

HERRLE COMMUNICATIONS GROUP

Issue: Vertical accessibility to the third floor.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to the third floor of an office building that presently is accessible to the ground and second floor levels. The total project cost is \$65,000 including installation of an accessible toilet room and upgrading carpet and finishes. Estimates of \$111,620 and \$124,150 were submitted as the cost to provide an elevator in the facility. No plans for the second and third floors were submitted.

Project Progress:

The project is in plan review.

Items to be Waived:

Vertical accessibility to the third 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.

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: Mexico Beach Partnership, LLC (MBP) /Herrle Communications Group MBP is owner of property, Herrle Communications Group leases the entire building

Address: 117 S. Gadsden Street, Tallahassee, FL 32301

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: Same

Applicant's Address: Same

Applicant's Telephone: 850-681-3200 **FAX:** 850-681-7200

Applicant's E-mail Address: april@herrle.com

Relationship to Owner: MBP is owned by William C. Herrle and April S. Herrle; April Herrle is the sole owner of Herrle Communications Group

Owner's Name: Mexico Beach Partnership, LLC owned by William C. and April S. Herrle

Owner's Address: 117 S. Gadsden Street, Tallahassee, FL 32301

Owner's Telephone: 850-681-3200 **FAX:** 850-681-7200

Owner's E-mail Address: april@herrle.com

Signature of Owner: 

Contact Person: April S. Herrle

Contact Person's Telephone: 850-681-3200 **E-mail Address:** april@herrle.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.)

8303 square foot building with 3 floors. Building is used as an owner occupied office building originally constructed in 1978.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): _____ Total project cost \$65,000 including addition of handicapped bathroom, carpeting, painting, etc.

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.

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

Issue

1: Vertical Accessibility -- City of Tallahassee Building Department has requested provision for vertical accessibility on all three floors. Building currently has full accessibility on two of the three floors (ground floor and 2nd floor) including meeting room, office space, etc.

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.

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

Applicant is a minority business owner and only intended and has financial capacity to make minor renovations (adjoining two offices to form a conference room, moving one wall to make an office larger, building out three small offices that were previously cubicles.) A large percentage of the budget (approximately 25 percent was allocated to handicapped accessibility improvements, such as making bathroom handicapped accessible, adding hi-low fountain, etc.). The projected cost to achieve vertical accessibility would nearly TRIPLE the cost of construction (bringing it from \$65,000 to nearly \$190,000. This is more than 20 percent of the applicant's annual revenues and would not be financially feasible.

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.

We have carefully reviewed options to enable full accessibility with contractors and with our architect, but only an elevator would work. Due to foundation requirements, we would need to construct the elevator from the ground floor to the 3rd level and would have to relocate electrical circuit panels on each floor and make major structural modifications.

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. See attached construction estimates (A: Gorilla Builders and B: Davis Construction)

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.

It is cost prohibitive to provide an elevator at this location. I recommend this waiver be granted due to the financial hardship that would be incurred if waiver is not granted.



Frank N. Griesbach

Signature

Frank N. Griesbach

Printed Name

Phone number 850.561.8311

(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 ^{ASH} 20th day of January, 2006

Signature



April S. Herrle, President, Herrle Communications Group _____

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. According to the June 6, 2000 memorandum from Kathy Butler, Assistant General Counsel DCA, the federal disproportionate cost exception may not be applied to the Florida vertical accessibility requirement. Therefore, the renovation of the middle floor is considered an alteration to an area containing a primary function. Vertical accessibility is required to other floors based on Ms. Butler's memorandum.

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 (re-roofing) \$16,500 _____

Comments/Recommendation

Except for attesting to the accuracy of the cost estimates as presented, to the best of my knowledge, all information stipulated herein is true and accurate.

Jurisdiction City of Tallahassee

Building Official or Designee

[Signature]
Signature
Robert Tredik
Printed Name
BU230
Certification Number
850-891-7071 - 7099
Telephone/Fax

Address City Hall
Box B28
Tallahassee, FL 32301



GORILLA BUILDERS

January 24, 2006

Ms. April Herrle
Herrle Communications
117 S. Gadsden St.
Tallahassee Fl 32301

Dear Ms. Herrle:

Thank you for considering Gorilla Builders for your renovations of your building for vertical access. Using the specifications we discussed and drawn by Mark Griesbach AIA, we have outlined estimated costs for this project as follows:

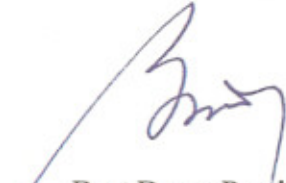
Plans, permitting, demolition, general start up costs	\$8,600
Engineering and structural work	30,300
Miscellaneous carpentry, sheetrock, painting, etc.	10,350
Elevator, with installation	34,850
Electrical and relocation of air handlers	12,960
Contractor's fee	14,560
Total	\$111,620

These numbers may need some adjustment as we get to the final plan, but I don't believe they will change much.

Again, thank you for considering Gorilla Builders. Please let me know if you have any questions or need additional information.

Regards,

GORILLA BUILDERS, INC.



Burt Davy, President
CBC1250541



"B"

January 25, 2006

Davis Construction, Inc.
A Builder in the Classical Tradition

TO: April Herrle
Herrle Communications
2000 Apalachee Parkway

RE: Proposed Elevator for:
Herrle Communications
117 South Gadsden Street
Tallahassee, FL 32301

Dear April,

Attached find the estimated cost of the new elevator in your building.

Engineering/Architecture	\$10,000.
Permitting/Contractor Fee	\$ 17,500.
Demolition/Haul off	\$13,300.
Structural work	\$20,000.
Carpentry, Sheetrock-paint	\$14,000.
Elevator-installed	\$34,850.
Electrical	\$ 6,500.
HVAC	\$ 8,000.
TOTAL	\$124,150.

Thank you for the opportunity to provide a cost estimate.

Sincerely,

Bill Davis

Overhead
Transparencies

117 S. Gadsden St.

DEMOLITION NOTES:

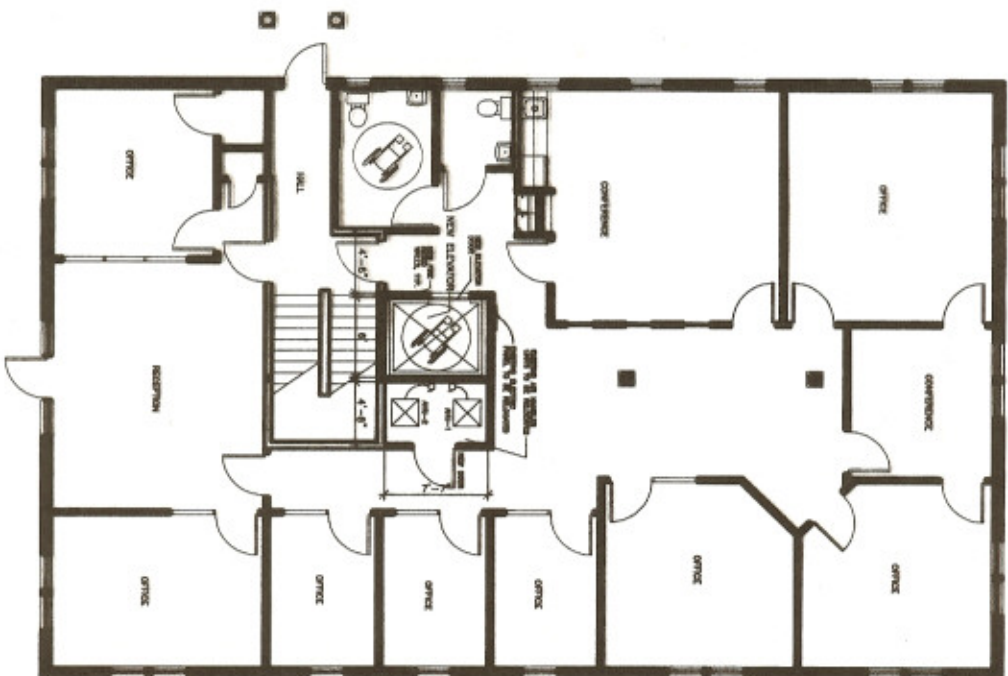
1. AFTER DEMOLITION, REMOVE ALL REMAINS FROM DEMOLITION OPERATIONS AND USUALLY DISPOSE OF THEM.
2. PRIOR TO DEMOLITION, CONDUCTORS SHALL VERIFY ALL CONDITIONS BEFORE PROCEEDING WITH ANY DEMOLITION.
3. PROVIDE ELECTRICAL DEMOLITION FOR ALL ELECTRICAL, LIGHTING, POWER WIRING AND RECESSED CEILING REMOVED AS A PART OF THIS PROJECT.
4. CONSULT ARCHITECTURAL DRAWINGS FOR A FULL UNDERSTANDING OF THE SCOPE OF WORK IN AREAS INDICATED FOR DEMOLITION.
5. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.
6. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.
7. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.
8. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.
9. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.
10. REMOVE ALL ELECTRICAL, CONDUIT, WIRING AND CONDUITS EXPOSED BY DEMOLITION.

ELECTRICAL SCOPE OF WORK NOTES:

- A. REMOVE EXISTING ALL ELECTRICAL, LIGHTING, POWER WIRING AND ACCESSORIES FROM EXISTING PART OF THE PROJECT. REMOVE ALL EXISTING ELECTRICAL, LIGHTING, POWER WIRING AND ACCESSORIES FROM EXISTING PART OF THE PROJECT. REMOVE ALL EXISTING ELECTRICAL, LIGHTING, POWER WIRING AND ACCESSORIES FROM EXISTING PART OF THE PROJECT.
- B. COMPLETE LIGHTING DEMOLITION FOR THE DEMOLITION SPACE PER ARCHITECTURAL DRAWINGS.
- C. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- D. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- E. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- F. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- G. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- H. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- I. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.
- J. COMPLETE HVAC DEMOLITION, IS TO REMOVE WITH EXISTING ELECTRICAL CONNECTIONS.

CIRCUITING DIRECTIONS:

1. ALL CIRCUITS TO HAVE NO MORE THAN 1500 WATTS. (0)-4 THREE FLUORESCENT FIXTURES.
2. ALL CIRCUITS TO HAVE NO MORE THAN 1500 WATTS. (0)-4 THREE FLUORESCENT FIXTURES.
3. RESERVE CIRCUITS TO HAVE NO MORE THAN 4 AMPERE CIRCUITS (ON 3 DOUBLE CIRCUIT CIRCUITS AND NO MORE THAN 3 ON CIRCUITS PER 20' / CIRCUIT.



SCHEMATIC DESIGN DOCUMENT
FLOOR PLAN
 SCALE: 1/4" = 1'-0"

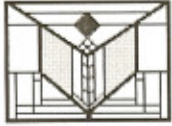
Proposed Elevator for:

Herrle Communications
 117 South Gadsden Street
 Tallahassee, Florida
 COPYRIGHT 2006

project	2515-A
date	1/20/2006
drawn	MNG
revised	-

mark griesbach
architect
 414 East Seventh Avenue
 Tallahassee, Florida 32309
 850-541-8311

A1



Mary-Kathryn
Smith/DCA/FLEOC
03/06/2006 11:12 AM

To april@herrle.com

cc

bcc

Subject Waiver Application

I'm completing final review of your application and have a few questions. First, there are no plans for the second and third stories of this building. Because of this the Council, and subsequently the Commission, cannot confirm the configuration of the building and what is located on each floor. Second, I'm assuming that the site is such that an accessible entrance is available at both the ground and second floor levels. If possible, please provide plans for the upper floors as soon as possible. If you cannot do this prior to the agenda package going to the Commission, I suggest you be prepared to have this available for the Council's review at the time of their meeting on March 20th. Please let me know if you have questions or need additional information. MK

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.



"April Herrle"
<april@herrle.com>
03/06/2006 06:31 PM

To <Mary-Kathryn.Smith@dca.state.fl.us>
cc
bcc

Subject RE: Waiver Application

History: This message has been replied to.

Thanks Mary Kathryn. I will try to find blueprints or make drawings of the other floors. The building is 2.5 floors (basement/ground floor); 1st floor, 2nd floor and there is parking and accessibility on basement level and 1st floor. The only renovations that have occurred are on the 1st floor. March 20th falls during Spring Break for my kids and we are going to be traveling out of state and I would really like to be present for the hearing. Is it possible to postpone until the following meeting? For some reason, the main page of your website indicates that there is no meeting in March, though I now see that there is a different tab that shows there is indeed a meeting. Unfortunately, I have already made plans with my 3 kids, so I can't be at the March meeting. Please advise. Thanks.

April S. Herrle, APR, CPRC
Herrle Communications Group

850.681.3200
850.681.7200 FAX
850.508.7040 CELL

From: Mary-Kathryn.Smith@dca.state.fl.us [mailto:Mary-Kathryn.Smith@dca.state.fl.us]
Sent: Monday, March 06, 2006 11:17 AM
To: April Herrle
Subject: Waiver Application

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need additional information. MK April S. Herrle.vcf

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