

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

BUILDING BOARD OF ADJUSTMENTS AND APPEALS

2:00 p.m., THURSDAY, JANUARY 10, 1991

AT THE TOWN HALL, PLANNING, ZONING & BUILDING DEPARTMENT
CONFERENCE ROOM, 360 SOUTH COUNTY ROAD, PALM BEACH

- I. Call to Order: The meeting was called to order at 2:02 p.m. by Chairman E. Ben Walton Jr.
- II. Roll Call:
- PRESENT: E. Ben Walton Jr., Chairman
Ames Bennett, Member
John Nora, Member
John C. Cassidy, Member
Jeffrey W. Smith, Member
- STAFF PRESENT: John C. Randolph, Town Attorney
Harry P. Ackerman, Chief Building Inspector
R. Tim Wright, Chief Electrical Inspector
Cynthia M. Delp, Recording Secretary
- OTHERS PRESENT: David McElveen, Lamp Lighter Electric
Andrea Serraes, Serraes Construction
Stanley Rumbough, Property Owner
- III. Approval of the Minutes of the November 29, 1990 Meeting
- MOTION BY MR. BENNETT TO APPROVE THE MINUTES AS MAILED.
- MOTION SECONDED BY MR. CASSIDY.
- MOTION CARRIED UNANIMOUSLY.
- IV. Items for Discussion
- Item 1: Requested by: Serraes Construction
Regarding: 114 Clarke Avenue-Janson/Rumbough
Residence
Subject: Appeal of National Electrical Code
Section 90-6 and 410-4 (Fixtures must
be certified by a testing laboratory
and listed for the location installed.)

Mr. Tim Wright, Chief Electrical Inspector, addressed the

Board regarding the subject lighting fixtures, and the fact that they are not either "UL" approved, or approved by any other testing laboratory, and are, in their present locations, subject to either damp or wet conditions. These are exterior lighting fixtures, which should be vaporproof and/or sealed. It was clear, in his professional opinion, that these fixtures are not suitable for the locations as requested.

Mr. Wright, in his discussions with the electrical contractor, offered the option of converting the fixtures to low voltage fixtures. The Board had recently heard a similar matter regarding an "unlisted" fixture, and had approved the fixtures with the specific proviso that the fixtures be converted to low voltage. This offer, however, was rejected by the contractor and/or property owner, as the conversion, in their opinion would have become too complicated.

Ms. Andrea Serraes of Serraes Construction stated that a total of eighteen fixtures are installed at this site. Fourteen of these are under partial cover, i.e., overhangs, and the remaining four are totally unprotected. Ms. Serraes, commenting about the fixture, stated that the socket, within the fixture, is a listed socket, and a glass chimney will fit over the socket. The manufacturer is a Massachusetts-based company, and is attempting to obtain a listing for this fixture. Mr. Wright questioned why this company who has been in business for 50 years and has apparently produced this fixture for 50 years, is only now trying to obtain a "listing" for the fixture.

Ms. Serraes stated that the subject house is complete and almost ready for a Certificate of Occupancy. In light of Mr. Wright's objection to the subject fixtures, they had been removed, and were replaced with other fixtures, which are unsuitable to the owner, pending the decision of this Board.

Mr. Rumbough, the property owner, did admit that all of the fixtures are within reach, and are accessible to the touch.

The Board was drawn back to the fact that fourteen of the fixtures are semi-covered, with only four being totally unprotected. Mr. Smith stated that since the company has been in business for 50 years, and these fixtures, obviously exterior fixtures, have never been listed during that time period, and these fixtures are yet being produced, it is safe to conclude that there have not been any problems with them. Further, the company's brochure states that the fixture's components are

"UL" tested.

Mr. Bennett commented that he had no problem with the fixtures which are semi-protected, as many of these are in areas which are completely shuttered by Rolladen Shutters.

MOTION BY MR. BENNETT TO APPROVE THE FOURTEEN FIXTURES AS SUBMITTED WITH THE EXCEPTION OF THE FOUR UNPROTECTED FIXTURES.

MOTION SECONDED BY MR. SMITH.

Mr. Nora asked that Mr. Bennett amend his motion to state:

TO APPROVE THE FOURTEEN FIXTURES WHICH ARE UNDER OVERHANGS AND ARE PROTECTED.

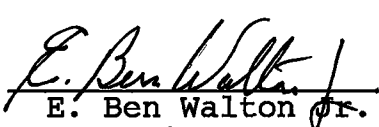
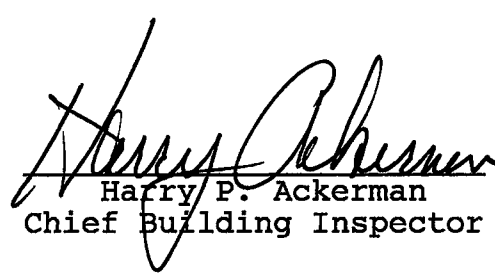
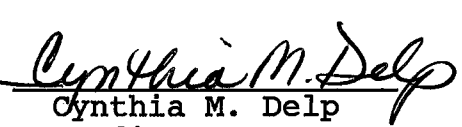
MR. BENNETT AMENDED HIS MOTION AS IS STATED ABOVE.

MR. SMITH SECONDED THE AMENDED MOTION.

THE MOTION CARRIED UNANIMOUSLY.

V. Adjournment:

The meeting adjourned at 2:40 p.m. without a motion to that effect.

		
E. Ben Walton Jr. Chairman	Harry P. Ackerman Chief Building Inspector	Cynthia M. Delp Recording Secretary

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