

VISUAL AND PERFORMING ARTS TEACHING FACILITY

Issue: Vertical accessibility to all rows of seats in a recital and concert hall.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a new, \$35,539,000 performing arts facility. According to the project designer, the ideal design for the concert hall is a sloped, parabolic bowl with limited stadium type seating in the rear quadrant of the hall. The code requires 8 accessible seating locations; however, the proposed design has them dispersed in the front, middle cross aisle and side parterres. In two instances, the accessible seating locations are at the ends of the rows. The recital hall only has the sloped floors with no rear stepped seating. The applicant proposes to locate 6 wheelchair locations at the front, rear and side parterres. No estimates were submitted as the request is not based on cost, but rather that optimal accessible locations have been provided with consideration given to sight lines, maneuverability and sound quality.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all rows of seats, 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: Visual and Performing Arts Teaching Facility

Address University of South Florida, 4202 E. Fowler Ave., Tampa, Florida 33620

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: Hanbury Evans Wright Vlattas + Co.

Applicant's Address: 1115 East Cass Drive, Tampa, Florida 33602

Applicant's Telephone: 813-221-0770 **FAX** 813-221-0771

Applicant's E-mail Address: swarren@hewv.com

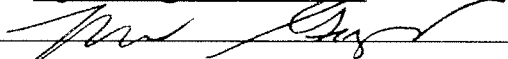
Relationship to Owner: Architect

Owner's Name: University of South Florida

Owner's Address 4202 E. Fowler Ave., FPC 110, Tampa, Florida 33620

Owner's Telephone: 813-974-0864 **FAX:** 813-974-3542

Owner's E-mail Address: Rgonzale@admin.usf.edu

Signature of Owner: _____


Contact Person: Steven P. Warren, AIA

Contact Person's Telephone: 813-221-0770 **E-mail Address:** swarren@hewv.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 Music Performing Arts Teaching and Performance Facility. The gross square footage is approximately 113,590 sf. The Facility is separated into two (2) predominate zones – a three story teaching and administrative portion, and a one (1) story performance hall and support facilities.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$35,539,000

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.

To obtain a waiver for ADA wheelchair seating locations in the Recital and Concert Halls, both of which have sloped floor plates in a portion of the general seating areas, and for limited stepped seating located within the Concert Hall.

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

Issue 1: Section 11-4.1.1(5) General Exceptions of the Florida Building Code; Section 11.4.33.3 Placement of Wheelchair locations.

At Recital Hall 0107, the shape of the ramped floor provides optimal viewing throughout the small auditorium, and allows wheelchair access to the front row, but due to its continuous slope, not to any spaces on the ramped floor itself as appears to be required by 11-4.33.3 and by the vertical accessibility statement in FS 553.509. In lieu of the 4 equally dispersed spaces required by 11-4.33.3, we propose to provide 6 wheelchair spaces equally dispersed to the front row (2), the rear row (2) and the side parterre (2). The ramp from the rear cross aisle to the front cross aisle has a handrail at one side only. The handrail adjacent to the seating is omitted in accordance with 11-4.8.5.

Issue 2: Section 11-4.1.1(5) General Exceptions of the Florida Building Code; Section 11.4.33.3 Placement of Wheelchair locations.

At Concert Hall 0177, the optimal seating arrangement of an auditorium space this size calls for a parabolic sloped “bowl” at the main floor area and a stepped seating area at the rear quarter of the space. Both of these conditions do not allow wheelchair access to seating in the midst of those areas as appears to be required by 11-4.33.3 and by the vertical accessibility statement in FS 553.509. In lieu of the 8 equally dispersed spaces required by 11-4.33.3, we propose to provide 10 wheelchair spaces equally dispersed to the front row (2), in front of the rear cross aisle (4), and in the side parterres (4), which affords a variety of sightlines and viewing angles as well as distance from the platform (and therefore a variety ticket price points if applicable). Accessible route to the front seating is by means of a compliant ramp in the adjacent circulation space to the north. Handrails are not provided at the ramped aisles in the auditorium adjacent to seating on both sides in accordance with 11-4.8.5.

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.

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

To provide access to all areas of the auditorium in each case above would require many fewer seats and far less than optimal viewing throughout the spaces. Since we are able to provide accessible spaces in excess of the minimum and at both the upper and lower levels of each space, we feel this meets the intent of the concept of dispersal in each of these auditoria. Therefore we believe the requirement for further dispersal is unnecessary and we also request that the requirements of FS 553.509 be waived for the same reasons.

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

Not applicable – the waiver request is not based on cost.

[] 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.

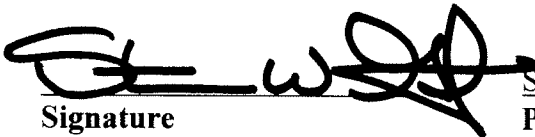
Not applicable – the waiver request is not based on cost.

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 Not applicable

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.

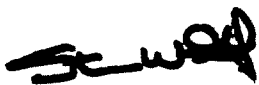
We have requested this waiver in the interest of the quality for these performance spaces. Every effort has been made to afford those with disabilities access to a variety of seating locations, without visual or other compromise to the remaining seats, including the sloped floor to accommodate site line and appropriate acoustics for all. .



Steven W. Gift, AIA
Printed Name

Phone number: 813-221-0770

(SEAL)



2.21.09

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 27 day of FEBRUARY, 2009



Signature

STEVEN P. WARREN

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. Required by State law due to access to all levels within seating not being accessible due to either slope or tiered seating.

b. _____

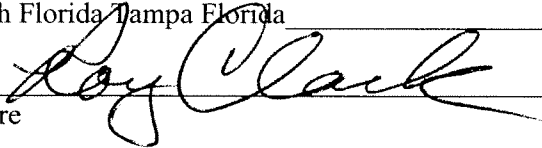
c. _____

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

[] Yes [X] No Cost of Construction _____

Comments/Recommendation _____ Approval of submission _____

Jurisdiction ___ University Of South Florida Tampa Florida _____

Building Official or Designee _____
Signature 

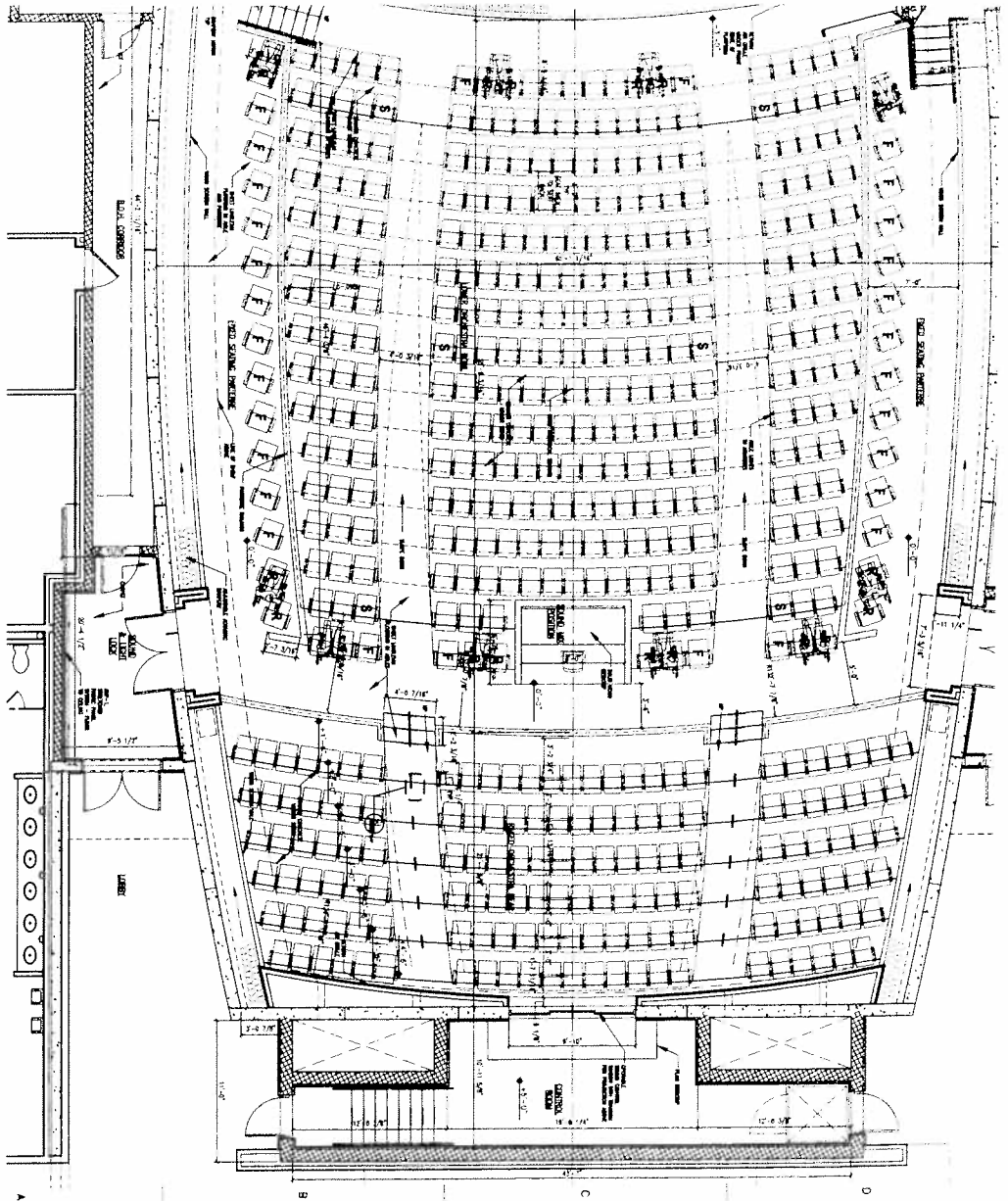
____ Roy A. Clark _____
Printed Name

____ BU1281 _____
Certification Number

____ 813-974-0893 Fax 813-974-2465 _____
Telephone/FAX

Address: _____ 4202 E. Fowler Ave. _____

_____ Tampa, Florida 33620 _____



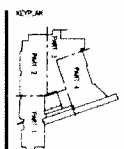
⊕ 1 ENLARGED PLAN - CONCERT HALL
1/8" = 1'-0"



PROCESS PRINT
NOT FOR CONSTRUCTION
11.14.98

CONSULTANT

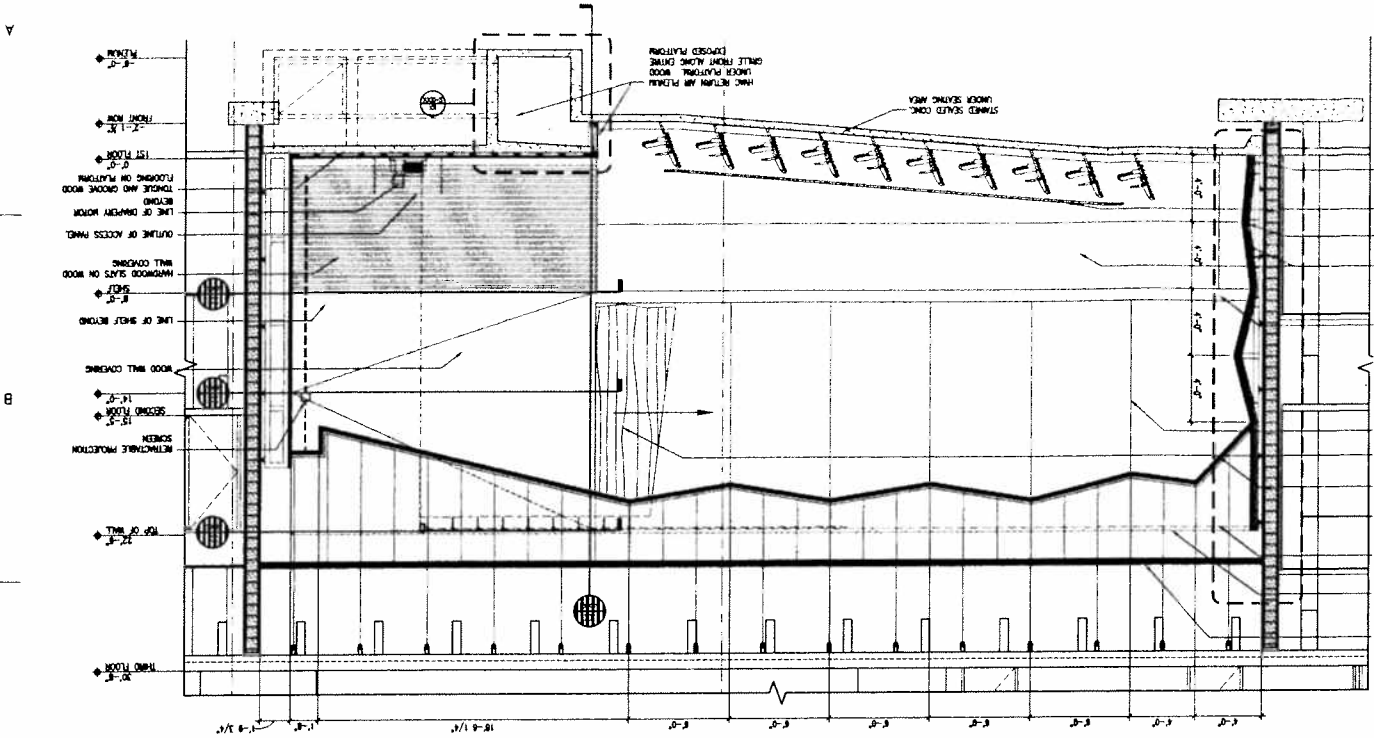
UNIVERSITY OF SOUTH FLORIDA
**VISUAL AND PERFORMING
ARTS TEACHING FACILITY**
USF PROJECT NUMBER 550
TAMPA, FLORIDA



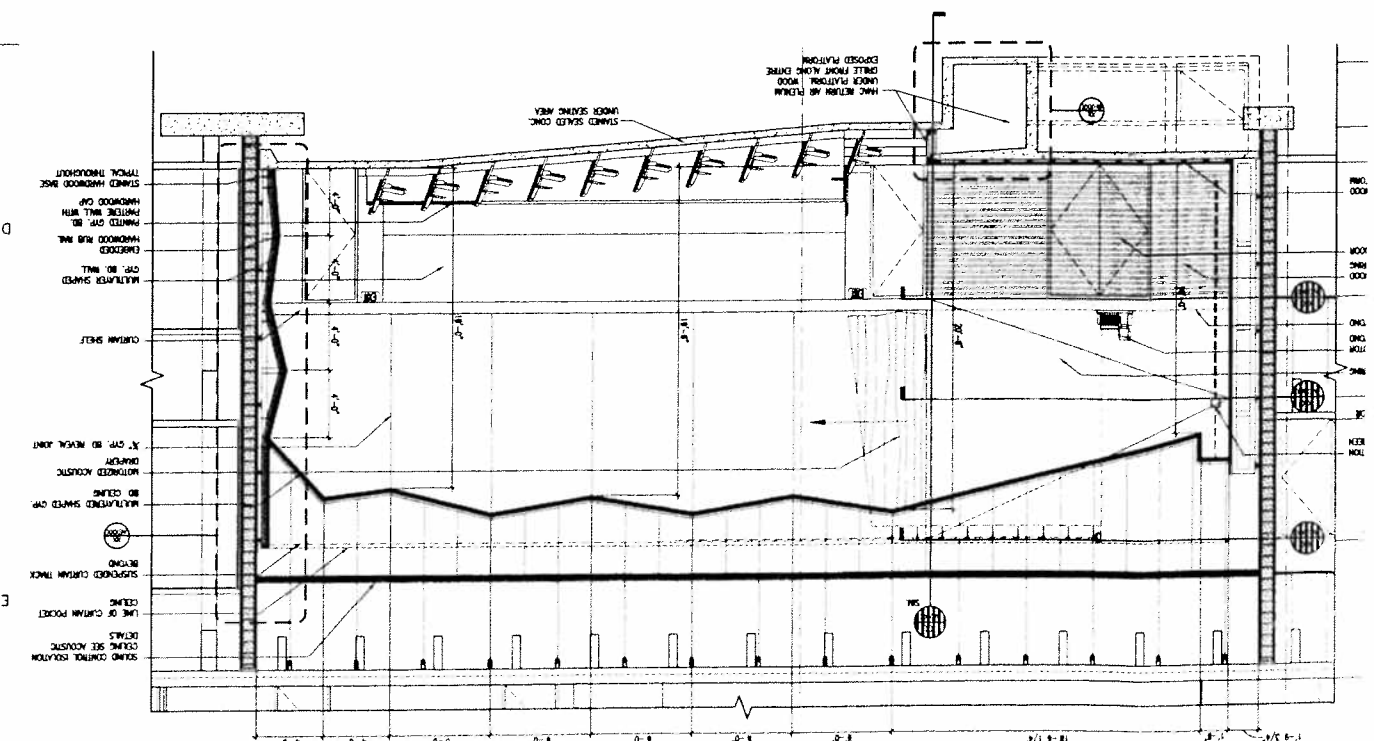
DATE: 11.14.98
SCALE: 1/8" = 1'-0"
PROJECT NO.: 550
SHEET NO.: 1
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]
ENLARGED
CONCERT
HALL PLAN
SHEET NUMBER 1

AE430

1/4" = 1'-0" A3 STUDENT RECITAL HALL 0107 SOUTH ELEVATION/SECTION



1/4" = 1'-0" C3 STUDENT RECITAL HALL 0107 NORTH ELEVATION/SECTION



SHEET NO. 101
 REVISIONS
 DATE
 DRAWN
 CHECKED
 APPROVED
 HANBURY EVANS WRIGHT VILATAS COMPANY

A4 STUDENT RECITAL HALL 0107 ENLARGED FLOOR PLAN



SCALE: 1/4" = 1'-0"

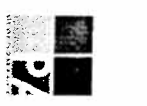
AE416 SHEET NUMBER

ENLARGED STUDENT RECITAL PLAN
 SHEET TITLE
 CONTRACT # 2007
 HANBURY EVANS WRIGHT VATTAS
 CHECKED BY
 DRAWN BY
 PROJECT NO. 07010.00
 MARK DATE DESCRIPTION
 15 SEP 08 1008 00 SA
 16 MAR 08 5008 00 SA

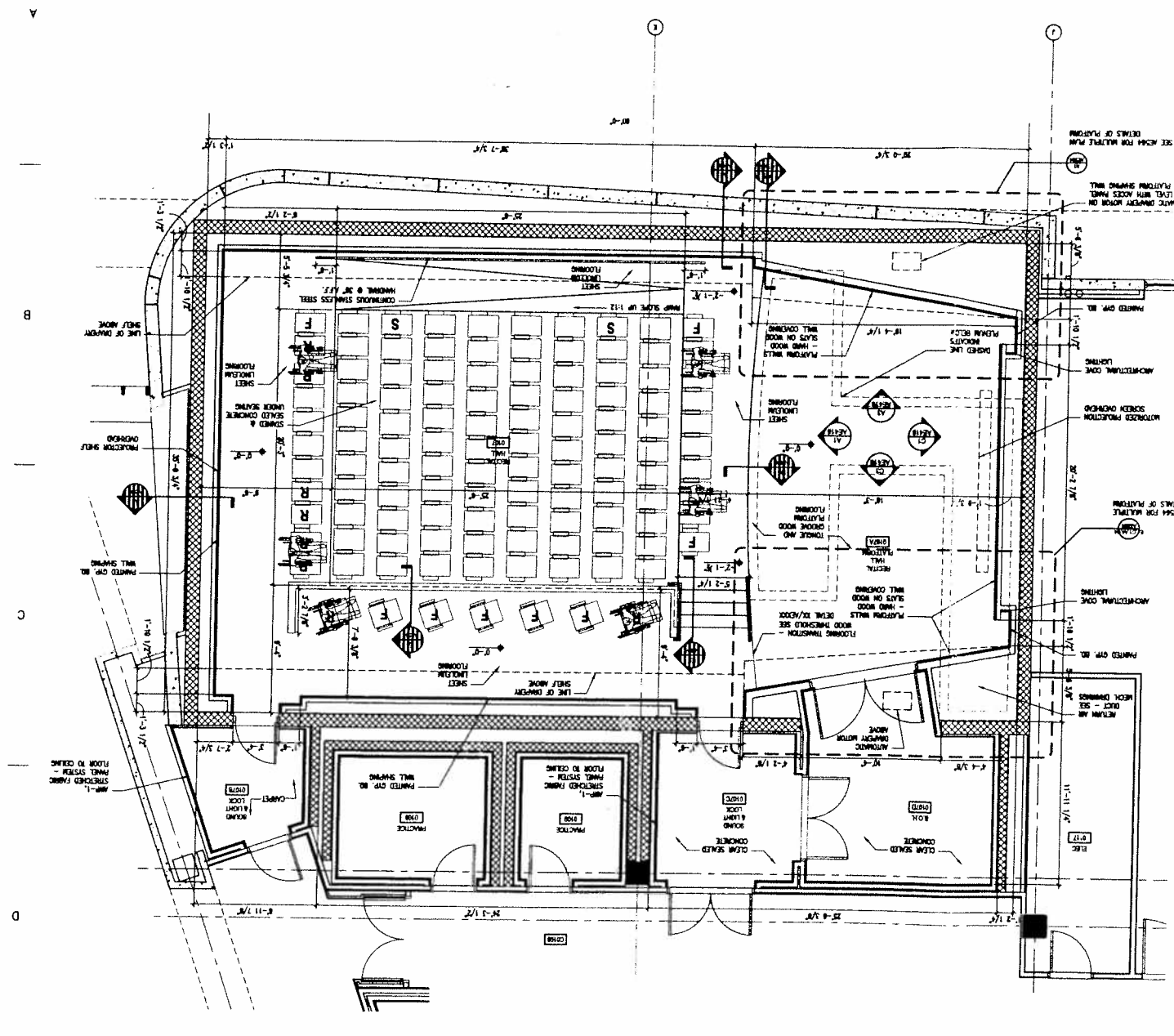


UNIVERSITY OF SOUTH FLORIDA
VISUAL AND PERFORMING
 ARTS TEACHING CENTER

CONSULTANT
 18 Feb 0
 PROGRESS NOT FOR COMS



HANBURY EVANS WRIGHT VATTAS + COMPANY
 ARCHITECTS
 1000 UNIVERSITY BLVD
 SUITE 200
 TALLAHASSEE, FL 32310
 TEL: 904.930.1100
 FAX: 904.930.1101
 WWW: HEVW.COM



FIXED SEATING LEGEND

	BEAM-MOUNTED FIXED SEAT
	ACCESSIBLE SWING-ARM FIXED SEAT
	INDIVIDUAL FLOOR-MOUNTED FIXED SEAT
	REMOVABLE SEAT WHERE TWO REMOVABLE SEATS ARE MOUNTED TO EACH OTHER, A TAMPER REMOVABLE PART IS ACCEPTABLE.