



2018 IRC Question Of The Week

The minimum required floor area for any habitable room having a sloping ceiling, as would typically be encountered where an attic area is finished for use as a living or sleeping area, must be based on only those portions of the room with a ceiling height of at least ___ feet.

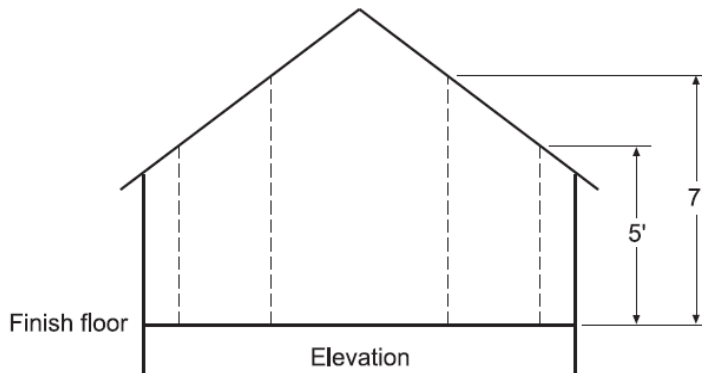
- A) 4
- B) 5 ←
- C) 6
- D) 7

SECTION R305 CEILING HEIGHT

R305.1 Minimum height. *Habitable space*, hallways and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm). Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exceptions:

1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).





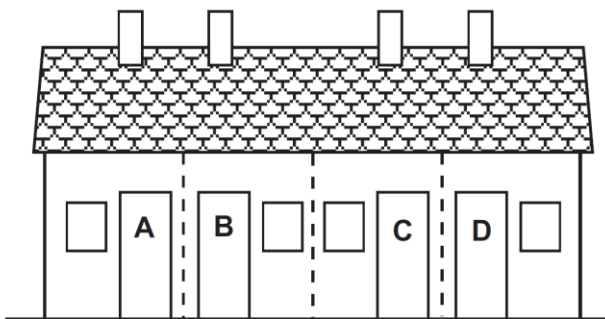
2018 IBC Question Of The Week

In Group R-3 occupancies where there are ____ or more dwelling units or sleeping units intended to be occupied as a residence in a single structure, every dwelling and sleeping unit intended to be occupied as a residence shall be a Type B unit.

- A) 2
- B) 3
- C) 4
- D) 5



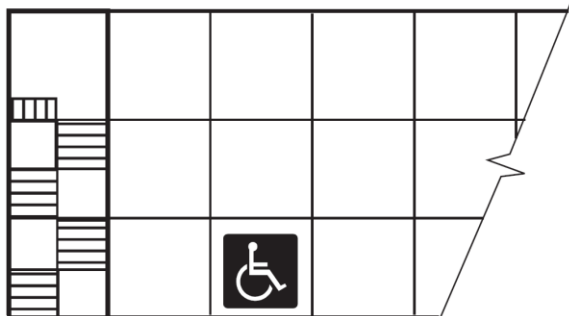
1107.6.3 Group R-3:
 In Group R-3 occupancies where there are four or more dwelling units or sleeping units intended to be occupied as a residence in a single structure, every dwelling unit and sleeping unit intended to be occupied as a residence shall be a Type B unit. Bedrooms within congregate living facilities, dormitories, sororities, fraternities, and boarding houses shall be counted as sleeping units for the purpose of determining the number of units.
 Exception: The number of Type B units is permitted to be reduced in accordance with Section 1107.7.



In R-2 and R-3 occupancies where there are ≥ 4 dwelling units in a single structure, every unit shall be a Type B dwelling unit. (Type A units may be substituted for Type B.)

In R-2 occupancies containing > 20 dwelling units, at least 2 percent but not less than 1 shall be a Type A dwelling unit.


The general exceptions of Section 1107.7 selectively permit the required number of Type A units and Type B units to be reduced.





2018 Permit Technician Question Of The Week

___ zoning occurs when a small parcel of land is arbitrarily selected for a zoning classification that is unrelated to the surrounding uses and zoning districts and cannot be justified based on the health, safety, or general welfare of the community.

- A) Spot 
- B) Macro
- C) Nonconforming
- D) Conditional Use

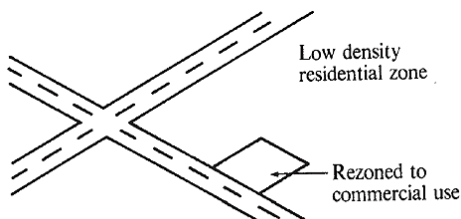


FIG. 181. SPOT ZONING

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Legal Aspects of Code Administration

would be a conditional use that involves control over placement of the building, the hours of operation, noise, and landscaping. The permit that would stipulate the conditions and specific controls that have been approved for the conditional use is a **conditional use permit**. These conditions would be monitored by the municipality during construction and after occupancy has been granted. The car wash conditional use permit may state the hours of operation and the setback distance from the abutting residential property.

A day care center is another good example of a special exception. Frequently, day care centers are permitted in residential zone districts if they meet a specific set of restrictions. In granting an application for the right to have a day care center in a residential zone district, the board usually is not granting a variance, which is based on hardship, but is granting a special exception or conditional use permit.

A **nonconforming use** is defined as a structure that complied with zoning ordinances at the time it was built but no longer conforms to regulations due to the adoption, revision, or amendment of a zoning ordinance. For example, a gas station was built in an area that is later zoned as residential. The gas station is a legal nonconforming use and may remain in operation; however, if the owner decides to tear down the gas station and build some other type of business on the same plot of land, he or she will not be able to obtain a permit.

A **special use permit** is another use within a specific zoning district permitted by exception in a zoning ordinance. This type of use is also known by other names (for example, special exception, exceptional use, conditional use, etc.). Unlike simple permitted uses, a special use permit has additional conditions tied to its approval. The construction of a church or hospital may require a special use permit. **Spot zoning**, or **micro zoning**, occurs when a small parcel of land is arbitrarily selected for a zoning classification that is unrelated to the surrounding uses and zoning districts and cannot be justified based on the health, safety, or general welfare of the community. For further information, there exist many comprehensive and easy-to-understand legal treatises in these areas. Further information can be attained from the municipal attorney or by consulting a treatise.

Covenants

A **covenant** is an agreement or promise between two or more people to either do something or to refrain from doing something. A covenant in which there is an agreement between parties to do something is called an **affirmative covenant**, while a covenant in which there is an agreement to refrain from doing something is called a **negative covenant**. Although a covenant can refer to any agreement, promise, or contract, the term currently refers primarily to promises or agreements relating to real estate. A tremendous number of different types of covenants exists. This chapter, however, will limit its discussion to **restrictive covenants**.

Restrictive covenants in the area of property law consist of a provision in the deed to the property in question that limits the use of the property and prohibits certain uses. Such limitation or restriction on the use of a property is called an **encumbrance** and the owner