTS DURING CONSTRUCTION. THIS INCLUDES THE INSTALLATION OF ALL SHORING, RE-SHORING, BRACING, TIE-DOWNS, ETC.

IT IS SOLELY THE CONTRACTOR'S RESPONSIBILITY FOR THE SAFETY OF THE WORKERS DURING ALL PHASES OF CONSTRUCTION AND ASSEMBLY, AND FOR ADHERENCE TO ALL APPLICABLE LAWS AND REGULATIONS GOVERNING SAFETY PROCEDURES.

STRUCTURAL STEEL: ALL STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH AISC 'MANUAL' OF STEEL CONSTRUCTION' WITH THE FOLLOWING MODIFICATIONS:

STEEL ELEMENT	YIELD STRENGTH F _y =
WEB SECTIONS (ASTM A-500) (C4, C6)	46,000 PSI
WIDE FLANGE BEAMS (AISC 305)	50,000 PSI
CHANNELS (AISC 305) (C6, C8, C10, C12)	36,000 PSI
PIPE COLUMNS	36,000 PSI
RECT. TUBES (ASTM A513)	36,000 PSI

ALL WELDED CONNECTIONS SHALL UTILIZE THE ERW ELECTRODE. ALL SHOP CONNECTIONS SHALL BE WELDED AND ALL FIELD CONNECTIONS SHALL BE MADE AS SPECIFIED ON THE STRUCTURAL PLANS.

DESIGN LOADS: THE STRUCTURAL SYSTEMS FOR THE ATTACHED DRAWINGS WERE DESIGNED PER THE GRAVITY LOADS PRESENTED IN SECTION 1609 OF THE FLORIDA BUILDING CODE SEVENTH EDITION, 2020.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THESE PLANS AND SPECIFICATIONS CONFORM TO LOCAL BUILDING CODE REQUIREMENTS.

AARON M. GILLMOR
FLORIDA P.E. # 67567

COLLIER COUNTY	
STREET BOX FOR 250wg PROPANE STORAGE TANK	
ALWAYS ON GENERATORS	
AMG STRUCTURAL ENGINEERING, LLC	
2088 CAROLSTE CT BONITA SPRING, FL 33435 (352) 465-5546	
DATE: 6/2/2023	DRAWN BY: AMG
JOB #: 1578-26-01	SCALE: 1" = 1'-0"
REF: STREET BOX SHOP	SHEET: 5-1 OF 1

Quazite[®] H2O



QUAZITE[®] H2O assemblies include a polymer concrete box, a galvanized steel frame and cover. Properly installed, QUAZITE H2O assemblies meet all AASHTO H2O application specifications

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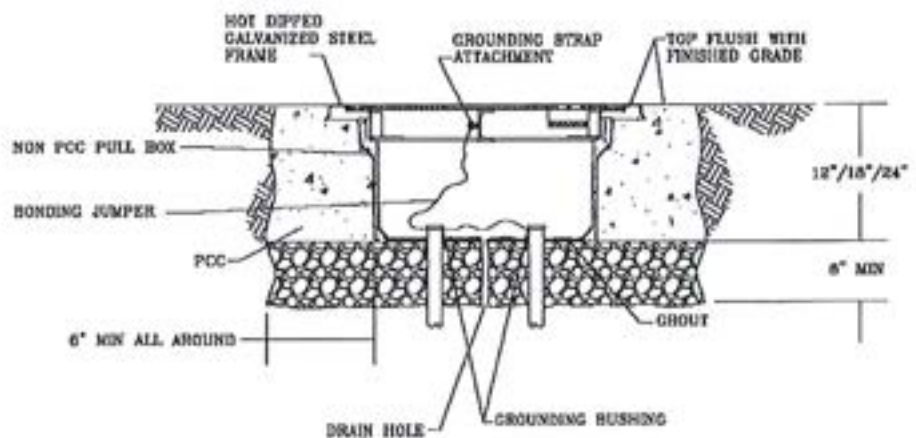
All New Design

QUAZITE H2O assemblies are designed to handle frequent loading from vehicular traffic including industrial loading zones, parking facilities, roadside utilities or anywhere that enclosures are likely to be hit by frequent traffic.

Typical Installation

QUAZITE H2O assemblies require cast-in-place concrete that surrounds the enclosure (shown to right).

The galvanized steel frame is embedded into the concrete and the galvanized cover then fits into the frame. The concrete is typically a minimum of six inches deeper than the enclosure depth. The wall thickness of the concrete is a minimum of 3 inches.



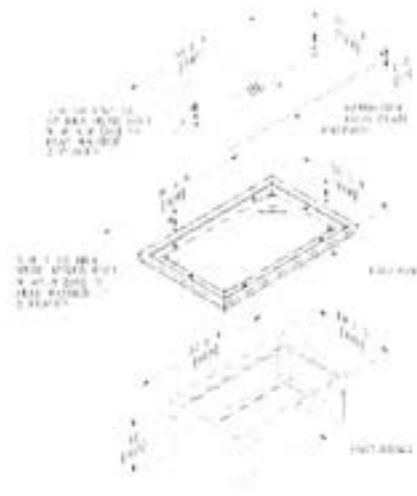
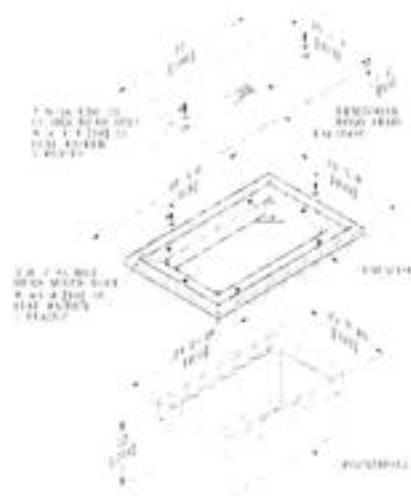
For more information contact QUAZITE Customer Service: 1-800-346-3062



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Quazite® H2O



13x24

Catalog Number	Description	Design Load (lbs)	Weight (lbs)	Length (in)	Width (in)	Height (in)
PG1324Z119***	13x24x12 Galvanized Steel Assembly	16,000	204	29.375	18.5625	12.000
PG1324Z120***	13x24x18 Galvanized Steel Assembly	16,000	230	29.375	18.5625	18.000
PG1324Z121***	13x24x24 Galvanized Steel Assembly	16,000	258	29.375	18.5625	24.000
PA1324SC***	Cover, Galvanized Steel	16,000	70	27.000	16.2500	0.5000
PA1324SF	Frame, Galvanized Steel	16,000	83	29.375	18.5625	3.0625
PG1324BA12	Box <u>Only</u> : Hex Head Bolt	22,000	51	24.875	15.3750	12.000
PG1324BA18	Box <u>Only</u> : Hex Head Bolt	22,000	77	24.875	15.3750	12.000
PG1324BA24	Box <u>Only</u> : Hex Head Bolt	22,000	105	24.875	15.3750	12.000

*** = logo code

17x30

Catalog Number	Description	Design Load (lbs)	Weight (lbs)	Length (in)	Width (in)	Height (in)
PG1730Z286***	17x30x12 Galvanized Steel Assembly	16,000	273	35.50	22.50	12.000
PG1730Z287***	17x30x18 Galvanized Steel Assembly	16,000	301	35.50	22.50	18.000
PG1730Z288***	17x30x24 Galvanized Steel Assembly	16,000	316	35.50	22.50	24.000
PA1730SC***	Cover, Galvanized Steel	16,000	103	33.25	20.25	0.5000
PA1730SF	Frame, Galvanized Steel	16,000	104	35.50	22.50	3.0625
PG1730BA12	Box <u>Only</u> : Hex Head Bolt	22,000	66	32.25	19.25	12.000
PG1730BA18	Box <u>Only</u> : Hex Head Bolt	22,000	94	32.25	19.25	12.000
PG1730BA24	Box <u>Only</u> : Hex Head Bolt	22,000	109	32.25	19.25	12.000

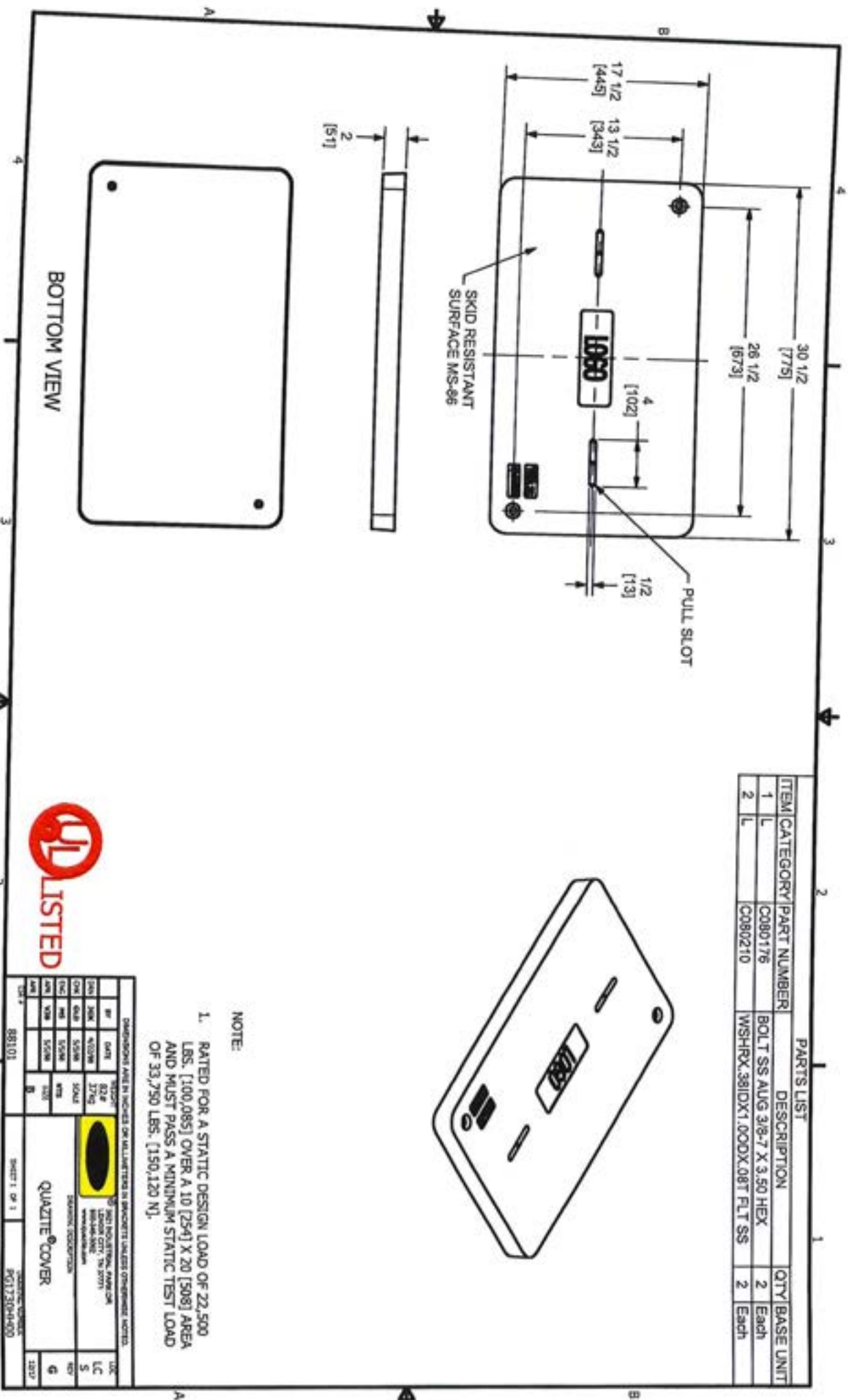
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For more information contact QUAZITE Customer Service: 1-800-346-3062



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PARTS LIST					
ITEM	CATEGORY	PART NUMBER	DESCRIPTION	QTY	BASE UNIT
1	L	C080176	BOLT SS AUG 3/8-7 X 3.50 HEX	2	Each
2	L	C080210	WSHRX.381DX1.00DX.08T FLT SS	2	Each



NOTE:
 1. RATED FOR A STATIC DESIGN LOAD OF 22,500 LBS. [100,085] OVER A 10 [254] X 20 [508] AREA AND MUST PASS A MINIMUM STATIC TEST LOAD OF 33,750 LBS. [150,120 N].



QUARTZITE COVER			
REV	DATE	BY	DESCRIPTION
1	03/09	12742	QUARTZITE COVER
2	03/09	12742	QUARTZITE COVER
3	03/09	12742	QUARTZITE COVER
4	03/09	12742	QUARTZITE COVER

88101

SHEET 1 OF 1

PG12304H-00

can the AHJ prohibit propane tar X



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Yes, an Authority Having Jurisdiction (AHJ)—such as a local fire marshal, building department, or municipality—can absolutely prohibit the installation of propane tanks under a residential driveway. While NFPA 58 (the national propane code) does not strictly prohibit this, it requires specific, stringent protections if done, and many local jurisdictions override this with stricter regulations to ensure safety and accessibility. [Propane Education & Research Council +4](#)

Here is a breakdown of why this is prohibited and the regulations involved:

Reasons for Prohibition (AHJ & Safety)

- **Physical Damage Risks:** Vehicles driving over the tank can cause damage, leading to potential leaks.
- **Access for Service/Emergencies:** Emergency responders and delivery drivers need easy, safe access to the tank's relief valve, filler, and gauge, which is difficult if it is buried under a driveway.
- **Venting Requirements:** Propane is heavier than air. Underground tanks need specific backfill and space for gas to dissipate safely, which is often compromised under paved surfaces.
- **Local Amendments:** Many municipalities explicitly prohibit placing any underground propane tanks under paved areas or vehicle thoroughfares, requiring them to be placed only under dirt/soil. [AmeriGas +4](#)

NFPA 58 Regulations for Underground Tanks


If an AHJ allows it, they will likely mandate that the installation strictly follows NFPA 58 guidelines for vehicles: [🔗](#)

- **Depth:** The tank must be buried at least **18 inches below grade** if it is within 10 feet of a vehicle thoroughfare.
- **Protection:** The tank must be protected against physical damage, which may require engineering controls, such as reinforced concrete slabs above the tank to distribute

vehicle weight.

- **Setbacks:** The tank must still be at least 10 feet away from any building or property line.  Propane Education & Research Council +2

Recommendation

Before installing an underground tank, always check with the local fire department or building inspector (the AHJ) for their specific local amendments to NFPA 58. A common industry guideline is to place the tank at least 5 feet away from a driveway, not under it.  PepUp, Inc. +3

Key Factors to Consider When Determining Propane Tank ...

Oct 29, 2025 — Key Factors to Consider When Determining Propane Tank Placement * Propane: A Safe Bet for Energy Independence. Before we discuss t...

 Propane Education & Research Cou... 



building-Location-distances-of-propane-and-other-tanks-from-home- ...

CODE CONDITION: NFPA 58 APPENIX 1: LESS THAN 125 GALLONS – MUST BE 5 FEET MIN. AWAY FROM WINDOW A/C (SOURCE OF IGNITION) AND 10 FE...

Revize websites 



All About Propane Tanks: Regulations, Sizes and Placement

Mar 21, 2023 — Where to place larger propane tanks. The requirements about propane tank placement are essentially driven by two questions: How cl...

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<http://www.amerigas.com> › AmeriGas Blog

All About Propane Tanks: Regulations, Sizes and Placement

Mar 21, 2023 — In addition to following the 10- and 25-foot rules, all **propane tanks** that receive refill deliveries must be at least 5 feet from your **driveway**. [Read more](#)

Missing: AHJ prohibit

People also ask :

How close can a propane tank be to a driveway? ▼

Where not to put propane tank? ▼

What is the 80/20 rule for propane? ▼

How close can an LP tank be to a house? ▼

[Feedback](#)

 Propane Education & Research Council
<https://propane.com> › Articles

Key Factors to Consider When Determining Propane Tank ...

Oct 29, 2025 — Underground tanks within 10 feet of vehicle thoroughfare or parking locations must be at least 18 inches **below** grade. The Perfect **Propane Tank** ... [Read more](#)

Missing: prohibit | Show results with: [prohibit](#)

 Ged Lawyers
<https://www.gedlawyers.com> › Blog › Personal Injury

Florida Propane Tank Laws | Call Now

Feb 21, 2024 — According to the Florida Division of State Fire Marshal, larger underground **tanks** must be at least ten feet from a building or property line. [Read more](#)

Missing: AHJ | Show results with: [AHJ](#)

 JustAnswer
<https://www.justanswer.com> › Legal Questions

Naples Gated Community BBQ Tank Rule: Expert Q&A Guide

Aug 26, 2025 — Regarding your inquiries, **propane tanks** exceeding one pound (such as the standard 20 lb BBQ tank) are generally **prohibited** inside enclosed ... [Read more](#)

1 answer · Top answer: Hello! I am an attorney specializing in your area of law, and I am more than happ...

⋮

BUILDING BOARD OF ADJUSTMENTS AND APPEALS
AUG. 15, 2024 MEETING
GROWTH MANAGEMENT DIVISION
2800 HORSESHOE DR.
CONFERENCE ROOM 609/610

BOARD MEMBERS
Jonathan Walsh - Chair
John Melton - Vice Chair
Michael Mick
William Swanson
Eloy Ricardo

ALSO PRESENT

Fred Clum, Chief Building Official
Richard Long, Building Plan & Review Director
Troy Komarowski, Chief Building Inspector
Doug Sposito, Deputy Building Official
Ronald Tomasko - Assistant County Attorney
Anisley San Roma, Operations Support
Marlene Serrano, Staff Liaison

MEETING CALLED TO ORDER 9:00 A.M. by Jonathan Walsh, Chair.

AGENDA

Jonathan Walsh made the motion to adopt the Agenda for Aug. 15, 2024

Mike Mick seconded the motion

Motion passed unanimously

NEW BUSINESS

We are here to discuss underground tank installation. We have Mr. Tripp here.

Mr. Tripp

- Called on Board to overturn the decision by Fred Clum to not allow propane tanks on residential property without 10 ft. of protection.
- Propane tanks contain vapor.
- Building Code does not include vehicles, lawn mowers, etc.

Mr. Sposito

- Chapter 24 of the Florida Residential Code says storage system for liquid fire, petroleum gas, shall be designed and installed in accordance with the fire prevention code NFPA58.
- Go to 6.4.4. It says that it must be 10 ft. from a source of ignition. It specifically states that an internal combustion engine is a source of ignition. It is the standard and to be considered as part of any interpretation.
- Most importantly is the Propane Education and Research Council PERC which is a State level. PERC is an extension of the Florida Department of Agriculture, and their job is to provide recommendations to municipalities, to counties concerning safety in regards to propane.
- Our interpretation when we looked and we read everything, was simply a copy and paste of the recommendations of the Department of Agriculture in the State of Florida on placement of propane tanks and dry place.
- It says underground tanks should be placed well away and at least 10ft from any road, street, driveway or parking lot. And then it says, if an underground tank must be installed within 10ft, then you need to provide physical protection such as bollards, fences, barriers, et cetera. After all of our consideration, discussions with the fire departments, looking at OSHA, looking at the NFPA standards, we decided to adopt the State's recommendation on placement of propane tanks and driveways almost verbatim as the interpretation of what would be a safe placement of such tank.
- So this is NFPA58 3.3.75 sources of ignition. The operation of spark ignition internal combustion engine may create an ignition source when started and their exhaust systems can easily exceed 700 degrees. Also, these engines tend to speed up when LP gas is drawn into their intake manifold. The operation of diesel engines has been identified as a source of ignition in several fire reports.
- The building official has the authority to make interpretations while it is under the fire code. A reference is a standard that is referenced in the Florida residential code specifically on the placement of underground tanks. The building official used that reference when considering his interpretation.

Mr. Walsh

- What was that code reference?

Mr. Sposito

- Residential code 24. It's in your documents. 24.12.2. Page 20 in the packet.
- The interpretation is not prohibiting the placement of a tank in the driveway. It simply must meet the protection requirements as outlined as provided by PERC and as outlined in the interpretation. It must provide some sort of traffic protection. While a traffic lid rated for vehicle air traffic does not necessarily always work, as I showed in the documents near the end, for venting, proper venting and maintaining the vents above an expected water level.
- That's why there are domes, because the dome can be placed on top of the lid above ground, and the venting can be properly placed above any potential flooding. NFPA specifically requires that provisions be put in place for the proper drainage of that area.
- And then just one other issue is grandfathering. When a building official makes an interpretation, we never apply things retroactively. And he certainly has the authority to grandfather in his interpretations and say, this interpretation shall take place from this date forward. As we all know, I was a contractor for many decades, and you've all been contractors.
- I believe I addressed all of the issues. I didn't go over all the information in the packet. I simply highlighted the two main points.

Mr. Tripp

- I appreciate you saying that the code does allow tanks because the code says that we can put in a tank as long as we protect it. If according to NFPA58, which it does list in there and we have provided engineering, we still have rejected permissible with it. Nowhere in the rejection letters has anybody commented about water being in the domes or anything about the benzene of the regulator. Our rejection letters are strictly Fred Krum's interpretation of the fire code that says you cannot put a tank within 10 ft. Am I wrong?

Mr. Komarowski

- Typically it's in 8.6.1 underground tanks. But there are other code references that relate to an underground tank.

Mr. Tripp

- I'm going to 6.4.4. That's the point of discharge for the relief valve. It doesn't say it has to be 10ft. I would like somebody to explain to me how a concrete driveway is a source of ignition. Rich, could you explain to me how concrete is a source of ignition?

- That's the permanently fixed structure on the property. I want to remind everybody we're here for building code. We're not here for motor vehicle code. Motor vehicle has their own code.
- I asked Rich Long and Troy to please provide me where cars are listed in Florida building codes. A parked car is not a source of ignition. A car is not a permanently affixed part of a property. A driveway can change.
- Well, if there's nowhere else on a property, we'll allow it on a case to case basis. That was in a private meeting I had with Rich, Troy and Doug. We'll allow it on a case to case basis was their words. That is illegal.
- Let's bring it to the Board. Let's put it to a vote in the County. Let's try to make it an ordinance.

Mr. Walsh

- I don't believe they're adopting a new code. It's a new interpretation.

Mr. Tripp

- If you guys make a decision that a tank can't be within 10ft of the source ignition, we either have to tell every single person that they have to put ten foot bollards all the way around their tank, all the way around the dome, even in their yard, because again, a lawnmower, even electric lawn mower is considered a source of ignition because it has brushes and those brushes create arc.
- A building official still has no right to interpret fire code. If it was an actual building code in the Florida field gas code, he absolutely has the right to interpret that.
- Building code is in black and white. It's in a book. Show me the recommendation in that book. Not on an OSHA website for training purposes. And not by a PERC who is giving a recommendation for future codes. Pass a code. That's all I'm asking you to do. If you guys truly feel this is unsafe, just do it the correct way.
- Is assumption a code? Because you use this word assumption. You use this word recommendation in almost every sentence that you've said. You "assume" that this is possible. You have "recommendations" to do these things but in none of these have you provided the actual code that says it's not legal. Is an assumption a code?

Mr. Sposito

- Yes.

PUBLIC COMMENT

Mr. Walsh

We have two guests. All public speakers are given 3 minutes.

NORM AHERN, District Manager, South Florida Gas and Thompson Gas

- An important thing that affects me and my business, and I brought this up to my corporate office and we're waiting to see what happens, is the idea of grandfathering this in. So there's a precedent already set in this county for the last 20-30 years or more. As far as these installations are approved, we have them permitted, they're signed off, everything's good. And there's been no change in the code, and it's been stated there's no change in the code that would alter this interpretation. So if there is no change and we're going to change the interpretation, my understanding is you can't arbitrarily do that and say that everybody else is okay.

TOM MASTERBERTO, Fire Code Administrator, Collier County Building Department

- I currently review and interpret the fire codes for the greater Naples Fire District. A little history real fast is I am a State certified fire officer and a State and Nationally certified fire code administrator, or basically a fire marshal.
- In reviewing this, we talked about gas stations that's NFPA30, which is the National Fire Protection Agency code for liquefied or for flammable and combustible liquids, which has no bearing on this case. We talked about NFPA58, which is the liquid combustible liquid code. The protection basically says that the container within ten foot of any driveways has to be protected for vehicle damage. The code also says that there's three or four different ways you can do it. There are four or five different ways that you can protect the tank from vehicle damage.
- In my forty years of firefighting, fire officering and now fire code administrative, I've been to many LP tank fires that were started by vehicles in driveways. They said the tanks don't explode. We have a thing in the fire service called the BLEVE, boiling liquid expanding vapor explosion. These tanks do go "boom" and when they do, they create a lot of damage.
- So just a clarification on the codes again. Ahern and myself both agreed that the vehicle within ten foot of the tank is a source of ignition and we don't approve of it.

Mr. Ricardo

- Mr. Masterberto, would you receive a residential permit.

Mr. Masterberto

- No, the only plans I would see would be commercial and multi family.

TERRY FISHER, Thompson, South Florida Gas

- I've been in the industry 38 years. I'm a master qualifier for our Company. The only time you get a BLEVE is when you have an impingement on the fire on the tank itself, the body of the tank itself. So it's the fire impingement of the tank. We're talking about tank that is buried in the ground underground. These tanks are even deeper than a normal tank. They have a protective steel dome on them. And so even if you have the Tesla sitting on top of the tank on fire melting down at 3800 degrees, it's under 18 inches protected by a steel traffic barrier. So the infringement of the tank is not an issue. What you guys are totally misunderstanding and taking totally out of context is two different concepts.
- You've got liquid transfer of the material, and the liquid transfer as in a dispenser. The code is interpreting the point of transfer, we have to be 10ft from any source of ignition. That's the point of transfer. When you have a liquid transfer from the truck to the tank. There's a ten feet.
- When the tank is just sitting there as a vessel, it doesn't have to be 10ft from a source of ignition. If the relief valve, where the regulator is on the system, we have to be 10 feet from a source of ignition that allows that. If there is a release from that regulator or whatever, then we can receive that ten foot barrier.
- All this coding is designed around the point of transfer where you have a truck hooked to a tank and they're actually transferring liquid.
- We're talking about vapor systems, once it's in the ground and set up to service at home.
- The thing we need to do is when we install a tank, is have the location identified.

Mr. Walsh

I'm going to give this opportunity for either David Tripp or the County to supply any additional information that has not been presented to date.

Mr. Tripp

- I would like to enter into the packet a public record request from one of the fire departments. I'm only going to do the one that's been brought up. Since he said that there's been propane fires, we've either been lied to in the public record, which is a crime, or Greater Naples Fire Department has issued a ten year records request that there has never been a fire from a propane tank in a driveway or next to the driveway. If you guys would like to review this, it is from the Public Records Department of your Naples Fire Department.

Mr. Walsh

Any rebut. Does anybody want to make a motion that we accept the additional information as part of our record?

Mr. Melton

I'll make a motion to accept this packet as well as additional information.

Mr. Walsh

Let me finish the motion. We have all the paperwork from the County now submitted.

Mr. Swanson seconded the motion

Motion passed unanimously to accept the packets.

Mr. Mick

- Mr. Tripp, you used the term roque building official which is very subjective. I'd like the Deputy Building Official to repeat that they have the authority to interpret.

Mr. Sposito

- That would be Section 553.775 of the Florida Statute.

Mr. Mick

- You also said, Mr. Tripp, you pointed to the Building Officials but used the term Board. You questioned the authority of the Board. I'd like our attorney to quote the Statute that gives us the authority.

Mr. Tomasko

- Given your Board the initial discretion to review these appeals. So under the board's auspices, you are acting in their stead right now. We are acting on behalf of the Board of County Commissioners.

Mr. Tripp

- I may have misinterpreted. I didn't mean the Board is doing wrong. I'm saying the Board is supposed to adopt ordinances.

Mr. Walsh

- It's not this Board that would adopt an ordinance.

Mr. Tripp

- No. If they feel is going to make something safer, they just need to go through the Property Appropriations and bring it in front and adopt an ordinance.

Mr. Mick

- I'm asking a question. Collier County has jurisdiction as a whole entity.

Mr. Tripp

- Yes. Not as a single individual.

Mr. Mick

- That's all I'm going to add to that.

Mr. Walsh

- Would you respect the comment that Collier County appoints by ordinance and by State Statute one individual to enforce and interpret their code requirements?

Mr. Trip

- Yes, 100% if it is a building code issued. But this is a fire code issue.

Mr. Melton

- This Code, 21, was adopted last year?

Mr. Sposito

- We adopted that code last year.

Mr. Melton

- What prompted this concern? Normally I see when the code adoptions and things happen with changes, usually it's as a result of something that impacted Collier County in a safety matter or someone got hurt, that brings light to these situations. I'm just curious to see what prompted it from the Building Department side that you guys took the initiative to make some changes.

Mr. Sposito

- I know this process started well over a year ago. I wasn't working with the County and was part of the conversations moving forward.

Mr. Melton

- But where did this come from, Fred (CLUM)? Do you happen to know.

Mr. Clum

- An inconsistency in review, inconsistency between reviewers? There had been an inconsistency where one did it this way, one did it that way. So we came together and talked about How it should be applied and what the conditions are. We agreed we needed to make this clear.

Mr. Walsh or Mr. Melton?

- So basically, it was an internal staff conflict that brought this to fruition. When did you start enforcing it externally.

Mr. Komarowski

- Probably six months ago.

Mr. Melton

- This is for the County. Do you guys, any of the four of you personally know of any underground residential tanks that have been a problem regarding ignition and it caused a fire and explosion due to a combustion engine sitting over the top of the tank?
- Is an electrical vehicle noted as an ignition source in the Code?

Mr. Sposito

- No.

Mr. Walsh

- Troy, (Komarowski) do you recall what you would put down as the permit rejection comment.

Mr. Komarowski

- It probably would have been the distance to the driveway. That's usually what I start with.

Mr. Walsh

- Referencing which code?

Mr. Komarowski

- Code 6.8.6.1 NFPA58 underground tanks but Tripp did mention table 6.4.4.3 for section 6.4 do you believe that applies to underground tanks?

Mr. Walsh

I make a motion to close the public hearing aspects.

Motion passed

Mr. Mick

I make a motion that The Board of appeals accept the interpretation that Collier County Building Officials and that Jonathan just read included in our packet. That we accept that.

Motion died

Mr. Melton

I make a motion that we do not adopt the interpretation of the Building Department in this matter.

Mr. Swanson seconded that motion.

The Motion is discussed.

Mr. Walsh

All those in favor of the motion say aye.

Motion passed

OLD BUSINESS

No old business

MEETING ADJOURNED 12:07p.m.