



**Informal Interpretation Report
Number 7822**



Date September 19, 2016

Edition 2010

Section 302.1.1 exception

Question:

Is it the intent of this section to permit/allow soffit overhangs to encroach over the adjacent property as long as the wall and overhang separation been the required as noted in this section

Answer

No. The zoning code and real estate law govern whether or not encroachments over an adjacent property are permitted.

These provisions are intended to apply to Zero Lot Line subdivisions found throughout the state. The issues raised about such projections being controlled by zoning laws is correct. Typically, zero lot line subdivisions are approved through the local development review process and there have been adjustments to set backs, etc. to permit such subdivisions.

Commentary:

The requester does not specify if this is a zero lot line subdivision or which Exception is being referenced. If a zero lot line subdivision, Exception 7 allows such projection based on separation between buildings. Where separation between projections is less than 6 feet, the underside is required to be one hour fire resistance rated. The issues raised regarding zoning, etc. are typically addressed during the development review process conducted by local jurisdictions. Exception 7 was part of the FBC-R 2010 and was reinstated in the FBC-R 5th Edition by Commission rule making published as the "2016 Supplement (Code Fixes) to the 5th Edition (2014) Florida Building Code as per HB 535 and SB 1602".

One final thought, typically jurisdictions that allow zero lot line subdivisions do so through their Land development zoning codes. Exception 7 and the new definition for zero lot line are not intended for normally platted subdivisions with set side, front, and rear setbacks.

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.