

TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

BUILDING BOARD OF ADJUSTMENTS AND APPEALS
2:00 p.m., WEDNESDAY, JUNE 20, 1990
CONFERENCE ROOM, 360 SOUTH COUNTY ROAD, PALM BEACH

I. Call to Order: The meeting was called to order at 2:00 p.m. by Ames Bennett, Acting Chairman.

II. Roll Call:

PRESENT: Ames Bennett, Acting Chairman
John C. Cassidy, Member
John Nora, Member
John C. Cassidy, Member
Jeffrey W. Smith, Member

ALSO PRESENT: Pam McNierney, Town Attorney Representative
Robert L. Moore, Director of Planning,
Zoning and Building
Harry P. Ackerman, Chief Building Inspector
R. Tim Wright, Chief Electrical Inspector
John Wandell, Fire Marshal
Kevin Doran, Van's Electric
Sara Tolley, Palm Beach Daily News

RECORDING SECRETARY: Sandra G. Melvin

Let the record show that E. Ben Walton, Jr. was not in attendance.

III. ITEM 1: Appeal of Town Of Palm Beach Amendments to the National Electrical Code Section 300-4 (e)
Address: 251 Atlantic Avenue

Mr. R. Tim Wright, Chief Electrical Inspector, gave a detailed explanation of the National Electrical Code Amendment and stated the single family dwelling is located in the designated fire district.

Mr. Ackerman explained the Standard Building Code excluded one and two family dwellings in the designated fire district from meeting the requirements, and the National Electrical Code Amendment has not.

Mr. R. Tim Wright felt it is ludicrous to be enforcing this situation, if in fact, the building is not required to be fire-rated, and wondered why it should be necessary for the electrical installation to be one of these particular wiring methods for a fire-rated installation. However, he said it

was a violation to the Electrical Code Amendment; and written up; and is now before the Board.

Chairman Bennett asked the age of the building. Mr. Phil Forelli, Keough-Forelli General Contractors, Inc., responded approximately, 60 years. Chairman Bennett asked if the electrical system was updated, to which Mr. Stephen Keough responded totally rewired. Mr. Ackerman added, that is with this renovation.

Mr. Smith inquired about the location of the project, to which Mr. Phil Forelli responded 251 Atlantic Avenue. Mr. Ackerman stated it is an "R-C" district, and he explained further, the fire districts in the Standard Building Code.

Mr. Smith asked if this is an apartment building. Mr. Phil Forelli responded no, one-story, one-family. Mr. Stephen Forelli added, it has an apartment building on either side. Mr. Phil Forelli said no, one side.

Chairman Bennett asked for a reference in the code, and wondered if this came up because it is in the Town's fire district. Mr. Ackerman said it is in the fire district and the electrical code amendment states any building within the designated fire district have only approved rigid metal conduit, nonmetallic conduit, surface metal raceway, etc. Mr. Stephen Forelli stated it is excluded by the city code. Mr. Ackerman stated the Standard Building Code excludes the one-hour fire protection on all structural elements for one-family and two-family dwellings. Mr. Smith felt there seems to be a discrepancy to which Mr. Ackerman agreed. Mr. Phil Forelli said the "discrepancy" is it should go hand-in-hand. If the building has to be fire rated, then the electrical should be fire rated as well. Mr. Wright wanted to add that the discrepancy is not only in the Town of Palm Beach, but throughout the County.

The discussion continued. Mr. Wandell, Fire Marshal said he has investigated a number of fires with Mr. Wright and felt Mr. Wright has a good understanding of what has to be done.

Mr. Smith felt it would be a hardship for a single-family residence to put in conduit throughout. Mr. Ackerman said this is probably a carry-over from the days when there was much more mixed use within the fire district, when there were more single family dwellings next to commercial buildings or multifamily. Chairman Bennett added, especially in that area. Mr. Ackerman felt, presently in the fire district there are more commercial buildings or multifamily and not very many single family anymore, and it is almost like

keeping old rules. Chairman Bennett inquired if Staff had any objections to which Mr. Ackerman said no.

MOTION BY MR. SMITH TO APPROVE THE APPEAL OF TOWN OF PALM AMENDMENTS TO THE NATIONAL ELECTRICAL CODE SECTION 300-4 (e).

MOTION SECONDED BY MR. NORA.

MOTION CARRIED UNANIMOUSLY.

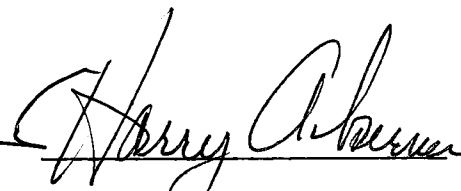
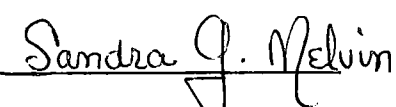
Chairman Bennett wondered if something couldn't be done now to help prevent this from coming up again since it is a discrepancy. Mr. Ackerman said when the code is up-dated.

Mr. Moore addressed the Board, and said he would not recommend doing anything at the present time. This example happens to work out well, it is at the extreme north end of the fire district, some apartment houses are on either side. This was done in violation of the code. The house is already wired, and the contractor did not follow the code. It is after the fact. There is no objection today, but in the future there might be a case where the code should not be waived. So until the code cycle is up-dated, Mr. Moore felt there should not be any type of blanket approval. He said they might not want to be so generous and recommend approval on the next one.

IV. Adjournment

Being no further business the Meeting was adjourned by Acting Chairman Bennett.

(Whereupon, the Minutes of this Meeting concluded at 2:14 p.m.)

		
Ames Bennett, Acting Chairman	Harry P. Ackerman Chief Bldg. Inspector	Sandra G. Melvin Recording Secretary

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