

## **BARNETT PARK GYMNASIUM**

**Issue:** Vertical accessibility to all rows of a bleacher system.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows in a bleacher system in a public facility. The bleachers will accommodate 275 people and requires 6 wheelchair and companion seat locations. According to the applicant, it is technically infeasible to make all four rows accessible without extensive design changes and expense to the owner. The application states the required seating will be provided on the floor, but did not designate the specific location.

### **Project Progress:**

The project is under design.

### **Items to be Waived:**

Vertical accessibility to all rows of the bleachers, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

**Waiver Criteria:** There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

**1. Name and address of project for which the waiver is requested.**

**Name:** Barnett Park Gymnasium

**Address:** 4801 W Colonial Drive, Orlando, FL 32808

**2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:**

**Applicant's Name:** Scott Coleman

**Applicant's Address:** 1000 Legion Place, Suite 800, Orlando, FL 32801

**Applicant's Telephone:** (407) 893-5807 **FAX:** (407) 648-2128

**Applicant's E-mail Address:** scott.coleman@rsandh.com

**Relationship to Owner:** Architect

**Owner's Name:** Orange County Government, Capital Projects

**Owner's Address:** 400 E South St, 5<sup>th</sup> floor, Orlando, FL 32801

**Owner's Telephone:** (407) 836-0048 **FAX:** (407) 836-0051

**Owner's E-mail Address:** Sara.Flynn-Kramer@ocfl.net

**Signature of Owner:**



**Contact Person:** Sara Flynn-Kramer

**Contact Person's Telephone:** (407) 836-0048 **E-mail Address:** Sara.Flynn-Kramer@ocfl.net

This application is available in alternate formats upon request.  
Form No. 2001-01

**3. Please check one of the following:**

- New construction.
- Addition to a building or facility.
- Alteration to an existing building or facility.
- Historical preservation (addition).
- Historical preservation (alteration).

**4. Type of facility.** Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

1-story, 15,000 SF building adjacent to an existing Recreation Center. The building houses a 10,000 SF Gymnasium and support spaces such as an office, storage and toilets. It will be used by the local community for recreation.

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):**

\$3.45 million

**6. Project Status:** Please check the phase of construction that best describes your project at the time of this application. Describe status.

Under Design  Under Construction\*

In Plan Review  Completed\*

\* Briefly explain why the request has now been referred to the Commission.

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7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

**Issue**

1: We are requesting a waiver for the requirement that accessibility shall be provided to all levels per FBC Chapter 11-4.1.3(5) and Florida Statute 553.509.

**Issue**

2: \_\_\_\_\_  
\_\_\_\_\_

**Issue**

3: \_\_\_\_\_  
\_\_\_\_\_

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

\_\_\_\_\_  
\_\_\_\_\_

Substantial financial costs will be incurred by the owner if the waiver is denied.

Providing accessibility to the upper levels of the bleachers would require the north side of the building footprint to expand by 2'-6" for each level that is required to be accessible to wheelchairs. If we are also required to provide seating areas for wheelchairs on the upper levels of the bleachers, the building footprint must expand by 6'-6" for each level that is required to have seating for wheelchairs. A chair lift would also be required.

[ ] The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

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9. **Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates.** For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

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10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

The waiver is necessary because the Florida Building Code and Florida Statutes both require that all levels be made accessible in new construction. However, per FBC Chapter 11-4.33.3, wheelchair locations only need to be provided in one location when the seating capacity is below 300. Our seating capacity is 275 and we have only 4 rows of seating. By Code, we are required to have 6 seating areas for wheelchairs. These have been provided at one location on the floor. It is unreasonable to make the upper levels of the bleachers accessible when the Code does not require us to provide accessible seating in a second location.

Signature JOHN PETHLING  
Printed Name

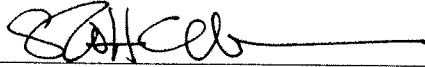
Phone number 813.289.5550 / 407.893.5826

(SEAL)

**CERTIFICATION OF APPLICANT:**

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this 1<sup>st</sup> day of OCTOBER, 20 08

  
\_\_\_\_\_  
Signature

SCOTT COLEMAN  
\_\_\_\_\_  
Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

**REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.**

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. Vertical accessibility to all levels (bleachers) - FBC Ch. 11-4.1.3(5) & Florida Statute 553.509

b. \_\_\_\_\_

c. \_\_\_\_\_

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

[ ] Yes  No Cost of Construction \_\_\_\_\_

**Comments/Recommendation** \_\_\_\_\_

\_\_\_\_\_

Jurisdiction Orange County Division of Building Safety

Building Official or Designee   
Signature

Alan C. Plante  
Printed Name

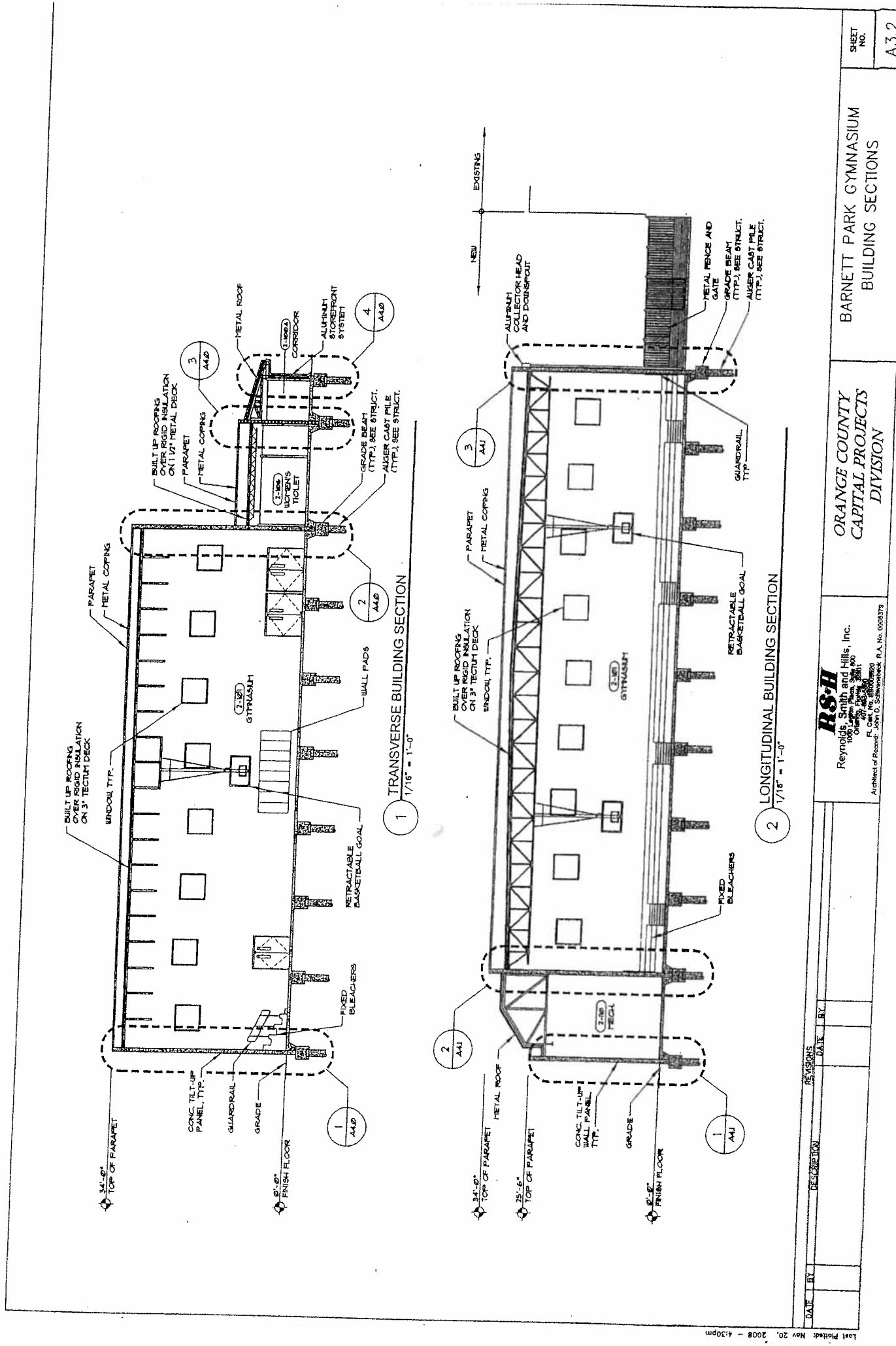
BU0000714  
Certification Number

407 836-5816  
Telephone/FAX

Address: P.O. Box 2687, Orlando, FL 32802-2687

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1 TRANSVERSE BUILDING SECTION  
1/16" = 1'-0"

2 LONGITUDINAL BUILDING SECTION  
1/16" = 1'-0"

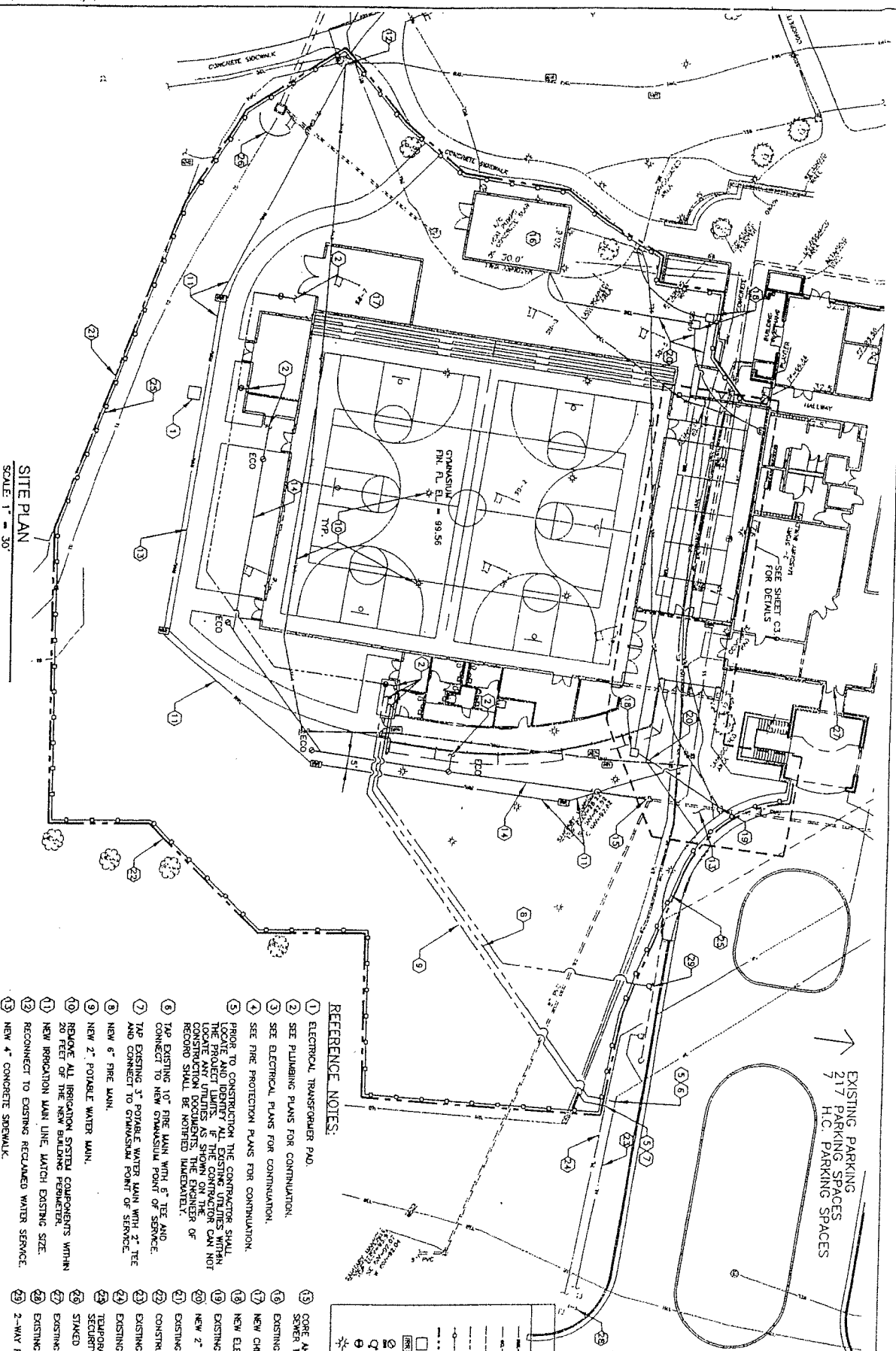
DATE	BY	DESCRIPTION	REVISIONS	DATE	BY

**RSH**  
Reynolds, Smith and Hills, Inc.  
10000 Reynolds Drive, Suite 200  
Dallas, Texas 75243  
Tel: 972-261-8800  
Fax: 972-261-8801  
Architect of Record: John D. Schwabach, P.A. No. 0049379

ORANGE COUNTY  
CAPITAL PROJECTS  
DIVISION

BARNETT PARK GYMNASIUM  
BUILDING SECTIONS

SHEET NO.  
A3.2



SITE PLAN  
SCALE: 1" = 30'

REFERENCE NOTES:

- 1 ELECTRICAL TRANSFORMER PAD.
- 2 SEE PLUMBING PLANS FOR CONTINUATION.
- 3 SEE ELECTRICAL PLANS FOR CONTINUATION.
- 4 SEE FIRE PROTECTION PLANS FOR CONTINUATION.
- 5 PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL LOCATE ANY UTILITIES AS SHOWN ON THE CONSTRUCTION DOCUMENTS. THE ENGINEER OR RECORD SHALL BE NOTIFIED IMMEDIATELY.
- 6 NEW 10" FIRE MAIN WITH 5" TEE AND CONNECT TO NEW GYMNASIUM POINT OF SERVICE.
- 7 TAP EXISTING 3" PORTABLE WATER MAIN WITH 2" TEE AND CONNECT TO GYMNASIUM POINT OF SERVICE.
- 8 NEW 6" FIRE MAIN.
- 9 NEW 2" PORTABLE WATER MAIN.
- 10 REMOVE ALL IRRIGATION SYSTEM COMPONENTS WITHIN 20 FEET OF THE NEW BUILDING PERIMETER.
- 11 NEW IRRIGATION MAIN LINE, MATCH EXISTING SIZE.
- 12 RECONNECT TO EXISTING RECLAIMED WATER SERVICE.
- 13 NEW 4" CONCRETE SPRAWL.
- 14 NEW 4" PVC SANITARY SEWER.
- 15 GOLF AND CONNECT NEW 4" PVC SANITARY SEWER TO EXISTING SANITARY MANHOLE.
- 16 EXISTING CHILLER YARD.
- 17 NEW CHILLER YARD.
- 18 NEW ELECTRICAL JUNCTION BOX.
- 19 EXISTING LIGHT POLE TO REMAIN.
- 20 NEW 2" CONDUIT WITH CONDUCTORS.
- 21 EXISTING CHAINLINK FENCE TO REMAIN.
- 22 CONSTRUCTION LIMITS.
- 23 EXISTING 10" FIRE MAIN, FIELD LOCATE.
- 24 EXISTING 3" WATER MAIN, FIELD LOCATE.
- 25 TEMPORARY 6" CHAINLINK CONSTRUCTION SECURITY FENCE.
- 26 STAKED TURBOBURY BARRIER.
- 27 EXISTING BUILDING MAIN ENTRANCE.
- 28 EXISTING BACKFLOW PREVENTER.
- 29 2-INCH FIRE DEPARTMENT WLET CONNECTION.

LEGEND

- IRRIGATION MAIN
- TELEPHONE LINE
- IRRIGATION PIPE
- WATER MAIN
- CHAINLINK FENCE
- CONSTRUCTION LIMITS
- ELECTRICAL JUNCTION BOX
- IRRIGATION VALVE BOX
- CLEANOUT
- FIRE HYDRANT
- WATER VALVE
- SPRINKLER

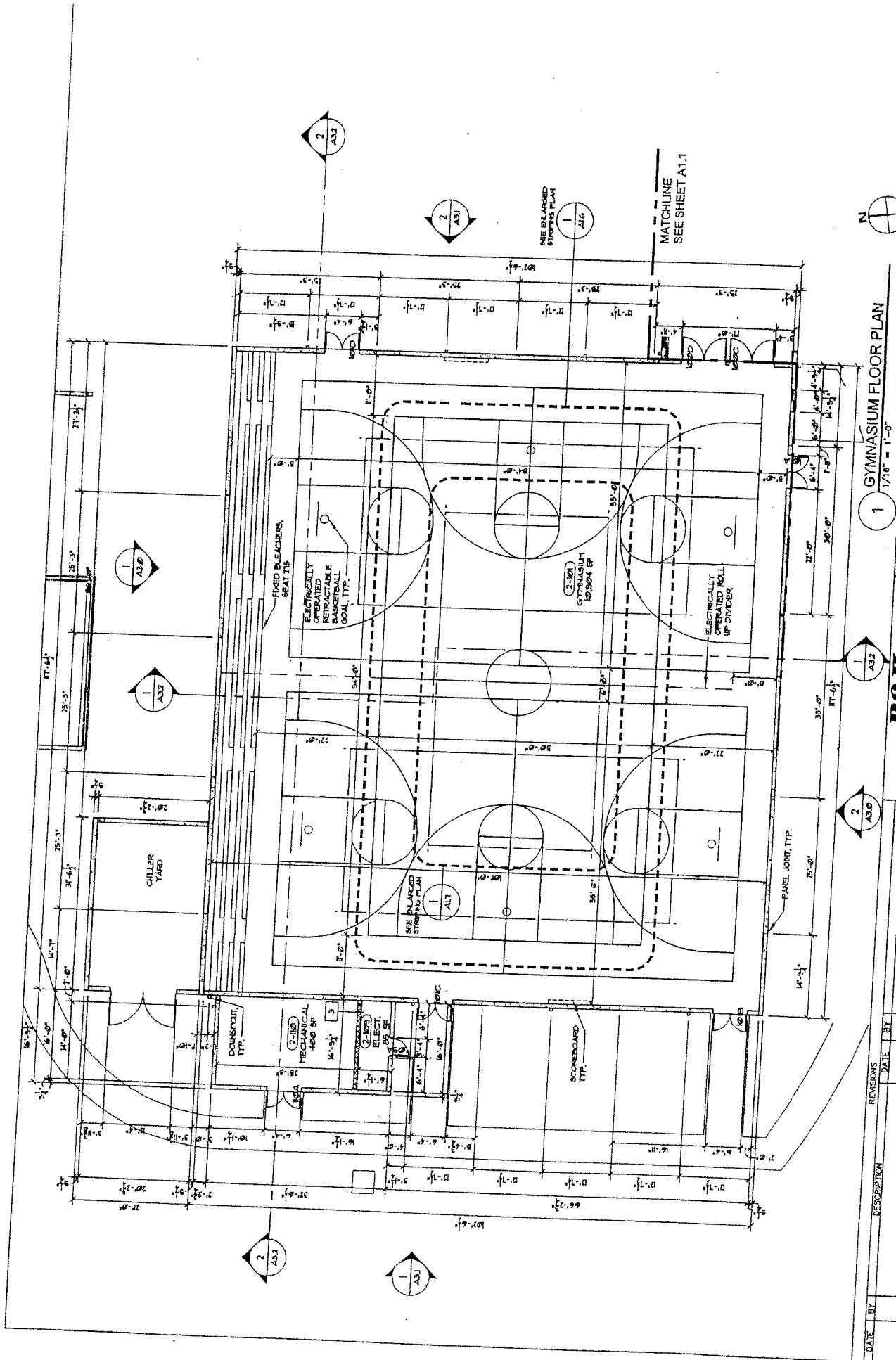
**RS&H**  
Reynolds, Smith and Hills, Inc.  
1000 Legion Field, Suite 600  
Nashville, TN 37203  
P. Code: P001  
Engineer of Record: P. M. Hill, P.E., No. 61017

ORANGE COUNTY  
CAPITAL PROJECTS  
DIVISION

BARNETT PARK GYMNASIUM  
SITE PLAN

DATE	BY	DESCRIPTION	DATE	BY	REVISIONS

SHEET NO. C1.0



1 GYMNASIUM FLOOR PLAN  
1/16" = 1'-0"

2 SEE ENLARGED STOPPING PLAN

3 MATCHLINE SEE SHEET A1.1

4 SEE ENLARGED STOPPING PLAN

5 SEE ENLARGED STOPPING PLAN

6 SEE ENLARGED STOPPING PLAN

7 SEE ENLARGED STOPPING PLAN

8 SEE ENLARGED STOPPING PLAN

**RSH**  
Reynolds, Smith and Hills, Inc.  
1000 Linden Plaza, Suite 200  
Farmingdale, NY 11735  
Tel: 631-281-5300  
Fax: 631-281-5301  
Architect of Record: John P. Reynolds, P.E., AIA

ORANGE COUNTY  
CAPITAL PROJECTS  
DIVISION

BARNETT PARK GYMNASIUM  
GYMNASIUM

DATE	BY	DESCRIPTION	DATE	BY