



Informal Interpretation Report Number 7143



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Section 310

Question:

Would converting a single family R-3 dwelling that has a certificate of occupancy as a R-3 occupancy to transient use as defined in section 310 result in a change of occupancy from R-3 to R-1?

Answer

No - under normal circumstances and building code it remains an R3 occupancy. The definitions state this: "TRANSIENT. Occupancy of a dwelling unit or sleeping unit for not more than 30 days" so if a dwelling unit is rented for 31-days or more it is no longer considered a transient lodging by code definition and as such would remain as an R3 occupancy.

Commentary:

It would be up to the local authority having jurisdiction to choose to monitor the 30-day occupancy but it seems highly unlikely this would happen.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.