

PHILLARD APARTMENT HOTEL

Issue: Interior dimensions of an existing elevator.

Analysis: The applicant is requesting a waiver from modifying the interior of an existing elevator in an apartment house that is undergoing a change of use to function as a hotel. No alteration work is being done, and only a new occupational license is required for the conversion. To meet the current size requirements, it would be necessary to demolish the shaft and equipment and rebuild. However, the local planning department will not permit such a change since the building is considered historic.

Project Progress:

The project is complete.

Items to be Waived:

Interior dimensions of an elevator cab, as required by Section 11-4.10.9.

11-4.10.9 Floor Plan of Elevator Cars. The floor area of elevator cars shall provide space for wheelchair users to enter the car, maneuver within reach of controls, and exit from the car. Acceptable door opening and inside dimensions shall be as shown in Figure 22, e.g. 68" x 51" interior with 36" doorway opening.

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.

Phillard Apartment Hotel LLC

2000 Liberty Ave.

Miami Beach, FL 33139

305-538-7444

January 11, 2010

Department of Community Affairs Codes & Standards Section

ATTN: Mary-Kathryn Smith

2555 Shumard Oak Blvd.

Tallahassee, FL 32399-2100

RE: Accessibility Waiver

Dear Ms. Smith:

Enclosed accept the enclosed accessibility waiver application for your consideration to placed on the next FBC meeting.

We are requesting a vertical accessibility waiver due to historic nature of our building in our pursuit of converting an apartment building to a hotel.

I am also enclosing a letter from the City of Miami Beach planning and zoning departing describing the historic importance of the building.

Please note my contact information for any correspondence regarding this application.

Christopher Rollins *Christopher Rollins*

General Manager

Phillard Apartment Hotel LLC

2000 Liberty Ave.

Miami Beach, FL 33139

My direct number is 305-772-4672

Thank you for your time and assistance with this matter.

Kind Regards,

Chris Rollins

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: PHILLARD APT HOTEL LLC
Address: 2000 LIBERTY AVE
MIAMI BEACH, FL 33139

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: _____

Applicant's Address: _____

Applicant's Telephone: _____ FAX: _____

Applicant's E-mail Address: _____


Relationship to Owner: _____

Owner's Name: PHILLARD APT HOTEL LLC

Owner's Address: 1680 MERIDIAN AVE UNIT 102, MIAMI BEACH, FL 33139

Owner's Telephone: 305-535-1903 FAX 305-535-1905

Owner's E-mail Address: alanlieberman@msn.com

Signature of Owner: 

Contact Person: SELIN SUSOY

Contact Person's Telephone: 786-271-3458 E-mail Address: selinsusoy@yahoo.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. *change of use!*

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.)

3 STORY APT. BUILDING WITH 52 ROOMS.

CURRENT USE IS APARTMENT, THIS APPLICATION IS REQUESTING APPROVAL FOR CHANGE OF USE TO HOTEL.

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

\$12,000.00

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.

CITY REQUIRES FOR CHANGE OF USE - THAT THE ELEVATOR IS

ADA ACCESSIBLE BUT THIS IS NOT POSSIBLE, SO WE ASKING

FOR YOUR APPROVAL ON THIS WAIVER.

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

Issue

1: EXISTING ELEVATOR DIMENSIONS DOES NOT MEET
MINIMUM REQUIREMENTS 11-4.1.6 (3)(c)

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.

DUE TO HISTORIC VALUE OF THE STRUCTURE (BLDG), CITY DOES NOT ALLOW CHANGE OF STRUCTURE OR ANY ALTERATIONS ON THE STRUCTURE THAT WILL CAUSE DESIGN CHANGES TO THE EXISTING BUILDING

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

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.

IN ORDER TO ENLARGE THE ELEVATOR TO MEET THE REG WE WOULD HAVE TO DEMOLISH THE PORTIONS OF THE BUILDING AND REBUILD. THE PLANNING DEPT. OF THE CITY OF MGB WILL NOT PERMIT THIS DUE TO THE HISTORIC NATURE OF THE BUILDING.

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.

NO DESIGN CHANGES EVER MADE ON THIS BUILDING

Signature _____ Printed Name _____

Phone number _____

(SEAL)

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. Florida statutes 553.509 Vertical Accessibility to all levels requirement. / 2004 FBC 11-4.1.6(1)(f)

b. _____

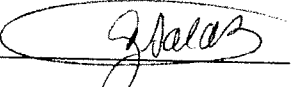
c. _____

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: \$1,547,849.00

Comments/Recommendation The City of Miami Beach during the permit review, we found that making the elevator accessible will be technically infeasible because the extensive structural work required to install a bigger elevator. In addition, the building is a "Contributing" historical building as per Ms. Debbie Tacket Senior Planner from the City of Miami Beach.

Jurisdiction City Of Miami Beach

Building Official or Designee Gladys N. Salas, PE (B.O. Designee) 
Signature

Gladys N. Salas, PE
Printed Name

PX0001401
Certification Number

305-673-7610 ext. 6888/ 786-394-4087
Telephone/FAX

Address: 1700 Convention Center Dr. Miami Beach, FL 33139, 2ND Floor.

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 13th day of January, 20 10

Christopher E. Rollins
Signature

Christopher Rollins
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.



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

December 29, 2009

Chris Rollins, Regional Manager
South Beach Group Hotels Inc.
Miami Beach, FL 33139

Re: 2000 Liberty Avenue – An Historic Building located within the Museum Historic District

Dear Mr. Rollins:

Please be advised that the structure located at 2000 Liberty Avenue, in Miami Beach, is classified as 'Contributing' (historic) structure within the Museum Historic District. The Miami Beach Historic Properties Database indicates that the structure located at 2000 Liberty Avenue was designed by architect L. Murray Dixon in the 'Streamline Moderne' style of architecture and built in 1947.

The Museum Historic District was designated by the City of Miami Beach on June 20, 1990 by City of Miami Beach Ordinance No. 90-2698.

Sincerely,

Debbie Tackett
Senior Planner

F:\PLAN\5ALL\GEN_CORR\EXTERNAL\2000 Liberty Ave- hist stat.doc