TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

BUILDING BOARD OF ADJUSTMENTS AND APPEALS
2:00 p.m., WEDNESDAY, MARCH 7, 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 E. Ben Walton, Acting Chairman.

II. Roll Call:

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

ALSO PRESENT: Chief Building Inspector Harry P. Ackerman
Sara Tolley

Let the record show Lynn Rifkin stated the new Recording Secretary is Sandra G. Melvin.

III. ITEM 1: Appeal of Standard Building Code Section 2001.2.1 (MINIMUM 7'0" CEILING HEIGHT FOR BATHROOMS)
Owner: Sally Ricca
Address: 267 Dunbar Road

Mr. Ackerman stated the proposed change from a storage closet to half-bathroom with water closet and sink, has a ceiling height 6'9" to 6'10". Minimum required bathroom ceiling height is 7'0". Two-by-four's support the stair landing above, which would not allow any more room.

Sally Ricca stated the finished ceiling is 82 inches, which is 2 inches shy. Plans were presented.

Mr. Ackerman inquired about the flooring. Sally Ricca said an oak floor was already there, and she would be keeping that floor, and no flooring would be put on top of what was already there.

Reviewing plans, Mr. Ackerman indicated this was not the only bathroom downstairs and there was another, but this one would be the most convenient to the living area.

Mr. Bennett said part of the room has a sloping ceiling. A printout puts a restriction on the amount of sloped area, and asked if that was to be considered applicable here?

Mr. Ackerman explained about the sloped ceiling. Minimum size is required for habitable rooms. For example, "...no other room other than a kitchen shall be less than 7 feet in any dimension," that would come into effect there. The second paragraph reads, "No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof."

Mr. Smith asked about the size of the room, as far as width? Mr. Ackerman indicated that was for habitable rooms, and a bathroom is not considered a habitable room. He felt they do not have that problem. The sloped ceiling portion is referring to that. How much of the room that you could count, and still have a habitable room.

Mr. Bennett asked about the lighting, and wanted to know if there was going to be anything hanging? Sally Ricca said there would be two wall sconces in the 6'10" section, as you walk in. She stated the cedar closet already has electrical which would be used for the two wall sconces. Mr. Ackerman inquired about the height. Sally Ricca said it meets the electrical code requirements.

Mr. Smith wanted to know if the door swings out? Mr. Ackerman said it did according to the plans. Sally Ricca said it swings out and is 30 inches. Mr. Ackerman felt it should not be a problem.

Mr. Smith asked how Staff felt about it? Mr. Ackerman felt being a single-family residence, it was not a problem.

Mr. Walton inquired if there was proper ventilation? Sally Ricca explained it goes up above the 6'10". In the ceiling is a little square ventilation; goes down to a big crawl space under the house; right to the outside wall.

MOTION BY MR. BENNETT TO APPROVE THE APPEAL OF PROPOSED CHANGE FROM STORAGE CLOSET TO HALF-BATHROOM WITH WATER CLOSET AND SINK, HAVING A CEILING HEIGHT OF 6'9" TO 6'10"

MOTION SECONDED BY MR. CASSIDY.

MOTION CARRIED UNANIMOUSLY.

Sally Ricca said she did not know if it was a problem, and wanted to state the door to the proposed powder-room is 30

inches swinging out, and explained the opening to the water closet was just a finished jamb, not a doorway. She questioned if it mattered how wide that was. Mr. Ackerman wanted to know the cased opening size? Sally Ricca indicated it was 26 inches. After reviewing plans, Mr. Ackerman wanted to know if it was necessary that it be there? Sally Ricca indicated she thought the support was there, as it was a jambed opening under the stairs. Mr. Ackerman did not see why, if it was a support, it couldn't have it on both sides. Mr. Ackerman indicated there apparently was a door or something at one time, and suggested they go to the wall. Sally Ricca said she might not be able to because of the support. Mr. Smith inquired if that applied to the entire length of the water closet, or just at the back? Mr. Bennett pointed out Mr. Barber is enforcing that you have 15 inches from the stud to the center, and there was enough width to get that on both sides. Mr. Ackerman noted there was on the back portion of the water closet, and questioned if the water closet sticks out. Sally Ricca stated it did come out a little more than the way it was drawn on the plans. Mr. Bennett felt that was usually not a problem. Mr. Ackerman questioned if there was any reason why it could not be opened up? Sally Ricca said it was support because it was underneath the stairs supporting the landing above. Mr. Ackerman noted there was stair coming up both ways.

MOTION BY MR. SMITH FOR MINUTES TO BE AMENDED TO INCLUDE REASON OF APPROVAL FOR LOWER CEILING BECAUSE IT IS A RENOVATION PROJECT AND WAS CONSTRAINED DUE TO THE HEIGHT OF IT.

MOTION SECONDED BY MR. BENNETT.

MOTION CARRIED UNANIMOUSLY.

Sally Ricca questioned if it was structural it would not have to be removed, and if it was not structural it would have to be removed? Mr. Ackerman indicated it should be 30 inches. Reviewing plans, Sally Ricca pointed out the powder-room, and explained there was 30 inches to get in, and indicated the toilet does come out further than the diagram. She stated the opening is 26 to 27 inches. Mr. Bennett questioned if the jambs could be taken off? Sally Ricca indicated she did not think they could, but would be happy to if it could be done. Mr. Bennett asked if the little lavatory was the only place to be altered? Sally Ricca stated it was the only place.

MOTION BY MR. SMITH THAT THE DOOR JAMBS BE REMOVED IF NOT STRUCTURAL.

MOTION SECONDED BY MR. NORA.

MOTION CARRIED UNANIMOUSLY.

Sally Ricca stated it was understood if it was not structural it would be removed, and if it was structural it could stay.

Mr. Bennett felt there was concern with what was meant by structural. Mr. Ackerman indicated he would take a look at it. Sally Ricca thanked everyone for their time.

IV. Adjournment

MOTION BY MR. SMITH TO ADJOURN.

MOTION SECONDED BY MR. CASSIDY.

MOTION CARRIED UNANIMOUSLY.

(Whereupon, the minutes concluded at 2:25 p.m.)

E. Ben Walton, Acting Chairman

Harry P. Ackerman Chief Bldg. Inspector

Sandra G. Melvin Recording Secretary