

## **SOUTH FLORIDA COMMUNITY COLLEGE AUDITORIUM RENOVATIONS**

**Issue:** Vertical accessibility to all rows of seats in an auditorium.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of an auditorium seating 1,460 persons. The project is being renovated to add stadium style seating with a balcony and tiered box seating on the sides. Accessible seating locations will be provided with 16 locations on the orchestra level, 14 along the cross aisle, 2 at the rear of the orchestra level and 2 in the balcony, for a total of 18 positions in the facility. The design incorporates companion seats which are not provided in the existing building. The alteration will cost \$8,000,000; however, no estimates were submitted since the waiver request is based on it being unreasonable to require all rows to be accessible rather than a matter of cost.

### **Project Progress:**

The project is in plan review.

### **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:** South Florida Community College-Auditorium Renovations

**Address:** 600 West College Drive

Avon Park, Florida 33825

**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:** STH Architectural Group, Inc.

**Applicant's Address:** 1400 Centerpark Blvd., Suite 500, W.P.B., Fl 33401

**Applicant's Telephone:** 561-688-2111 **FAX:** 561-697-8040

**Applicant's E-mail Address:** WKrzaczek@sth-arch.com

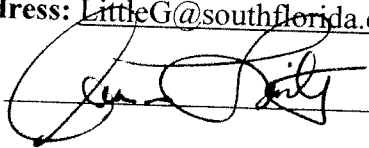
**Relationship to Owner:** Project Architect

**Owner's Name:** District Board of Trustees, South Florida Community College

**Owner's Address:** 600 West College Drive, Avon Park, Fl 33825

**Owner's Telephone:** 863-784-7218 **FAX:** 863-

**Owner's E-mail Address:** LittleG@southflorida.edu

**Signature of Owner:** 

**Contact Person:** Mr. Glenn Little, Vice President for Administrative Services

**Contact Person's Telephone:** 863-784-7218 **E-mail Address:** LittleG@southflorida.edu

**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.)

Existing community college auditorium, the renovated area of the building will comprise approximately 33,000 square feet. The building will have a main floor, balcony and two (2) tiers of side boxes.

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** Project budget for the renovations is \$8,000,000.00.

**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.

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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: 11-4.1.3(5) – Vertical accessibility shall be provided to all levels above and below the occupiable grade level, regardless of whether the code requires 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. However, as provided in Section 553.509, Florida Statutes, buildings, structures, and facilities must, at a minimum, comply with the requirements of ADAAG. Therefore, facilities subject to the ADA may be required to provide vertical access to areas otherwise exempt under Section 11-4.1.3(5)(3) of the code. Vertical accessibility to the tiered side boxes on the mezzanine level.

**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.

The issue of the requirement for vertical accessibility to all levels, as mandated by the Florida State Statutes, section 553.509 VERTICAL ACCESSIBILITY. This section states that - *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 habitable grade level, regardless of whether the guidelines require an elevator to be installed in such building, structure, or facility.* However, we do not believe that this type of construction (tiered box style seating in a theater) was contemplated by the legislation in the drafting and implementation of the law for vertical accessibility and that the statute itself would impose a hardship on the applicant that is unique to the situation and more specifically its use nor that they meant that **every level** of theater style seating shall be made accessible. The industry, around the country, have been using section 4.33.3 Placement of Wheelchair Locations for proceeding with their designs. This section states that - *Wheelchair areas shall be an integral part of any fixed seating plan and shall be provided so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those for members of the general public. They shall adjoin an accessible route that also serves as a means of egress in case of emergency. At least one companion fixed seat shall be provided next to each wheelchair seating area. When the seating capacity exceeds 300, wheelchair spaces shall be provided in more than one location. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to accommodate wheelchair users. EXCEPTION: Accessible viewing positions may be clustered for bleachers,*

*balconies, and other areas having sight lines that require slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on levels having accessible egress.* The concern of the school and the design team is to strike a balance between the desires of the Council and the Commission and the construction process. It is financial impracticable to provide vertical accessibility to **EACH** level of tiered box seating. This is due to the costs that would be required by the accessible design requirements of the FACBC and the ADA (e.g.: *They [the seating] shall adjoin an accessible route that also serves as a means of egress in case of emergency*). You can not do this for each level and build tiered seating that would provide a cost effective and usable solution to meet all of the Florida specific requirements relating to this issue. With this in mind the college and design team has worked towards providing the accessible seating within the parameters of an existing facility that would provide viable accessible spaces for the viewing of the activities on the stage. The accessible seating is disbursed with the applicable companion seating available. This project will comply with all of the other requirements of section 4.33 as it relates to this type of seating. We believe that this viable solution will meet the concerns and needs of all parties and in working with a existing theater.

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

The issue of providing vertical accessibility to all levels of theater style seating, especially tiered box style seating being created in an existing theater is not technically feasible, is an extreme hardship and is unreasonable.

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.

See Attached

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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. \_\_\_\_\_  
\_\_\_\_\_

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 project is considered an alteration to the existing building and the existing structures to the east and west do not allow for the opportunity to provide vertical accessibility to the side box locations.

The existing facility presently seats approximately 1460 patrons on one level of which 16 accessible seating positions are provided. These positions are currently located at the rear of the auditorium.

The design for the renovated area, maintains the same overall seating capacity, however, in order to maintain that capacity and achieve a more intimate environment, a balcony and two tiers of side boxes have been introduced. Accessible wheelchair seating positions have been created on the orchestra level (16 positions); 14 seating locations along the cross aisle and 2 at the rear of the orchestra level. The 14 at the cross aisle have direct access to the stage. Additionally 2 accessible wheelchair seating positions have been located in the balcony level which is accessed by two elevators, giving the facility a total of 18 accessible wheelchair positions at varying lines of sight and admission prices.

The improvement to the accessible seating from the existing building has been accomplished in this design.



Signature

WILLIAM A HANVER

Printed Name

Phone number Edel-088-211

(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 12<sup>th</sup> day of JAN, 20 09

W.A.H.  
Signature

WILLIAM A. HANSEN  
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.



2003 AETNA NATIONAL SMALL BUSINESS OF THE YEAR • 2004 TAMPA CHAMBER OF COMMERCE SMALL BUSINESS OF THE YEAR

January 20, 2009

**Mr. William Krzaczek**  
STH Architectural Group, Inc.  
1400 Centrepark Boulevard, Suite 500  
West Palm Beach, FL 33401

RE: SFCC Auditorium Side Box Elevators

Dear Mr. Krzaczek,

Mathews Construction has completed a conceptual estimate on the cost to add two elevators for side box access. We have assumed these elevators would be placed outside the auditorium just to the south of the existing side exits. We based this estimate on the plans and specifications for the new elevators that we are providing.

The estimate to provide these elevators is \$446,842.

Please let me know if you have any questions regarding this preliminary estimate.

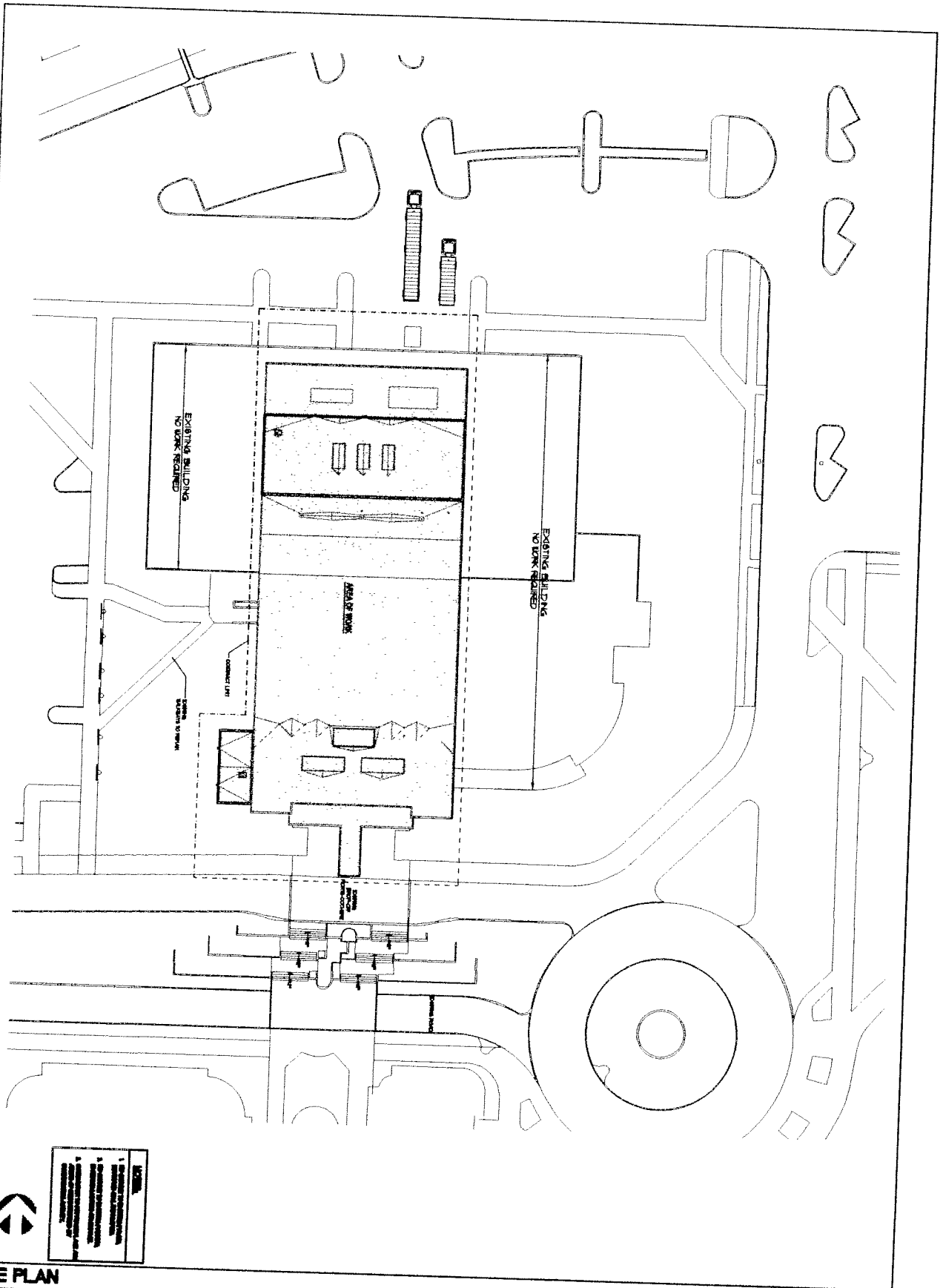
Sincerely

**Mathews Construction**

A handwritten signature in black ink, appearing to read "George Goodspeed", is written over the typed name.

George Goodspeed  
VP Estimating





**SITE PLAN**

**SCALE 1" = 20'-0"**

A-111

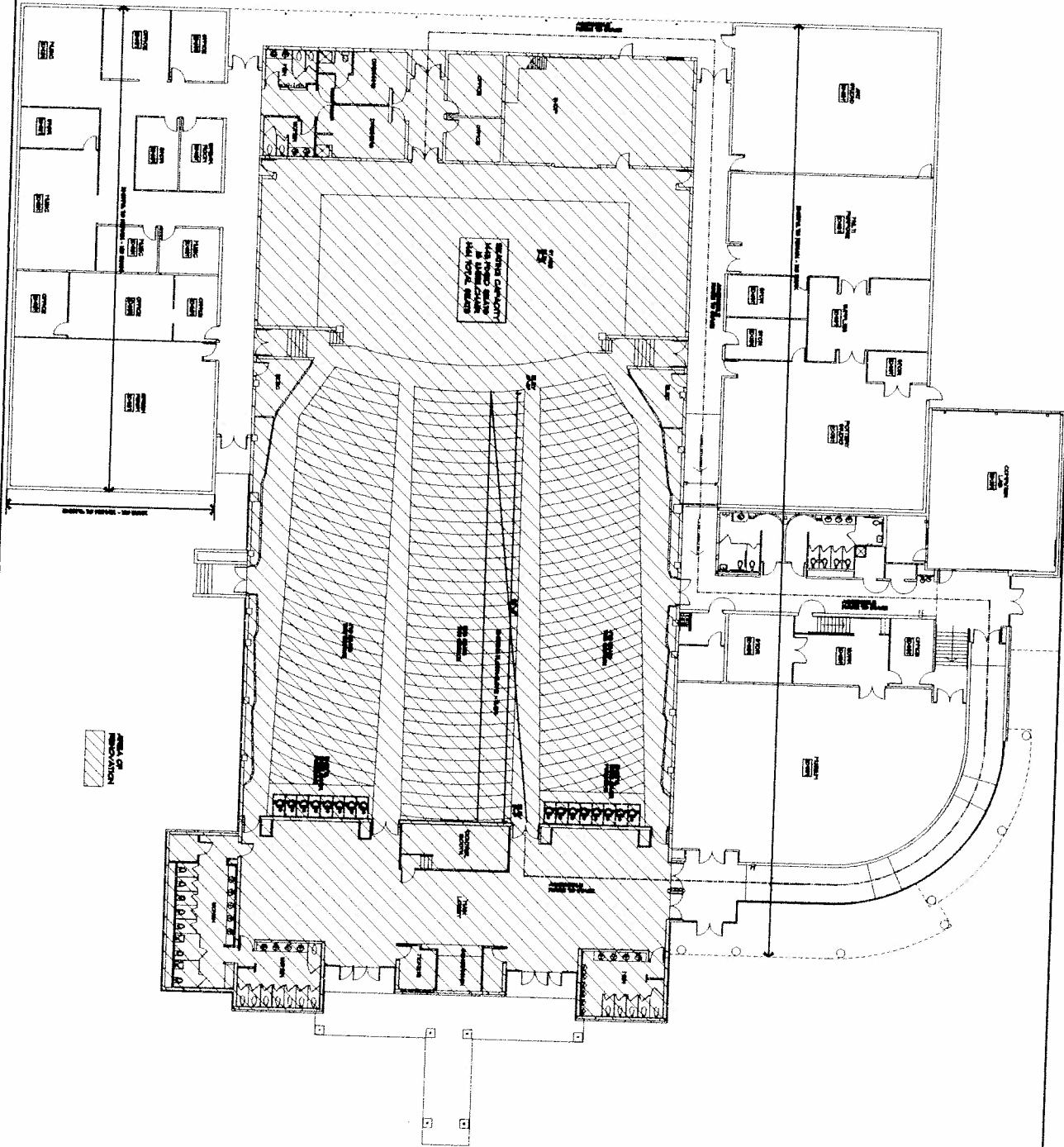
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2	AREA TO BE BUILT
3	CONCRETE LAWN
4	SEWER SERVICE
5	ROAD
6	DRIVEWAY
7	LANDSCAPE
8	UTILITY
9	WALKWAY
10	STAIR
11	PLANTING
12	WATER
13	SEWER
14	POWER
15	TELEPHONE
16	CABLE
17	TELEVISION
18	INTERNET
19	DATA
20	VOICE
21	VIDEO
22	OTHER



**South Florida Community College**  
**Auditorium And Fine Arts Complex**  
 Avon Park, Florida

**SHH**

SHH ARCHITECTS  
 1750 South Florida Avenue, Suite 200  
 Avon Park, FL 32811  
 Phone: 888-888-8888  
 Fax: 888-888-8888  
 Email: info@shh.com  
 Website: www.shh.com



Floor Plan - Existing Building

Scale: 3/32"=1'-0"

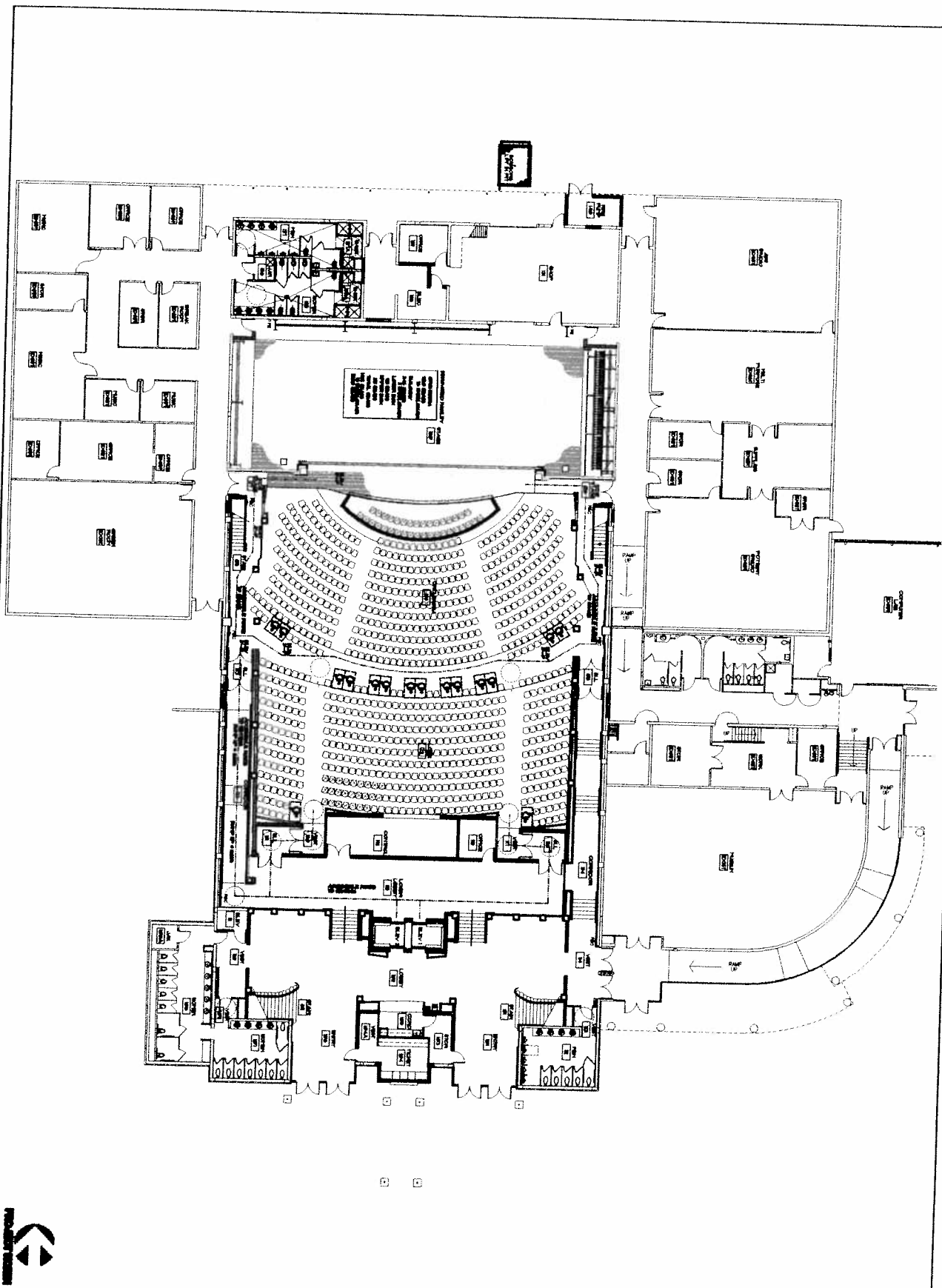
10V

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South Florida Community College  
 Auditorium And Fine Arts Complex  
 Avon Park, Florida

STANDARD DRAWING  
 SOUTH FLORIDA COMMUNITY COLLEGE  
 AVON PARK, FLORIDA  
 PROJECT NO. 10V  
 SHEET NO. 10V-1  
 DATE: 10/1/88  
 DRAWN BY: J. W. GIBSON  
 CHECKED BY: J. W. GIBSON  
 APPROVED BY: J. W. GIBSON



**Architectural Plan - Orchestra Level**

**Scale: 3/32"=1'-0"**

A-21



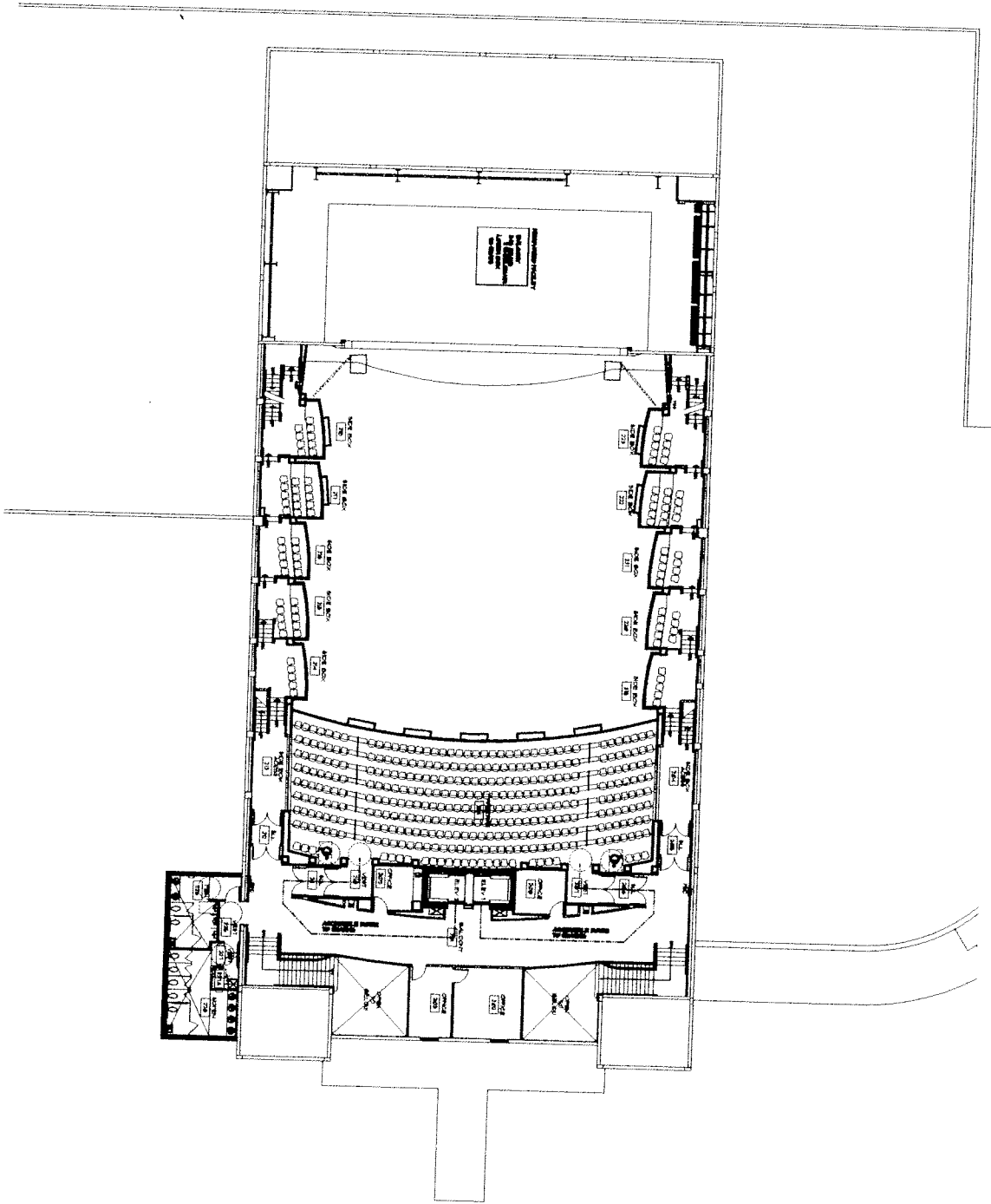
DATE: 11/20/2008  
 BY: [Signature]



**South Florida Community College**  
**Auditorium And Fine Arts Complex**  
 Avon Park, Florida

**SHOEN, DENTON & STONE**  
 ARCHITECTS  
 3011 Rockwood Lane, Suite 200  
 Avon Park, Florida 32810  
 Phone: 888.222.2222  
 Fax: 888.222.2222  
 www.shoen.com





**Architectural Plan - Balcony - Lower Box Level**

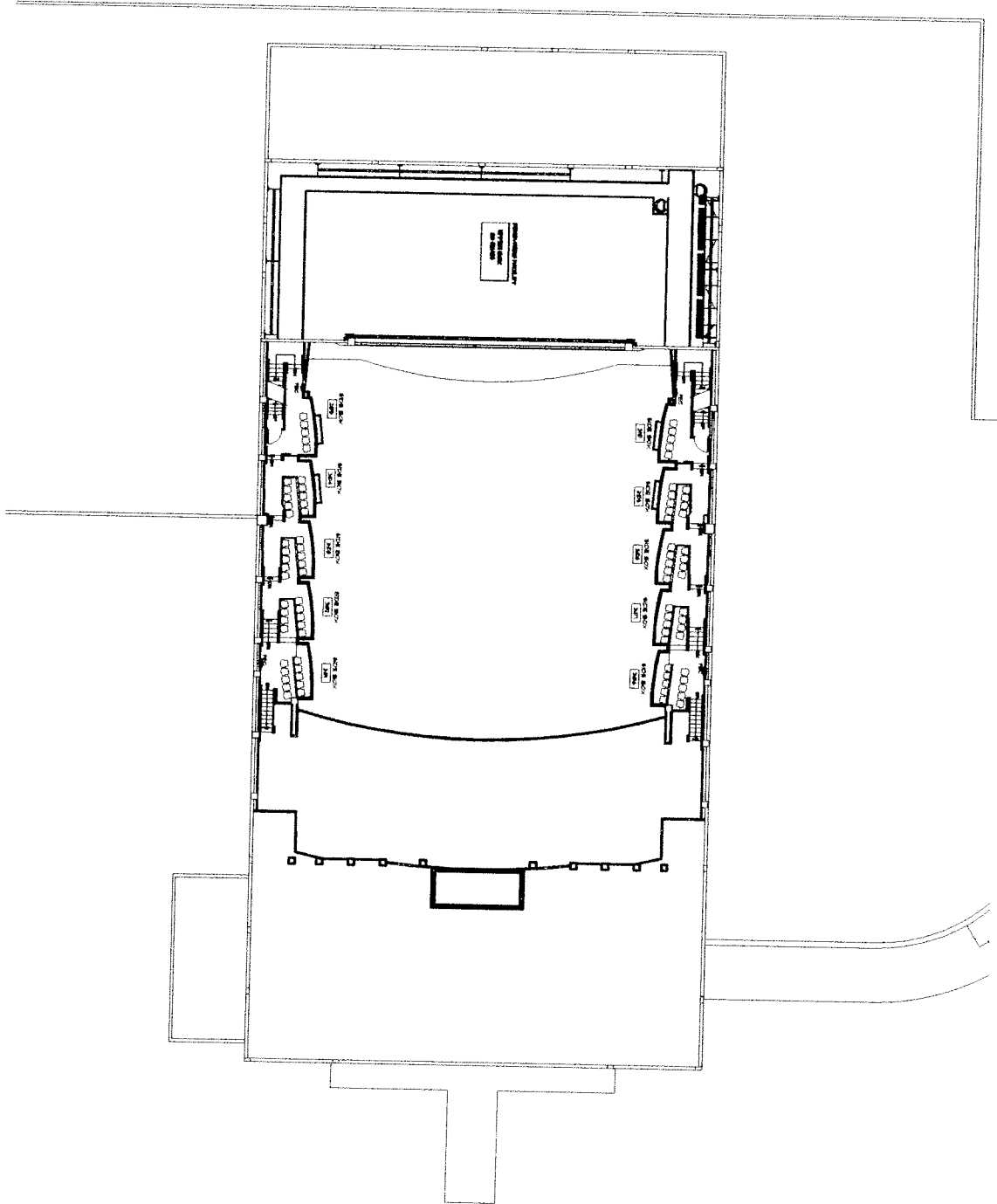
**Scale: 3/32"=1'-0"**

**A-22**



**South Florida Community College**  
**Auditorium And Fine Arts Complex**  
**Avon Park, Florida**

**STANLEY TAYLOR & ASSOCIATES**  
 ARCHITECTS  
 3118 AVON PARK BOULEVARD  
 AVON PARK, FLORIDA 32811  
 PHONE: (888) 233-2333  
 FAX: (888) 233-2334  
 WWW: WWW.STANLEY-TAYLOR.COM



**Architectural Plan - Upper Box Level**

**Scale: 3/32"=1'-0"**

A-23

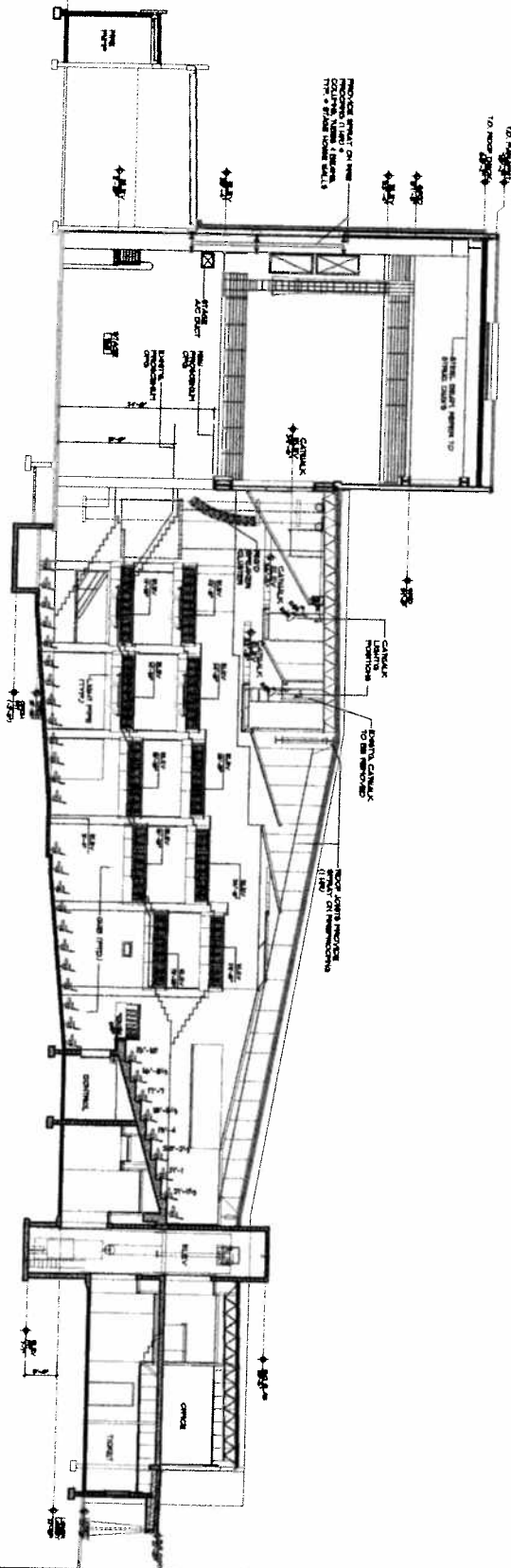


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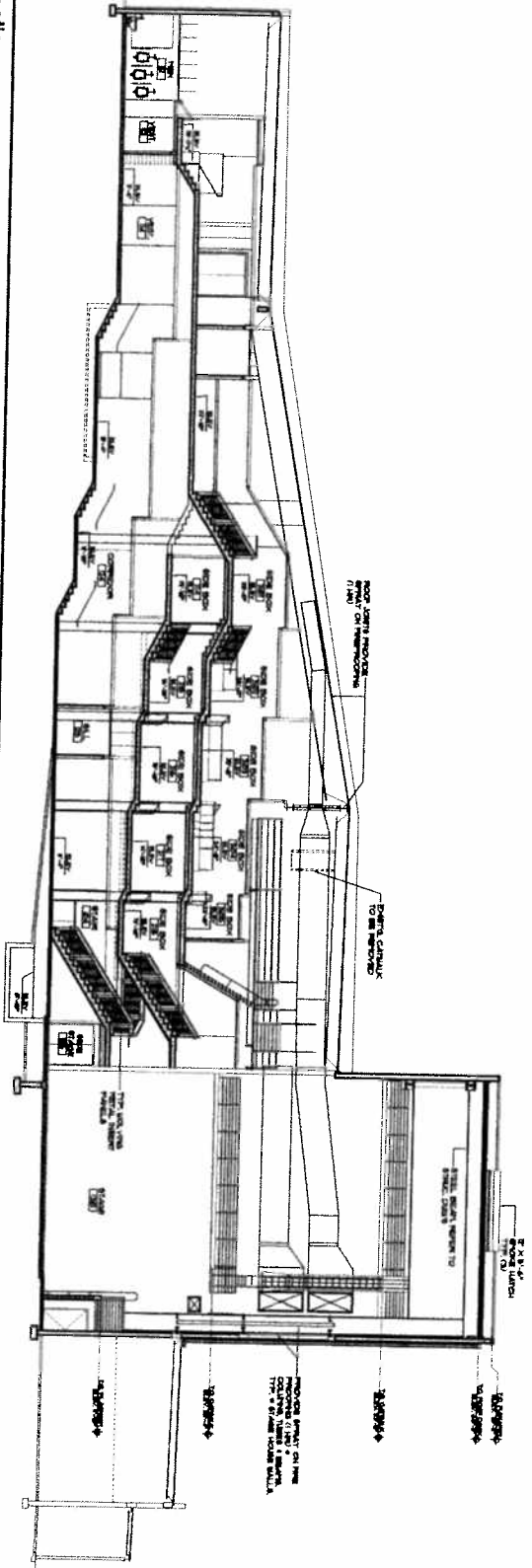


**South Florida Community College**  
 Auditorium And Fine Arts Complex  
 Avon Park, Florida

**SCHWAB, SMITH & BROWN**  
 ARCHITECTS  
 2111 Southland Boulevard, Suite 200  
 Avon Park, Florida 33822  
 Phone: 888.288.2111  
 Fax: 888.288.2112  
 www.ssb.com  
 DATE: 11/16/2006



1 Section



2 Section

Building Sections

Scale: 1/8" = 1'-0"

AS111

DATE: 12/28/2006
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO. 06-00110



South Florida Community College  
Auditorium And Fine Arts Complex  
Avon Park, Florida

