



**Informal Interpretation Report
Number 9158**



Date October 01, 2025

Edition 2023

Section 310.5

Question:

I am requesting formal technical assistance regarding the application of the Florida Building Code (FBC) to a facility which is licensed under FS 409.175 as a Residential Child-Caring Agency.

Project Overview:

Existing single-family home built in 1959, approximately 1,300 sq. ft.

Licensed to serve five or fewer non-custodial children.

Residents are capable of self-preservation (non-custodial care).

Facility falls under the scope of FAC Chapter 69A-41, Fire Safety Standards for Residential Child-Caring Facilities.

Specific Question:

Under the FBC, Group R-3 occupancies (single-family dwellings / small residential facilities) are generally described in Section 903.2.8.1:

“An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies.”

Given that the facility is:

Licensed under FS 409.175, not FS 419.001 (Community Residential Homes);

Serving non-custodial children, all capable of self-preservation;

An existing building constructed in 1959;

Occupancy limited to six residents in a single-family dwelling,

I respectfully request clarification on the following:

Whether the FBC requires the installation of an automatic fire sprinkler system in this facility, or whether compliance with existing fire safety requirements under FAC 69A-41 (smoke detection, alarms, egress, fire extinguishers, drills) is sufficient.

Whether the facility can be classified as R-3, and if so, whether Section 903.2.8.1 permits the AHJ to accept alternative life safety measures in lieu of sprinklers.

Any guidance on how the FBC's Existing Building provisions may apply to a change of occupancy from a private dwelling to a licensed small residential child-caring facility.

I am seeking a written technical assistance response that I can provide to the local Authority Having Jurisdiction (AHJ) and maintain in my licensing file.

Thank you very much for your time and guidance. Please let me know if additional documentation, drawings, or

licensing records are required.

Answer

Based on the information provided, the existing building's use will be changed - single family dwelling (Residential volume) to Group R-3 (Building volume). This change will meet the definition of Change of Occupancy (FBC EB Section 202).

FBC EB 1012.2.1 under the prescriptive compliance method requires fire sprinkler system where required in FBC B Chapter 9 based on the new occupancy. Such system shall be provided throughout the fire area where the change of occupancy occurs. FBC B Section 903.2.8 requires all Group R to be fire sprinklered.

If FBC EB Chapter 14 (Performance Compliance Method) is used and all mandatory safety scores (Table 1401.8) are met without the fire sprinkler system then this will be acceptable. As a side note, any conflict between FBC and FFPC, the most stringent will apply

Commentary:

None.

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.