



1920 Corporate Drive  
 Boynton Beach, FL 33426  
 Office: (561) 742-0068  
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*Amendment*  
 DCA07-DEC-065  
 FILING AND ACKNOWLEDGEMENT  
 FILED, on this date, with the designated  
 Clerk, receipt of which is hereby  
 acknowledged.

*Paula P. Ford*  
 Paula P. Ford  
 Commission Clerk

**Fax Cover Letter**

To: E.J. WOZNIAK	From: ANDREW JOHNSTON
Fax Number: 18504148436	Pages: 1 (Including Cover Sheet)
Date: 4/6/07	RE:
cc:	E-mail:

**Urgent** \_\_\_ **For Your Review** \_\_\_ **Reply ASAP** \_\_\_ **Please Comment** \_\_\_

Attn: Florida Building Commission

An Amendment to DCA07-DEC-065

Code: Building

Section: EB: 505.1

In the matter of 505.1, our company has encountered this difference of interpretation, for building code 505.1, on more than one occasion. With that said it is our intent to include, or be able to use, this declaratory statement at any Municipal Building Department that may have this difference of interpretation.

Here is an example of what we come across:

Home owner Joe Schmoe wants to have his windows replaced with impact. All of his bed room windows are single hung windows with measurements (26" X 37"). Because of Joes strict guidelines set by his Home Owners Association he is not allowed to replace his windows with a different series (example, casement window).

Obviously the (26" X 37") window does not meet current egress requirements.

Question: is this home owner not entitled to have his windows replaced without making the window opening size bigger because his house was built in 1980.

This is one of the many predicaments our company comes across due to the misinterpretation of this code.

Thank you for your time in this matter,

Andrew Johnston  
 Harbor Home Improvements



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DCR07-DEC-065  
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 acknowledged.

*Miriam Snipes* 4/2/07  
 Miriam Snipes Date  
 Deputy Agency Clerk

**Fax Cover Letter**

<b>To:</b> FLORIDA BUILDING	<b>From:</b> ANDREW JOHNSTON
<b>Fax Number:</b> 18504148436	<b>Pages:</b> 1 (Including Cover Sheet)
<b>Date:</b> 3/27/07	<b>RE:</b>
<b>cc:</b>	<b>E-mail:</b>

**Urgent** \_\_\_ **For Your Review** \_\_\_ **Reply ASAP** \_\_\_ **Please Comment** \_\_\_

**Attn:** Florida Building Commission.

**In the Matter of Harbor Home Improvements Vs City of Boynton Beach**

**Code:** Building

**Section:** EB 505.1

Our company has replaced windows in a residential house in the City of Boynton Beach. It was to our understanding that when doing a level 1 restoration (replacing windows), that the opening sizes at the time of the buildings original permit are acceptable. At the time of our final inspection the Boynton Beach Building inspector failed us for not having the windows in the bedrooms brought up to current egress.

So the question at hand is, is it the intent of section 505.1 FBC- existing buildings, to allow the contracting company to use the original window sizes when replacing windows without having to bring the windows up to current egress requirement?

Please Review This matter and provide us with a Declaratory Statement.  
 Feel free to call me at our office or my cell phone 561-706-3399 ↔

Andrew Johnston  
 Permitting Manager