

ORANGE COUNTY ORLANDO MAGIC RECREATION CENTER, SOUTH ECON SITE

Issue: Vertical accessibility to all rows in a retractable bleacher system.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a retractable bleacher system located in a new, \$5,000,000 facility. The project will contain 24,400 square feet and consists of a one story combination gymnasium, activity room, weight room, cardio room and game room building. The plans indicate that the 213 seat bleacher system will provide 6 wheelchair seating locations with companion seats at the lower level of the bleachers.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all rows of seats in a bleacher system, 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.

**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: ORANGE COUNTY ORLANDO MAGIC RECREATION CENTER- SOUTH ECON SITE.

Address: SOUTH ECON COMMUNITY PARK
3800 SOUTH ECONLAOCKATCHEE ROAD
ORLANDO, FL 32792

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: SCHENKELSHULTZ ARCHITECTS

Applicant's Address: 1591 HAYLEY LANE #201
FT. MYERS, FL 33907

Applicant's Telephone: 239-481-0200 **FAX:** 239-481-3303

Applicant's E-mail Address: rreitz@schenkelshultz.com

Relationship to Owner: ARCHITECT

Owner's Name: ORANGE COUNTY CAPITAL PROJECTS DIVISION
REP: SARA FLYNN-KRAMER

Owner's Address: 400 EAST SOUTH STREET
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:  ORANGE COUNTY CAPITAL PROJECTS DIVISION BY:

Contact Person: RONALD E. REITZ, AIA - SCHENKEL & SHULTZ, INC.

Contact Person's Telephone: 239-218-6894 **E-mail Address:** rreitz@schenkelshultz.com

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.)

THE FACILITY IS A NEW 24,400 SQUARE FOOT RECREATION CENTER CONSISTING OF A ONE STORY COMBINATION GYMNASIUM, ACTIVITY ROOM, WEIGHT ROOM, CARDIO ROOM AND GAME ROOM BUILDING. THE GYMNASIUM CONTAINS RETRACTABLE BLEACHER SEATING WITH ACCESSIBLE SPACES AND COMPANION SEATS LOCATED AT THE FIRST ROW.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): PROJECT CONSTRUCTION COST IS \$5,000,000.00

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.

ORANGE COUNTY DIVISION OF PUBLIC SAFETY REQUIRES A WAIVER RELIEVING THE REQUIREMENTS OF FLORIDA STATUTES SECTION 553.509 PRIOR TO CERTIFICATE OF OCCUPANCY. THE PLANS REVIEWERS HAVE NOTED THAT GYMNASIUM BLEACHER FACILITIES DO NOT COMPLY WITH THE INTENT OF THE GUIDELINES REQUIRING ACCESSIBILITY TO ALL LEVELS ABOVE THE OCCUPIABLE GRADE LEVEL BY INTERPRETATION OF THE CODE. WE AND OUR DESIGN STAFF SUBMIT THIS REQUEST FOR RELIEF AS OUR DESIGNS PROVIDE ACCESSIBLE SEATING AS NOTED IN ITEM #4, ABOVE.

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

Issue

1: FLORIDA STATUTE 553.509, VERTICAL ACCESSIBILITY

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.

THE WAIVER IS NECESSARY IN ORDER TO PROVIDE FACILITIES FOR PUBLIC USE WITHIN THE BOUNDS OF THE BUDGET. PROVIDING ACCESSIBILITY TO ALL LEVELS OF COLLAPSIBLE SEATING IN THE GYMNASIUM IS NOT FEASIBLE AND WOULD INCUR UNECESSARY COSTS TO THE OWNER. OUR DESIGN STAFF FEELS THAT THE PROPOSED DESIGNS INCLUDE ADEQUATE ACCESSIBLE SEATING ARRANGEMENTS.

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

NOT APPLICABLE

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.

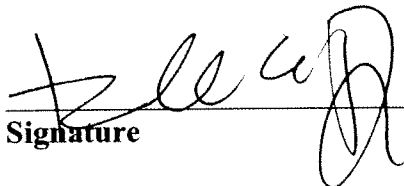
NOT APPLICABLE

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. ALL ACCESSIBILITY FEATURES DESCRIBED ABOVE ARE ALREADY INCLUDED IN THE PROJECT'S GUARANTEED MAXIMUM PRICE AND NOT SEPARATE LINE ITEMS.

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.

GYMNASIUM ACCESSIBLE SPACES ARE LOCATED FOR OPTIMAL SIGHTLINES
WITHIN THE FIRST TWO ROWS OF THE COLLAPSIBLE BLEACHER SECTIONS.



Signature

Ronald E. Reitz

Printed Name

Phone number (239) 481-0200

(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 February day of 18th, 2009



Signature

Ronald E. Reitz

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. This issue is being referred to the Florida Building Commission because the plans do not show accessibility to all levels of the seating and bleachers as required by Florida specific requirements of the Florida Building Code (FBC) Section 11-4.1.3(5)

b. To the best of my knowledge, all information stipulated herein is true and correct.

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

[] Yes [X] No Cost of Construction This is new construction

Comments/Recommendation I recommend that the Florida Building Commission approve the request.

Jurisdiction Orange County Division of Building Safety

Building Official or Designee

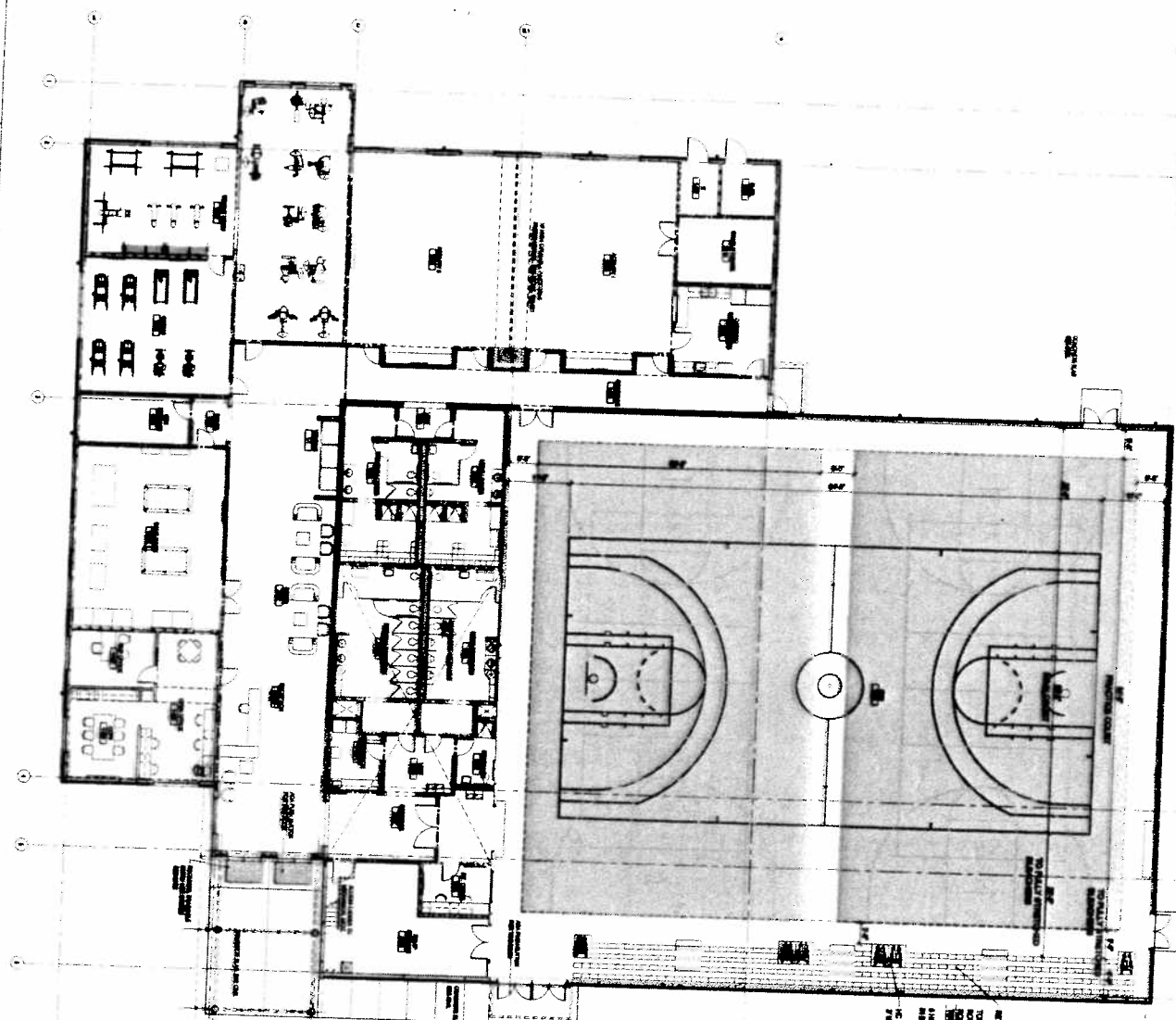
Cindy Nielsen
Signature

Cindy Nielsen
Printed Name

BH 944
Certification Number

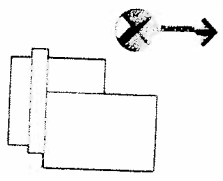
TELE: (407) 836-5550 FAX: (407) 836-5510
Telephone/FAX

Address: Orange County Administration Center
201 S. Rosalind Avenue, 1st Floor
P. O. Box 2687
Orlando, FL 32802-2687



1. ALL ROOMS SHALL BE FINISHED TO THE FINISHES SHOWN ON THE FINISH SCHEDULE.
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KEY PLAN



ARCHITECTURAL FLOOR PLAN LEGEND

Symbol	Description
(Symbol)	Architectural Floor Plan
(Symbol)	Structural Floor Plan
(Symbol)	Mechanical Floor Plan
(Symbol)	Electrical Floor Plan
(Symbol)	Plumbing Floor Plan
(Symbol)	Fire Alarm Floor Plan
(Symbol)	Security Floor Plan
(Symbol)	Accessibility Floor Plan
(Symbol)	Other

ARCHITECTURAL FLOOR PLAN GENERAL NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC) AND THE CALIFORNIA MECHANICAL AND ELECTRICAL CODE (CMEC).
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND HEATING CODE (IPC) AND THE CALIFORNIA PLUMBING AND HEATING CODE (CPLH).
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND ALARM CODE (IFAC) AND THE CALIFORNIA FIRE AND ALARM CODE (CFAC).
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SECURITY CODE (ISC) AND THE CALIFORNIA SECURITY CODE (CSC).
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ACCESSIBILITY AND MOBILITY ACT (IAMA) AND THE CALIFORNIA ACCESSIBILITY AND MOBILITY ACT (CAMA).

Orange County
Orlando Magar
Recreation
Center
 100%
FLOOR PLAN
 100%
 Construction Documents

SCHEFFEL SHULTZ
 ARCHITECTS
 100%
 Construction Documents

SITE DATA

PROJECT: ORANGE COUNTY ORLANDO MAGIC RECREATION CENTER
 LOCATION: 10000 SOUTH BAY DRIVE, ORLANDO, FL 32817
 DATE: 08/14/2008
 SCALE: 1/8" = 1'-0"

GENERAL NOTES

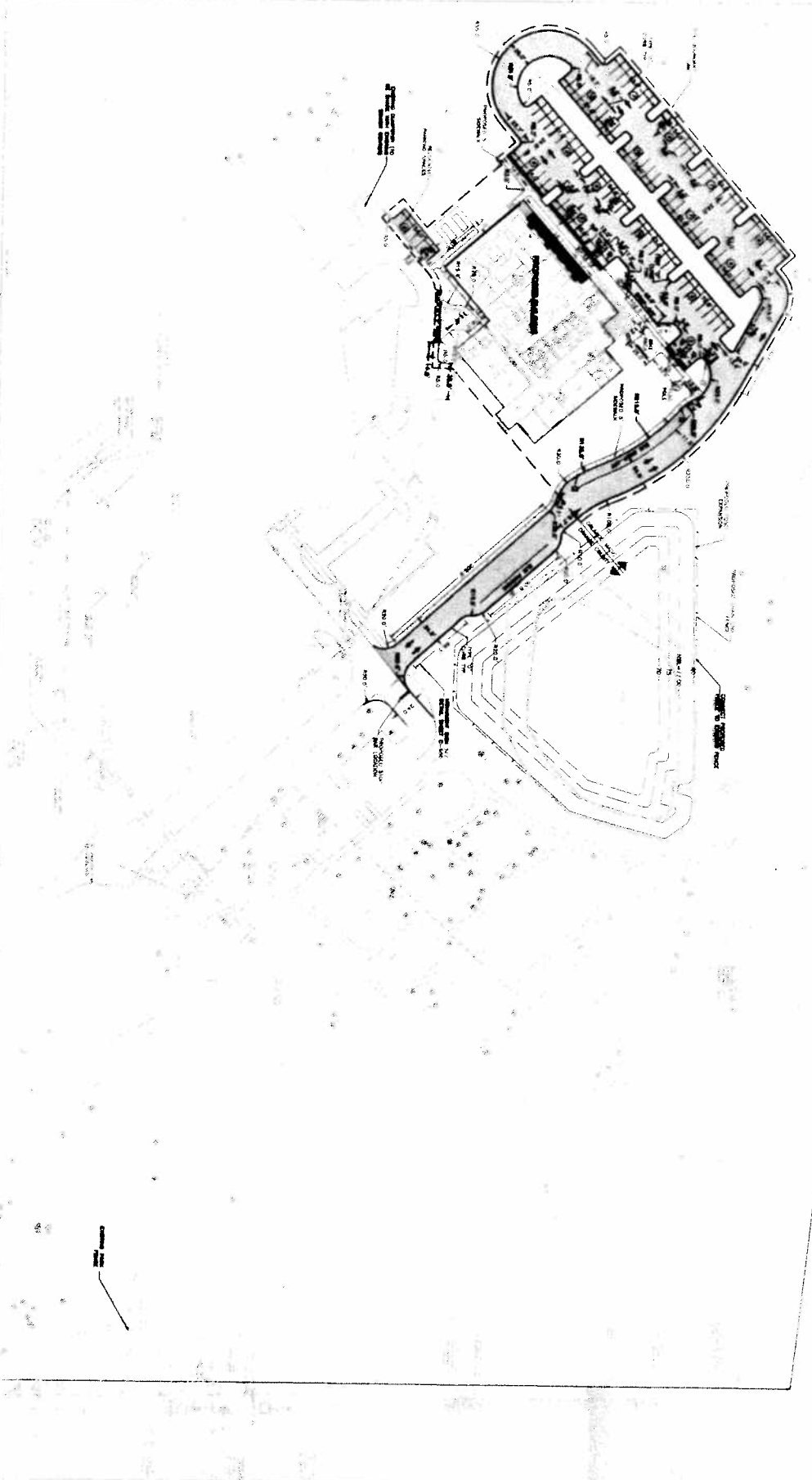
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE FLORIDA ELECTRICAL CODE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.

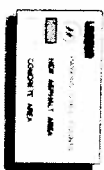
4. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.

5. THE CONTRACTOR SHALL MAINTAIN PROPER EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION.



KEY TO SYMBOLS

1. STOP SIGN
 2. BUS STOP SIGN
 3. NO PARKING SIGN
 4. BUS PARKING ONLY SIGN
 5. NO PARKING SIGN



ANGEL SHULTZ
 ARCHITECT
 10000 SOUTH BAY DRIVE
 ORLANDO, FL 32817
 (407) 222-1111
 www.angelschultz.com

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 Orlando Magic
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C200
 100% SUBMITTAL