

VOLUSIA COUNTY BUILDING and FIRE SAFETY Common “Change of Occupancy/ Use” Issues

Changing the occupancy or use of a structure or space (*Examples: conversion of a residence to a realty office, changing from an attorney’s office to a dollar store, changing from a warehouse to a restaurant, changing from a dentist’s office to a daycare, changing from a thrift store to a bottle club*) will require the new use (to some degree) to conform to the 2010 Florida Existing Building Code, for that new occupancy/ use. Some of the major issues are as follows:

- A Permit is required for changing the occupancy or use of a structure or space. A permit is required regardless of whether remodeling/ construction is or is intended to take place. Plans are required (see plan section) and will be reviewed for compliance with Chapter 9, Change of Occupancy requirements of the 2010 Florida Existing Building Code. It is possible that upgrades will need to take place to conform to these Code requirements
- Handicapped Parking (hard-surfaced).
- An accessible route (parking to the building).
- Depending on the cost of work to be done and the occupancy/ use (as outlined in the 2010 Florida Building Code - Accessibility), a handicapped accessible route throughout the building may be required. Vertical accessibility with-in the building may also be required (Multi-story buildings may require the installation of an elevator, limited use limited application elevator, platform lift, wheelchair lift or equivalent.).
- Automatic sprinkler systems, fire alarm systems and emergency exit lighting are required for some types of occupancies/ uses.
- If the floor is of frame construction, floor loading needs to be evaluated as to proper lbs/sq/ft of floor load for the new use (by a design professional).
- Minimum plumbing facilities (restrooms, “hi-lo” drinking fountain. Service sink etc...) for the new occupancy/ use are required. (If restrooms are altered, reconfigured or required to be added, accessibility requirements may need to be met.)
- Floor level may be an issue if the building is located in Special Flood Hazard Area per current Flood Insurance Rate Maps.).
- Replacement of windows and doors will require the new components to meet the wind-loading (120mph 3-sec gust) of the 2007 Florida Building Code (may include shutter requirements).
- Upgrades which may be triggered by 2007 Florida Existing Building Code requirements.
- Plans will be required for all permit applications. In general, the plans will need to be of professional grade/ quality, meet the minimum submission requirements of the 2010 FBC (as applicable) and will need to be reviewed for code requirements by a FL registered architect or engineer (requires raised seal).
- The permit application normally needs to be filed by a licensed contractor (Owner/ occupiers may apply for the permit if the property is used strictly for the owner’s own use and the fair market value of the work does not exceed \$75,000.00).
- Health Department approvals for septic systems or wells for public use may be required.

The above listed items are general in nature and are not intended to be all inclusive. The above listing contains some of the most common items that need to be addressed when changing the occupancy/ use of a building. In most cases, it is prudent to consult with a design professional and/ or a licensed contractor prior to the purchase or lease of a structure or unit when a change of occupancy/ use is anticipated.