

NOV 04 2014

Clerk: *Justin Taylor*

**STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS**

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	11/4/2014
File #	2014-08488

FLORIDA BOARD OF
PROFESSIONAL ENGINEERS,

Petitioner,

v.

CASE NO.: 2013027115
LICENSE NO.: PE 21780

ROGER CHEWNING, P.E.,

Respondent.

_____ /

FINAL ORDER

THIS CAUSE came before the Florida Board of Professional Engineers (hereinafter "the Board") pursuant to Sections 120.569 and 120.57(2), Florida Statutes, at a duly noticed public meeting on October 9, 2014, in Tampa, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A to Final Order) in the above-styled cause. At the hearing, Petitioner was represented by John J. Rimes, Chief Prosecuting Attorney. Respondent was present.

FINDINGS OF FACT.

The facts set forth in the Administrative Complaint and First Request for Admissions (attached as Exhibit B to Final Order) are hereby adopted and incorporated by reference as the Board's findings of facts.

CONCLUSIONS OF LAW

The Board found that the admitted facts constitute the violations set forth in the Administrative Complaint.

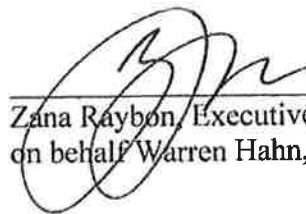
THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. Respondent's license shall be REPRIMANDED.
2. Respondent shall pay an administrative fine of \$2,000.00, and costs in the amount of \$3,290.00 within ninety (90) days of this Final Order.
3. Respondent's license shall then be placed on probation for a period of two (2) years from the date of filing of this Final Order. The terms of probation are:
 - a. Respondent shall provide a detailed list of completed projects (signed, sealed, and dated) at the six (6) month and eighteen (18) month intervals of the term of probation.
 - b. A FEMC Consultant will pick two (2) projects from each submitted list for review. Respondent is responsible for the Consultant's fee for reviewing the projects. If the Consultant provides an unfavorable review of a project, the review will go to the Probable Cause Panel for a determination of whether additional disciplinary proceedings shall be initiated
4. Respondent shall take a board approved course in Professionalism and Ethics, and complete the Board's Study Guide prior to the termination of probation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 4th day of November, 2014.

**FLORIDA BOARD OF PROFESSIONAL
ENGINEERS**



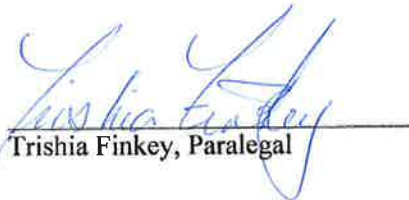
Zana Raybon, Executive Director
on behalf Warren Hahn, P.E. Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE FLORIDA APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. First Class Mail to **Mr. Roger Chewning, P.E.**, 14307 Grafton Place, Tampa, Florida 33625; and by interoffice mail to Michael T. Flury Assistant Attorney General, PL-01 The Capitol, Tallahassee FL 32399-1050 and John Rimes, Prosecuting Attorney, 2639 N. Monroe Street B-112, Tallahassee FL 32303, this 9th day of November, 2014.


Trishia Finkey, Paralegal

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evetta Lawson-Proctor
Date	6/23/2014
File #	

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2013027115

ROGER B. CHEWNING, P.E.,

Respondent,

FILED
Florida Engineers Management
Corporation

MAY 23 2014

ADMINISTRATIVE COMPLAINT

Clerk: 

COMES NOW the Florida Engineers Management Corporation ("FEMC") on behalf of Petitioner, Florida Board of Professional Engineers ("Petitioner" or "FBPE") and files this Administrative Complaint against ROGER B. CHEWNING, P.E., ("Respondent"). This Administrative Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the FEMC on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the FBPE pursuant to Section 471.038, Florida Statutes (1997).

2. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 21780. Respondent's last known address is 14307 Grafton Place, Tampa, Florida 33625.

3. May 23, 2013 Respondent signed and sealed engineering documents for interior renovations at a private residence at 215 Lithia Pinecrest, Brandon, FL ("Lithia Pinecrest Project"). The sealed and signed drawings were submitted to the Hillsborough County Building Department ("Building Department") and were rejected with comments by the Building Department.

4. Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering. Rule 61G15-19.001(4), Fla. Admin Code, provides that negligence constitutes "failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles." Rule 61G15-19.001(4), Fla. Admin Code, also provides that "[f]ailure to comply with the procedures set forth in the Responsibility Rules as adopted by the Board of Professional Engineers shall be considered as non-compliance with this section unless the deviation or departures there from are justified by the specific circumstances of the project in question and the sound professional judgment of the professional engineer."

5. The FBPE has adopted Responsibility Rules of Professional Engineers ("Responsibility Rules"). These Rules are contained in Chapter 61G15-30 to Chapter 61G15-36, Fla. Admin Code. Professional Engineers who perform services covered by the Responsibility Rules are required to comply with the Rules. Included in the Responsibility Rules are Rule Chapters 61G15-33 and 61G15-34, Fla. Admin Code, which governs Electrical and Mechanical Engineering Documents produced by a Professional Engineer.

6. Respondent acted as the Electrical and Mechanical Engineer of Record for the Lithia Pinecrest Project as that term is defined in Rule 61G15-30.002(1), Fla Admin Code. As such, all engineering documents prepared, signed, sealed, and dated by Respondent must contain the information set out in Rule 61G15-30.003(1), Fla. Admin Code:

... When prepared for inclusion with an application for a general building permit, the Documents shall meet all Engineer's Responsibility Rules, set forth in Chapters ... 61G15-33, and 61G15-34, F.A.C., and be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Florida Building Code [FBC], adopted in Section 553.73, F.S., and applicable laws, ordinances, rules and regulations, as determined by the AHJ [Agency Having Jurisdiction]. The Documents shall include:

(a) Information that provides material specifications required for the safe operation of the system that is a result of engineering calculations, knowledge and experience.

(b) List Federal, State, Municipal, and County standards, codes, ordinances, laws, and rules, with their effective dates, that the Engineering Documents are intended to conform to.

(c) Information, as determined by the Engineer of Record, needed for the safe and efficient operation of the system.

(d) List engineering design criteria; reference project specific studies, reports, and delegated Engineering Documents.

(e) Identify clearly elements of the design that vary from the governing standards and depict/identify the alternate method used to ensure compliance with the stated purpose of these Responsibility Rules.

7. Respondent's Electrical design documents for the Lithia Pinecrest Project are materially deficient in that there are no electrical drawings in the permit drawings. Electrical drawings which comply with the 2010 Florida Building Code-Building ("FBC-B") on projects like the Lithia Pinecrest Project are required by the FBC-B as provided in Section 107.2.1 "... *Construction documents* shall be of sufficient clarity to indicate the 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, ..." and Section 2701.1 "[t]his chapter governs the electrical components, equipment and systems used in buildings and structures covered by

this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the NFPA 70, National Electrical Code." Additionally, Rule 61G15-33.001, Fla. Admin Code, requires that

[e]lectrical [e]ngineering documents shall be prepared in accordance with applicable technology and with the requirements of the authority having jurisdiction. The documents shall identify the Engineer of record for the electrical systems project. Electrical [e]ngineering documents shall demonstrate compliance with the requirements of the applicable codes and standards...

8. Respondent's HVAC design documents for the Lithia Pinecrest Project are materially deficient in that there are no HVAC drawings in the permit drawings. HVAC drawings which comply with the FBC-B on projects like the Lithia Pinecrest Project are required by the FBC-B as provided in Section 107.2.1 "*Construction documents* shall be of sufficient clarity to indicate the 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, ..." Section 280I.1 "[m]echanical appliances, equipment and systems shall be constructed, installed and maintained in accordance with the *Florida Building Code, Mechanical ...*" ("FBC-M"), and Section 107.3.5 which requires that the building official must examine the design documents to include a review of the following HVAC components:

1. Energy calculations,
2. Exhaust systems,
3. Equipment,
4. Equipment location,
5. Make-up air,
7. Duct systems,
8. Ventilation,
9. Combustion air,
11. Appliances,
13. Refrigeration,
14. Bathroom ventilation.

Additionally, Rule 61G15-34.001, Fla. Admin Code, requires that

[m]echanical [e]ngineering [d]ocuments shall be prepared in accordance with the applicable technology and with the requirements of the authority having jurisdiction. The documents shall identify the Engineer of Record for the mechanical systems project. Mechanical Engineering documents shall demonstrate compliance with the requirements of the applicable codes and standards ...

9. Rule 61G15-34.007(2), Fla. Admin Code, Design of Plumbing Systems, requires

that

(2) Mechanical Engineering Documents applicable to Plumbing Systems shall, when applicable, include but are not limited to the following:

(a) Equipment schedules for all plumbing fixtures, water heaters, boilers, pumps, grease traps, septic tanks, storage tanks, expansion tanks, compression tanks and roof and floor drains.

(b) Floor plans, site plans, and building and plumbing system elevations are appropriate.

(c) Potable Water isometric diagrams with pipe sizes and total water fixture units.

(d) Sanitary riser diagrams with pipe sizes and total sanitary waste fixture units.

(e) Storm riser diagrams with pipe sizes and cumulative drain area square footages.

...

(i) List of ASHRAE, ASME, ASPE, ANSI and other applicable codes, design standards and requirements.

(j) Design shall be in accordance with handicap requirements adopted by the authority having jurisdiction.

...

(l) All plumbing fixtures, valves, pumps, tanks, accessories, specialties, enclosures, and such equipment shall be described and located on the drawings.

(m) Material for all plumbing systems shall be specified.

10. Respondent's Mechanical Engineering design documents for the Lithia

Pinecrest Project relating to plumbing are materially deficient as follows:

(a) Equipment schedules not included on the drawings. The omission of equipment schedules from the Plumbing Documents constitutes a violation of Rule 61G15-34.007(2)(a), Fla. Admin Code.

(b) Plumbing floor plans with piping elevations are not shown. Omission of floor plans with piping elevations constitutes a violation of Rule 61G15-34.007(2)(b), Fla. Admin Code.

(c) Potable water isometric diagrams are shown; however, not all pipe sizes are included on the isometric riser diagrams. Total water fixture units are not shown on the drawings. The omission of all piping sizes on the potable water isometric diagrams and the omission of total water fixture units constitute a violation of Rule 61G15-34.007(2)(c), Fla. Admin Code.

(d) Isometric sanitary riser diagrams are shown; however, not all pipe sizes are shown on the sanitary riser diagrams. Total flow waste fixture units are not shown on the drawings. The omission of all piping sizes on the isometric sanitary riser and the omission of total water fixture units constitute a violation of Rule 61G15-34.007(2)(d), Fla. Admin Code.

(e) No storm riser diagrams shown on the drawings. No area drainage calculations shown on the drawings. The omission of storm riser diagrams and area drainage calculations constitutes a violation of Rule 61G15-34.007(2)(e), Fla. Admin Code.

(f) No list of applicable plumbing codes is shown on the drawings. The omission of applicable codes, design standards and requirements constitutes a violation of Rule 61G15-34.007(2)(i), Fla. Admin Code.

(g) Handicap requirements have been shown on the drawings; however, required handicapped plumbing fixtures have not been specified on the drawings. The absence of handicapped plumbing fixtures being specified constitutes a violation of Rule 61G15-34.007(2)(j), Fla. Admin Code.

(h) No plumbing fixture schedules, hot water heater sizing, or materials for plumbing systems have been shown on the drawings. The absence of plumbing fixture schedules, equipment descriptions and materials for plumbing systems constitutes a violation of Rules 61G15-34.007(2)(l) and 61G15-34.007(2)(m), Fla. Admin Code.

COUNT I

11. Petitioner realleges and incorporates Paragraphs One (1) through Seven (7) as if fully set forth in this Count One.

12. Respondent's Electrical Engineering drawings for the Lithia Pinecrest Project contain deficiencies including; but not limited to, those set forth in Paragraphs Three (3) through Seven (7). As a result of those deficiencies, Respondent violated the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by sealing and signing Electrical Engineering documents that were issued and filed for public record when such documents were materially deficient in that Respondent: (1) did not exercise due care in the preparation of the final Electrical Engineering documents for the Lithia Pinecrest Project and (2) the final Electrical Engineering documents for the Lithia Pinecrest Project were not issued in compliance with acceptable engineering principles.

COUNT II

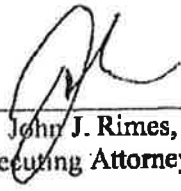
13. Petitioner realleges and incorporates Paragraphs One (1) through Six (6) and Eight (8) through Ten (10) as if fully set forth in this Count Two.

14. Respondent's Mechanical Engineering drawings for the Lithia Pinecrest Project contain deficiencies including; but not limited to, those set forth in One (1) through Six (6) and Eight (8) through Ten (10). As a result of those deficiencies, Respondent violated the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Fla. Admin Code, by sealing and signing Mechanical Engineering documents that were issued and filed for public record when such documents were materially deficient in that Respondent: (1) did not exercise due care in the preparation of the final Mechanical Engineering documents for the Lithia Pinecrest Project and (2) the final Mechanical Engineering documents for the Lithia Pinecrest Project were not issued in compliance with acceptable engineering principles.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license; restriction of the Respondent's practice; imposition of an administrative fine; issuance of a reprimand; placement of the Respondent on probation; the assessment of costs related to the investigation and prosecution of this case (other than costs associated with an attorney's time) as provided for in Section 455.227(3), Florida Statutes; and/or any other relief that the FBPE deems appropriate.

SIGNED this 23rd day of May, 2014.

Zana Raybon
Executive Director


BY: John J. Rimes, III
Prosecuting Attorney

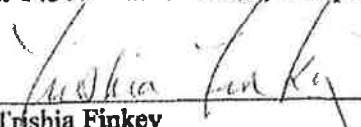
COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
Florida Bar No. 212008

JJR/lf
PCP: May 13, 2014
PCP Members: RODDENBERRY, MATTHEWS & PEPPER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to Roger Bell
Chewning by United States Certified Mail at 14307 Grafton Place, Tampa, FL 33625 on this
13th of May, 2014.



Trishia Finkey
NALA Certified Paralegal for FEMC
Final Order Compliance Coordinator for FBPE

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

RECEIVED

FEMC Case No. 2013027115

v.

AUG - 8 2014

ROGER B. CHEWNING, P.E.,

FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

Respondent,
_____ /

PETITIONER'S FIRST REQUESTS FOR ADMISSION TO RESPONDENT, ROGER B.
CHEWNING, P.E.

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.370, Florida Rules of Civil Procedure, Petitioner, Florida Board of Professional Engineers ("FBPE" or "Board"), requests Respondent, ROGER B. CHEWNING, P.E., to answer the following requests for admission within the time set forth in such rule.

INSTRUCTIONS

1. **YOU MUST ADMIT, DENY, OBJECT TO, OR OTHERWISE EXPLAIN THE REASONS FOR YOUR DECISION TO ADMIT, DENY, OR OBJECT TO EACH OF THE FOLLOWING REQUESTS FOR ADMISSION. IF YOU DO NOT DO SO WITHIN THIRTY (30) DAYS OF SERVICE, THE MATTERS CONTAINED IN EACH ADMISSION TO WHICH NO RESPONSE IS MADE WILL BE DEEMED ADMITTED FOR ALL PURPOSES IN THIS CASE.**

2. If an answer is not made based upon privilege, identify said privilege, its nature, and the legal and factual basis for said claim of privilege.

Exhibit B to Final Order

3. If an objection is made to a request for admission, state the reason for the objection in lieu of an answer.

PRIVILEGE CLAIMS

For each and every response which asserts a claim of privilege, please identify the particular privilege noted. In addition, for each such response, please provide the following information so that the propriety of the claim may be questioned: (a) date of the communication; (b) identity of the communicants; (c) identities of others who participated in, overheard, or became privy to the communication; (d) subject matter of the communication; and (e) capacity in which each communicant was acting.

DEFINITIONS

1. The terms “you” and “your” as used herein shall mean Respondent and any person helping Respondent to answer these interrogatories, and any present or former employee, agent, partner, attorney, servant, representative, or other person acting or purporting to act on behalf of the person in question.

2. The term “representative” means any and all agents, employees, servants, officers, directors, attorneys, or other persons acting or purporting to act on behalf of the person in question.

3. The term “person” means any natural individual in any capacity whatsoever or any entity of organization, including divisions, departments, or other units therein, and shall include, but not be limited to, a public or private corporation, partnership, joint venture, proprietorship, trust, estate, governmental agency, commission, bureau, or department.

4. As used herein, the term “document” means any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation, the original and

each copy, regardless of origin and location, of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or conversation), invoice, bill, order, form, receipt, financial statement, accounting entry, diary, calendar, facsimile, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, draft, working paper, chart, paper, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced, which is in your possession, custody, or control, or which was, but is no longer is your possession, custody or control.

5. As used herein, the terms “**identification**,” “**identity**,” or “**identify**,” when used in reference to:

(a) a natural individual, requires you to state his or her full name and residential and business address;

(b) a corporation, requires you to state its full corporate name and any names under which it does business, its state of incorporation, the address of its principal place of business and the addresses of all of its offices in Florida, and the names and residential and business addresses of its officers and directors;

(c) a business, requires you to state the full name or style under which the business is conducted, its business address or addresses, the types of business in which it is engaged, the geographic areas in which it conducts those businesses, and the identity of the person or persons who own, operate, and control the business;

(d) a document, requires you to state the number of pages and the nature of the document (*e.g.*, letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location and custodian;

(e) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication and to the extent that the communication was non-written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

6. The term “**Respondent**” means Roger B. Chewning, P.E.,

REQUESTS FOR ADMISSION

1. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 21780. Respondent’s last known address is 14307 Grafton Place, Tampa, Florida 33625.

Admit RBC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

2. On May 23, 2013 Respondent signed and sealed engineering documents for interior renovations at a private residence at 215 Lithia Pinecrest, Brandon, FL (“Lithia Pinecrest Project”).

Admit RBC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

3. Respondent acted as the Electrical and Mechanical Engineer of Record for the Lithia Pinecrest Project as that term is defined in Rule 61G15-30.002(1), Fla Admin Code. As such, all engineering documents prepared, signed, sealed, and dated by Respondent must contain the information set out in Rule 61G15-30.003(1), Fla. Admin Code:

... When prepared for inclusion with an application for a general building permit, the Documents shall meet all Engineer's Responsibility Rules, set forth in Chapters ... 61G15-33, and 61G15-34, F.A.C., and be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Florida Building Code [FBC], adopted in Section 553.73, F.S., and applicable laws, ordinances, rules and regulations, as determined by the AHJ [Agency Having Jurisdiction]. The Documents shall include:

(a) Information that provides material specifications required for the safe operation of the system that is a result of engineering calculations, knowledge and experience.

(b) List Federal, State, Municipal, and County standards, codes, ordinances, laws, and rules, with their effective dates, that the Engineering Documents are intended to conform to.

(c) Information, as determined by the Engineer of Record, needed for the safe and efficient operation of the system.

(d) List engineering design criteria; reference project specific studies, reports, and delegated Engineering Documents.

(e) Identify clearly elements of the design that vary from the governing standards and depict/identify the alternate method used to ensure compliance with the stated purpose of these Responsibility Rules.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

4. Respondent's Electrical design documents for the Lithia Pinecrest Project are materially deficient in that there are no electrical drawings in the permit drawings.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

5. Respondent's HVAC design documents for the Lithia Pinecrest Project are materially deficient in that there are no HVAC drawings in the permit drawings.

Admit RBC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

6. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since equipment schedules not included on the drawings. The omission of equipment schedules from the Plumbing Documents constitutes a violation of Rule 61G15-34.007(2)(a), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

7. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since plumbing floor plans with piping elevations are not shown. Omission of floor plans with piping elevations constitutes a violation of Rule 61G15-34.007(2)(b), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

8. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since potable water isometric diagrams are shown; however, not all pipe sizes are included on the isometric riser diagrams. Total water fixture units are not shown on the drawings. The omission of all piping sizes on the potable

water isometric diagrams and the omission of total water fixture units constitute a violation of Rule 61G15-34.007(2)(c), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

9. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since isometric sanitary riser diagrams are shown; however, not all pipe sizes are shown on the sanitary riser diagrams. Total flow waste fixture units are not shown on the drawings. The omission of all piping sizes on the isometric sanitary riser and the omission of total water fixture units constitute a violation of Rule 61G15-34.007(2)(d), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

10. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since no storm riser diagrams are shown on the drawings. No area drainage calculations are shown on the drawings. The omission of storm riser diagrams and area drainage calculations constitutes a violation of Rule 61G15-34.007(2)(e), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

11. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since no list of applicable plumbing codes is

shown on the drawings. The omission of applicable codes, design standards and requirements constitutes a violation of Rule 61G15-34.007(2)(i), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

12. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since handicap requirements have been shown on the drawings; however, required handicapped plumbing fixtures have not been specified on the drawings. The absence of handicapped plumbing fixtures being specified constitutes a violation of Rule 61G15-34.007(2)(j), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

13. Respondent's Mechanical Engineering design documents for the Lithia Pinecrest Project relating to plumbing are materially deficient since no plumbing fixture schedules, hot water heater sizing, or materials for plumbing systems have been shown on the drawings. The absence of plumbing fixture schedules, equipment descriptions and materials for plumbing systems constitutes a violation of Rules 61G15-34.007(2)(l) and 61G15-34.007(2)(m), Fla. Admin Code.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:

14. The attached "Composite Exhibit A" shows correct copies of the Hillsborough County Plan Review Comments for the Lithia Pinecrest Project.

Admit ABC Deny _____

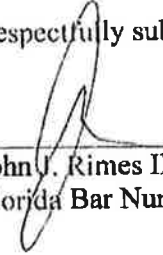
Reasons for Failure to Answer or Objection(s) and Basis Therefore:

15. The attached "Exhibit B" shows correct copies of the drawings Respondent/you signed, sealed, and dated May 23, 2014; and which were submitted to Hillsborough County for the Lithia Pinecrest Project.

Admit ABC Deny _____

Reasons for Failure to Answer or Objection(s) and Basis Therefore:


Respectfully submitted,



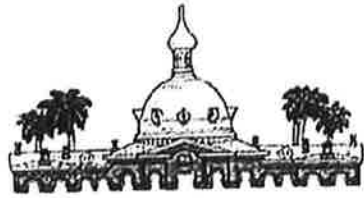
John J. Rimes III
Florida Bar Number 212008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the *Petitioner's First Requests for Admissions to Respondent* has been furnished by U.S. First Class Mail to Mr. Roger B. Chewning, P.E., 14307 Grafton Place, Tampa, Florida 33625 on this 10TH day of July, 2014.



John J. Rimes, III
Florida Bar Number 212008
Prosecuting Attorney for the
Florida Board of Professional Engineers
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
(850) 521-0500
jrimes@fbpe.org



**Hillsborough County
Florida**

Plan Review Comments

Date: 05-28-13

Tracking Number INR07161

~~ELECTRICAL PLAN REVIEW~~ has been denied by Harry Krapil on 05-28-13

- NO ELECTRICAL DRAWINGS SUBMITTED WITH LATEST CORRECTIONS RECEIVED.
- Is there any type of electrical work with this project???
- Plan is incomplete.
- Unable to determine scope of work.
- Differentiate new from existing
- Use the link below and include all of the items that pertain to your project.

<http://www.hillsboroughcounty.org/DocumentCenter/View/5140>

DO NOT SUBMIT CORRECTIONS UNTIL ALL REVIEWS ARE COMPLETE, YOU WILL BE NOTIFIED.

Revised plans required, all revisions shall be clearly indicated by clouds and a response letter from the person responsible for the design indicating how plan review comments have been addressed shall be submitted with revised drawings.

CONTRACTOR:
NOTIFIED VIA: [] PHONE:
DATE NOTIFIED:

[] FAX:



**Hillsborough County
Florida**

Plan Review Comments

Date: 4/26/13
Tracking Number: INR07161
Project Name: Handicap Bath Remodel

~~MECHANICAL~~ review has been denied by Tony Bryan on 04/26/2013, for the following.

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the building official shall include the following minimum criteria and documents:

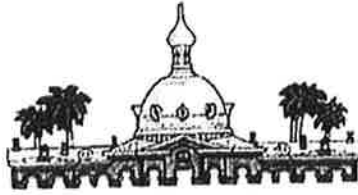
Mechanical:

Exhaust systems: Clothes dryer exhaust, Duct systems, Bathroom ventilation.

DO NOT SUBMIT CORRECTIONS UNTIL ALL REVIEWS ARE COMPLETE, YOU WILL BE NOTIFIED.

Revised plans required, all revisions shall be clearly indicated by clouds and a response letter from the person responsible for the design indicating how plan review comments have been addressed shall be submitted with revised drawings.

CONTRACTOR:
NOTIFIED VIA: **PHONE:** _____ **FAX:**
DATE NOTIFIED:



**Hillsborough County
Florida**

Plan Review Comments

Date: May 30, 2013

Tracking Number: INR07161

Project Name: H.I.S. HONISTY, INTEGRITY, SERVICE

Examiner: GENE SHAW **Plumbing.**

- 1) Provide a lavatory inside bathroom as required by Florida Building Code – Plumbing - 405.3.1.
- 2) Provide the clear floor space for toilet required by Florida Building Code - Accessibility –604.3.
- 3) Provide a scaled detail of bathroom showing clear floor spaces for all fixtures as required by Florida Building Code – Administration – Minimum plan review criteria - 107.3.5.
- 4) The proposed trap seal (The Green Solution) is not an approved trap sealing product as listed in Florida Building Code – Plumbing - 1002.4.

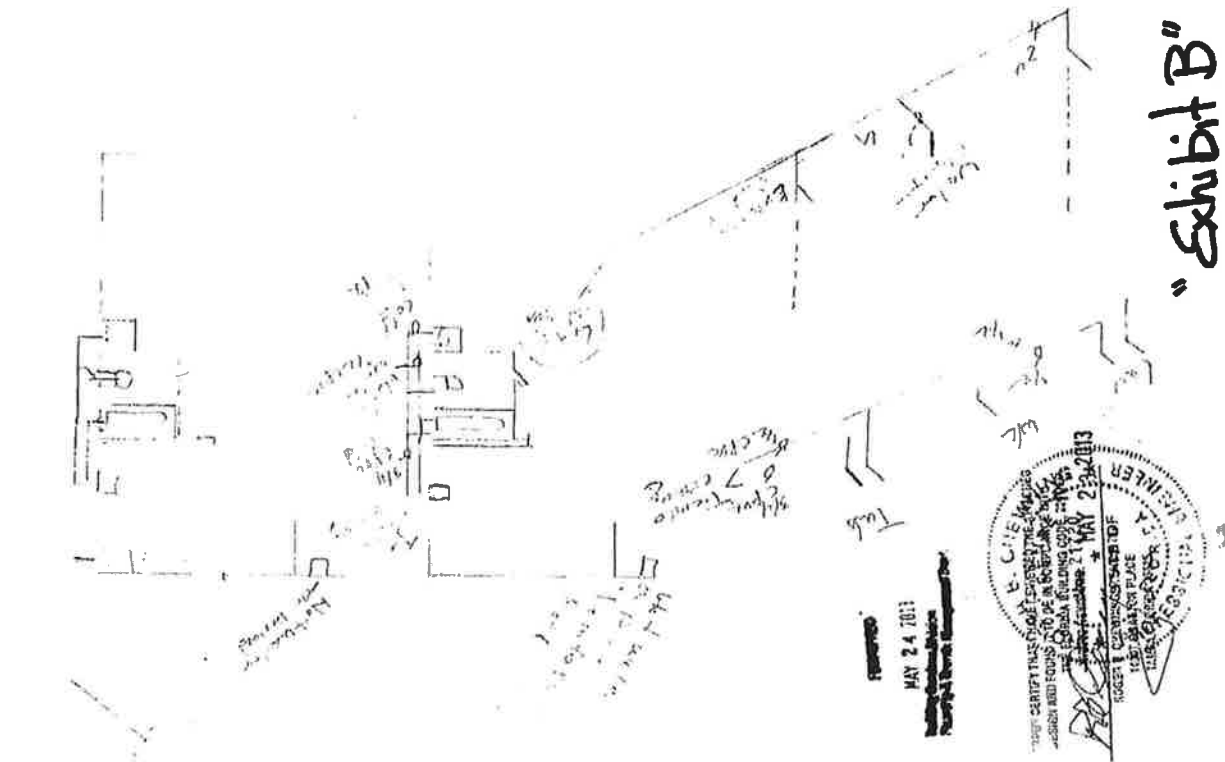
Revised plans required, all revisions shall be clearly indicated by clouds and a response letter from the person responsible for the design indicating how plan review comments have been addressed shall be submitted with revised drawings.

CONTRACTOR:

NOTIFIED VIA: PHONE:

FAX:

DATE NOTIFIED:



"Exhibit B"

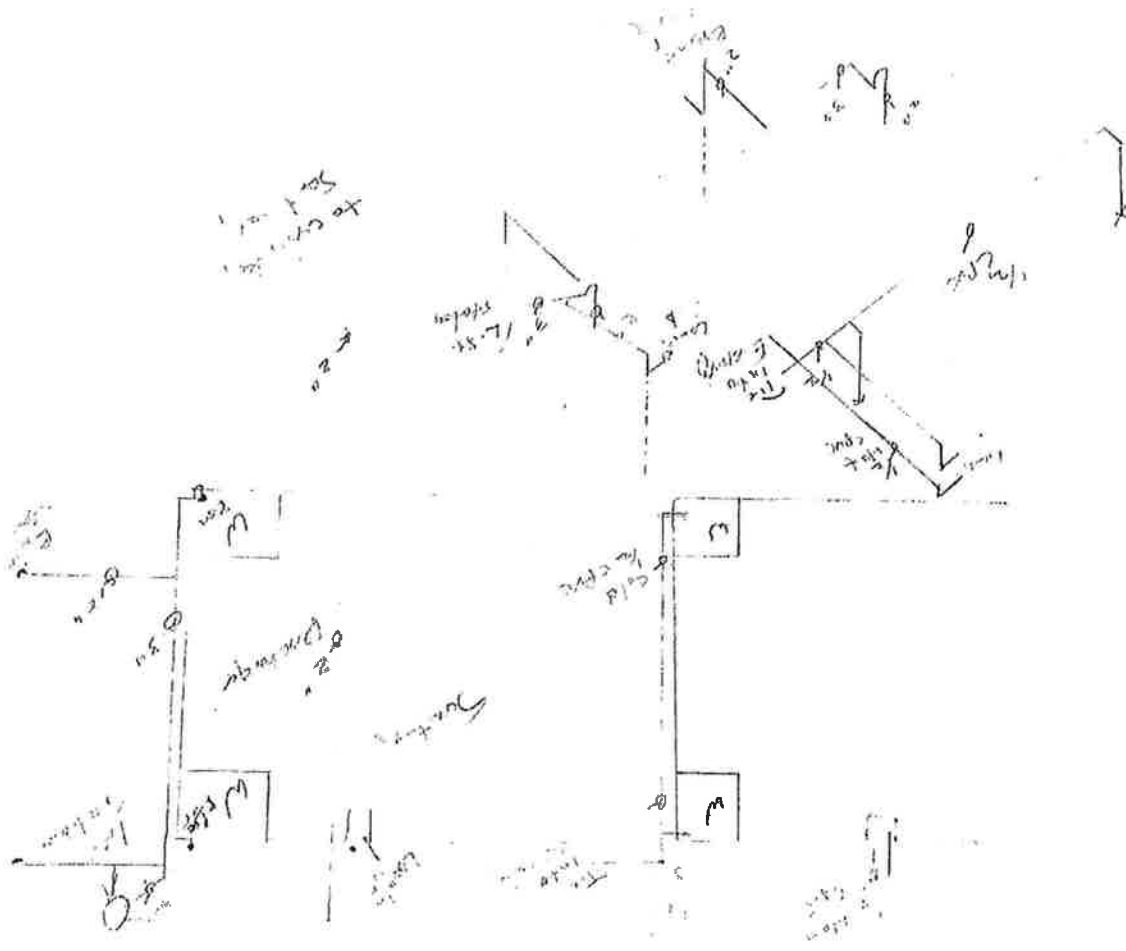
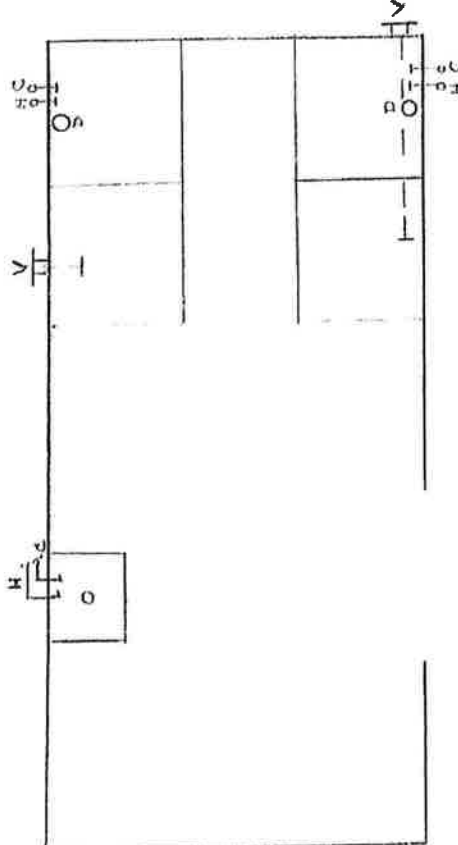


Exhibit B to Final Order



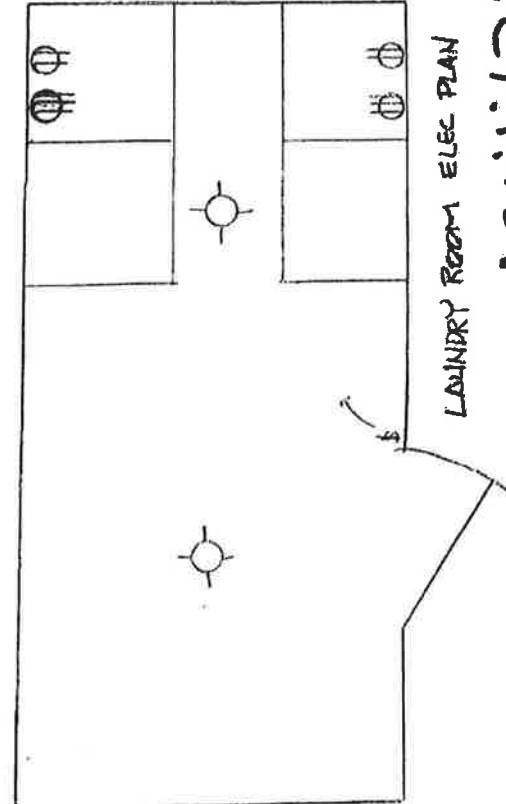


LAUNDRY ROOM
SCALE 1/2" = 1'

Note: Dryers to vent directly to exterior of building

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Development Services Dept

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DEVELOPMENT SERVICES DEPT
CITY OF TAMPA
1000 N. GORRISON BLVD
TAMPA, FLORIDA 33604



LAUNDRY ROOM ELEC PLAN
"Exhibit B"

ZISLITHA PINCREST
BRANTON FL
Exhibit B to Final Order



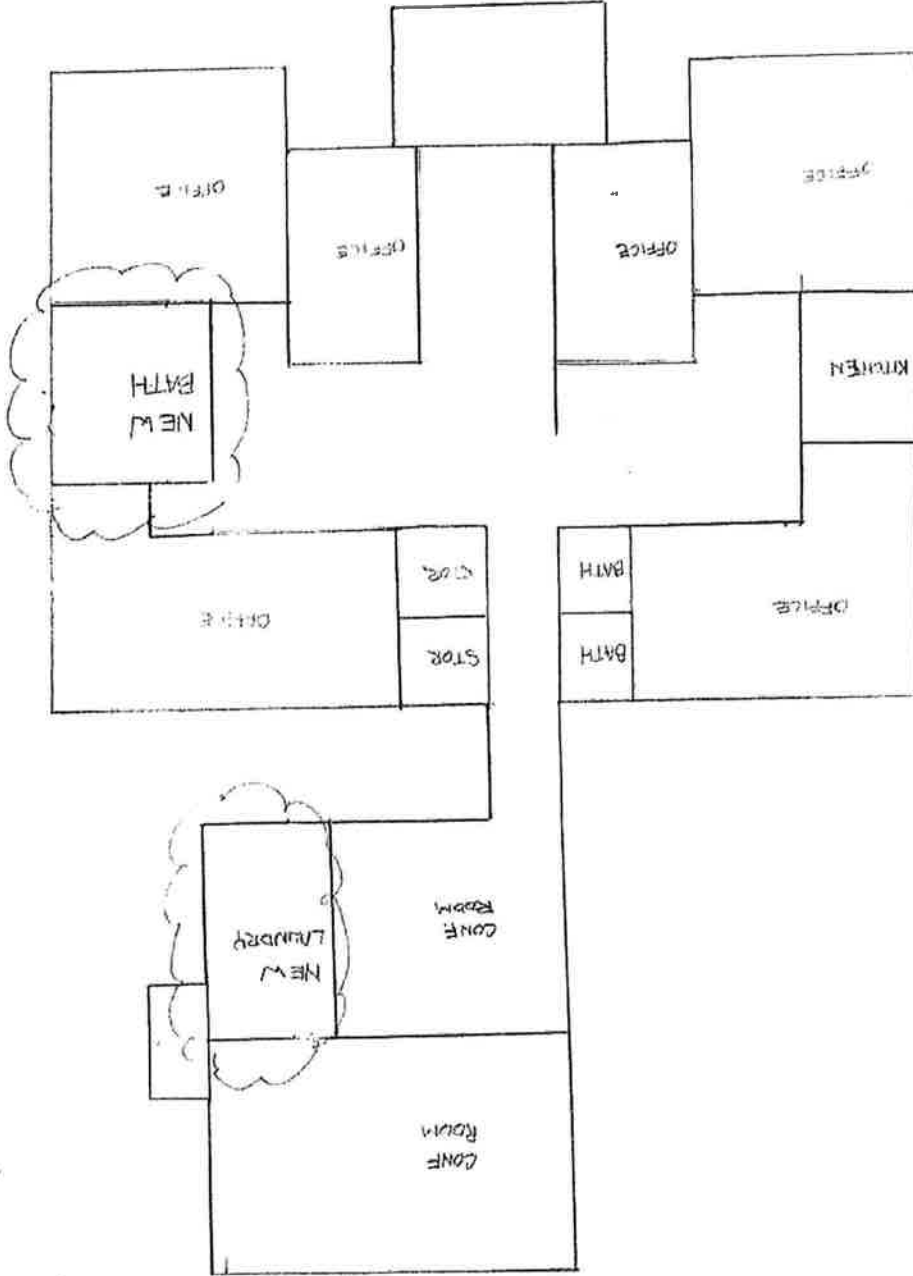
215 LITHIA PIQUETS!
BRANDON, FL
FLOOR PLAN

Building Services Division
Development Services Dept

JUN 21 2013

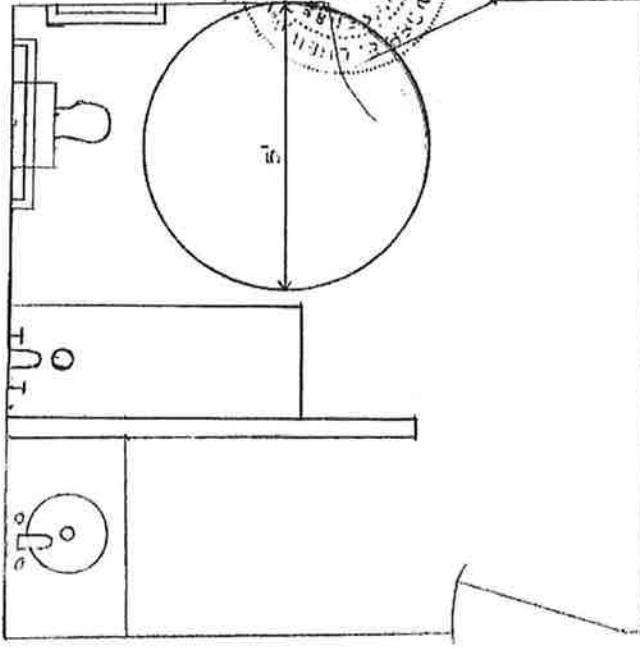
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6.44E = 1/8" = 1



"Exhibit B"

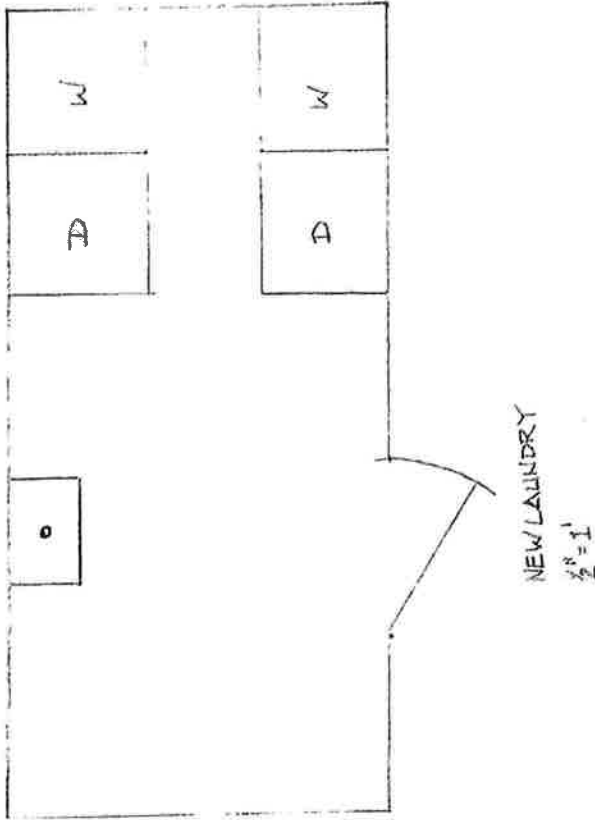
Exhibit B to Final Order



NEW BATH
1/2" = 1'

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Development Services Dept.

"Exhibit B"



NEW LAUNDRY
1/2" = 1'

215 LITHIA PINECREST
BRANDON FL

Exhibit B to Final Order