

THE PINK HOUSE

Issue: Vertical accessibility to second floor rooms and insufficient door width.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to guest rooms on the second floor of a historic bed and breakfast. No construction work is being done, the applicant was referred to the Commission prior to receiving a new occupational license. The door widths do not comply and according to the local building official, they cannot be changed without major structural modifications. Note: No plans were submitted, nor is there documentation of the historic nature of the building.

Project Progress:

The project is complete.

Items to be Waived:

Vertical accessibility to the second floor, 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.

Door widths, as required by Section 11-4.13.5

11-4.13.5 Doorways shall have a minimum clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop.

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
CHAPTER 553, PART V, FLORIDA STATUTES

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the 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: The PINK HOUSE
Address: 501 SW AKRON AVE
STUART, FL 34994

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: MICHAEL BRAID
Applicant's Address: 45 SW SEMINOLE ST, STUART, FL 34994
Applicant's Telephone: 772 485-6673 FAX 772-324-8902
Applicant's E-mail Address: COCONUTPOINT@AOL.COM
Relationship to Owner: SAME
Owner's Name MICHAEL BRAID
Owner's Address: 45 W SEMINOLE ST, STUART FL 34994
Owner's Telephone: 772 485-6673 FAX 772-223-6657
Owner's E-mail Address: COCONUTPOINT@AOL.COM
Signature of Owner: Michael Braid
Contact Person: SAME
Contact Person's Telephone: 772 485-6673 E-mail Address: COCONUTPOINT@AOL.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.)

PLAN TO RE-OPEN FORMER BED & BREAKFAST

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

OCCUPATION LICENSE FEES UNDER \$200.00

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.

STUART BUILDING DEPT NEEDS THIS TO
ISSUE OCCUPATIONAL LICENSE

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

Issue

1: HDA ACCESSABILITY

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.

HISTORIC HOME BUILT IN 1913 / INN ROOMS ON 2ND FLOOR NO ELEVATOR NO PROPER DOOR WIDTHS.

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

N/A

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.

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. N/A

b. _____

c. _____

10. Licensed Design Professional: Where a 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 PROFESSIONAL

Michael Brad MICHAEL BRAD

Signature

Printed Name

Phone Number 772-485-6673

(EAL)

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 be the best of my knowledge true and correct.

Dated this NINETEENTH 10/19/09 day of OCTOBER, 20 09

Michael Braid
Signature

MICHAEL BRAID
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. _____
- b. _____
- c. _____

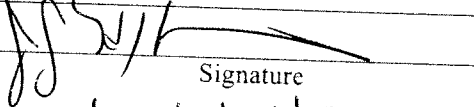
Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

Yes No Cost of Construction _____

Comments/Recommendation RECOMMEND APPROVAL OF WAIVER DUE TO HISTORIC STRUCTURE AND INABILITY TO COMPLY WITHOUT STRUCTURE MODIFICATIONS

Jurisdiction CITY OF STUART

Building Official or Designee _____



Signature

Joseph J. Hoffkins
Printed Name

BU 1466
Certification Number

772-288-5345
Telephone/FAX

Address 121 SW FLAGLER AVE.
STUART, FL. 34994

DOWNTOWN APARTMENT MANAGEMENT, LLC
45 W SEMINOLE STREET
STUART, FL 34994

772-485-6673 Fax 772-324-8902

October 20, 2009

Dept of Community Affairs
Florida Building Commission
2555 Shumard Oak Building
Tallahassee, FL 32399-2100

RE: application attached

Hello,

Please let me know if I need to travel to you from Stuart for this exemption.

Information of the Historic significance of this home built in 1913 is available from the Stuart Heritage Museum at 772-220-4600. It is known as the Sam Mathews House and at one time was the Home Place Bed & Breakfast.

Thank you for your consideration.

Sincerely,



Michael Braid
Cell- 772-485-6673
coconutpoint@aol.com

Historical Society Of Martin County

Yesterday's Ingenuity. Tomorrow's Inspiration.

State of Florida
ADA Compliance Division

December 4, 2009

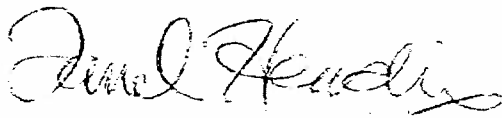
To whom it may concern,

One of the oldest structures in Martin County, the Sam Matthews house at 501 Akron Avenue on Frazier Creek, is part of the foundation of our community. Sam Matthews, Stuart's first contractor, came to Florida in 1903 to work on Henry Flagler's Royal Poinciana in Palm Beach. He built large homes for winter residents of Sewall Point, Port Sewall and Jupiter Island before settling in Stuart in 1912. The following year he and his wife Edith moved into their Akron Avenue home.

The former home of Sam Matthews is an example of Wood Frame Vernacular construction. This one and one-half story house has a front-facing gable roof, shed and gable dormers, and wood shingles, which accentuate the dormer walls and gabled end. The entrance porch is covered by a hip roof supported by turned wooden posts. Natural interior lighting is provided by double-hung sash windows. Wood drop siding covers the exterior wall.

In 1988 developers Jim Smith and Jean Bell moved the old home about a hundred feet from its original location, and converted it to the Home Place B& B (Stuart's first) the following year. The Home Place B & B was sold to Suzanne and Michael Pescitelli after several years of successful operation and continued to serve the community as a setting for wedding and fundraisers as well as a B & B. The current owners are Michael and Marie Braid.

Sincerely,



Janel Hendrix
Curator
Historical Society of Martin County



THE SAM MATTHEWS HOUSE

501 Akron Avenue

Owners: Michael & Marie Braid

The former home of Sam Matthews at 501 Akron Avenue is an example of Wood Frame Vernacular construction. Sam Matthews, who came to Florida in 1903 to work on Henry Flagler's Royal Poinciana in Palm Beach, built large homes for winter residents of Sewall's Point, Port Sewall and Jupiter Island before settling in Stuart in 1912. The following year he and his wife Edith moved into their new home on Frazier Creek. In 1988, developers Jim Smith and Jean Bell moved the old home about a hundred feet from its original location, and converted it to the Home Place B & B (Stuart's first) the following year. The Home Place B & B was sold to Suzanne and Michael Pescitelli after several years of successful operation and continued to serve the community as a setting for wedding and fundraisers as well as a B & B.

This one and one-half story house has a front-facing gable roof, shed and gable dormers, and wood shingles, which accentuate the dormer walls and gabled end. The entrance porch is covered by a hip roof supported by turned wooden posts. Natural interior lighting is provided by double-hung sash windows. Wood drop siding covers the exterior wall.

Stuart Heritage, Inc.

presents

The 17th Annual HISTORIC HOME TOUR

Saturday, February 11, 2006

10:00 a.m. - 4:00 p.m.

Tour homes may be viewed in any order.

Refreshments will be served at the Stuart Feed Store Museum.

32018

ADMIT ONE



STUART HERITAGE

December 3rd, 2009

Board of Florida Commissioners

To whom it may concern;

The Sam Matthews home located on Akron Avenue in the Frazier Addition, is one of Stuart's most historic homes. Built circa 1913-14, this Queen Anne style structure was constructed for Mr. Matthews family using native "Dade County" pine. The house has been featured on the Annual Historic Homes Tour (presented yearly by the Stuart Heritage Museum).

Should you need further information concerning this most valuable historic home, please do not hesitate to contact me.

Sincerely,

Christine K. Sawicki

Christine K. Sawicki

Executive Director, Stuart Heritage

Michael Braid

From: Sandra Thurlow [sandra@thurlowbooks.com]
Sent: Friday, December 04, 2009 12:57 PM
To: Michael Braid
Subject: Home Place B & B.doc
Attachments: header.htm

(1)
The Sam Matthews House
501 Akron Avenue
Owners: Michael & Marie Braid

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