

## **NEW EMERALD COAST MIDDLE SCHOOL**

**Issue:** Vertical accessibility to all rows of seats in two bleachers in a gymnasium.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in gymnasium bleachers in a new, \$21,000,000 middle school. Accessible seats are provided in four locations on the first rows of the two bleachers; however, the location must be reconfigured allow required companion seats adjacent to each accessible seating area. According to the applicant, providing accessible seating on every row is unreasonable.

### **Project Progress:**

The project is in plan review.

### **Items to be Waived:**

Vertical accessibility to all rows of bleacher seating, 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:** New Emerald Coast Middle School

**Address:** State Road 30 ~ U.S. Highway 98, Point Washington, Walton County, Florida

**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:** Elvie Rubio

**Applicant's Address:** 251 East 7<sup>th</sup> Avenue, Tallahassee, Florida 32303

**Applicant's Telephone:** (850)222-7442 **FAX:** (850)222-7446

**Applicant's E-mail Address:** rubio@emiarch.com

**Relationship to Owner:** Project architect

**Owner's Name:** Walton County School District

**Owner's Address:** 145 Park Street, Suite 3, DeFuniak Springs, FL 32435

**Owner's Telephone:** (850)892-1100 **FAX:** (850)892-1198

**Owner's E-mail Address:** MillerW@walton.k12.fl.us

**Signature of Owner:** 

**Contact Person:** Wayne Miller, Supervisor of Administration & Operations

**Contact Person's Telephone:** (850)892-1100 **E-mail Address:** MillerW@walton.k12.fl.us

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.)

One story new middle school, with a separate gymnasium building . Total square footage of the school is 129,066 gross sq.ft.

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**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** Budget: \$21,000,000.00

**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.

The project was reviewed by the Florida Department of Education, Office of Educational

Facilities. The architectural mandatory No. 29 required that all levels of the seating in the gym bleachers be accessible, unless a waiver was obtained from the Florida Building 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: Vertical accessibility to all levels of the seating in the telescopic gym bleachers (FBC 11-4.1.3).

**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.

Requirement is unreasonable and unworkable.

\_\_\_\_\_

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.

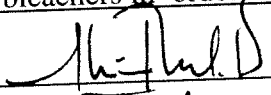
\_\_\_\_\_

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. \_\_\_\_\_
- 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.

Requirement of vertical accessibility to all levels of the seating in the gym telescoping bleachers is unreasonable and unworkable. Several accessible seating locations were provided in the bleachers in order to offer a choice.

  
Signature

Elvie Rubio, NCARB, LEED AP  
Printed Name

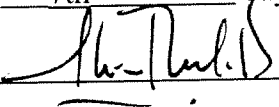
Phone number (850) 222-7442

(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 7th day of April, 2009

  
\_\_\_\_\_

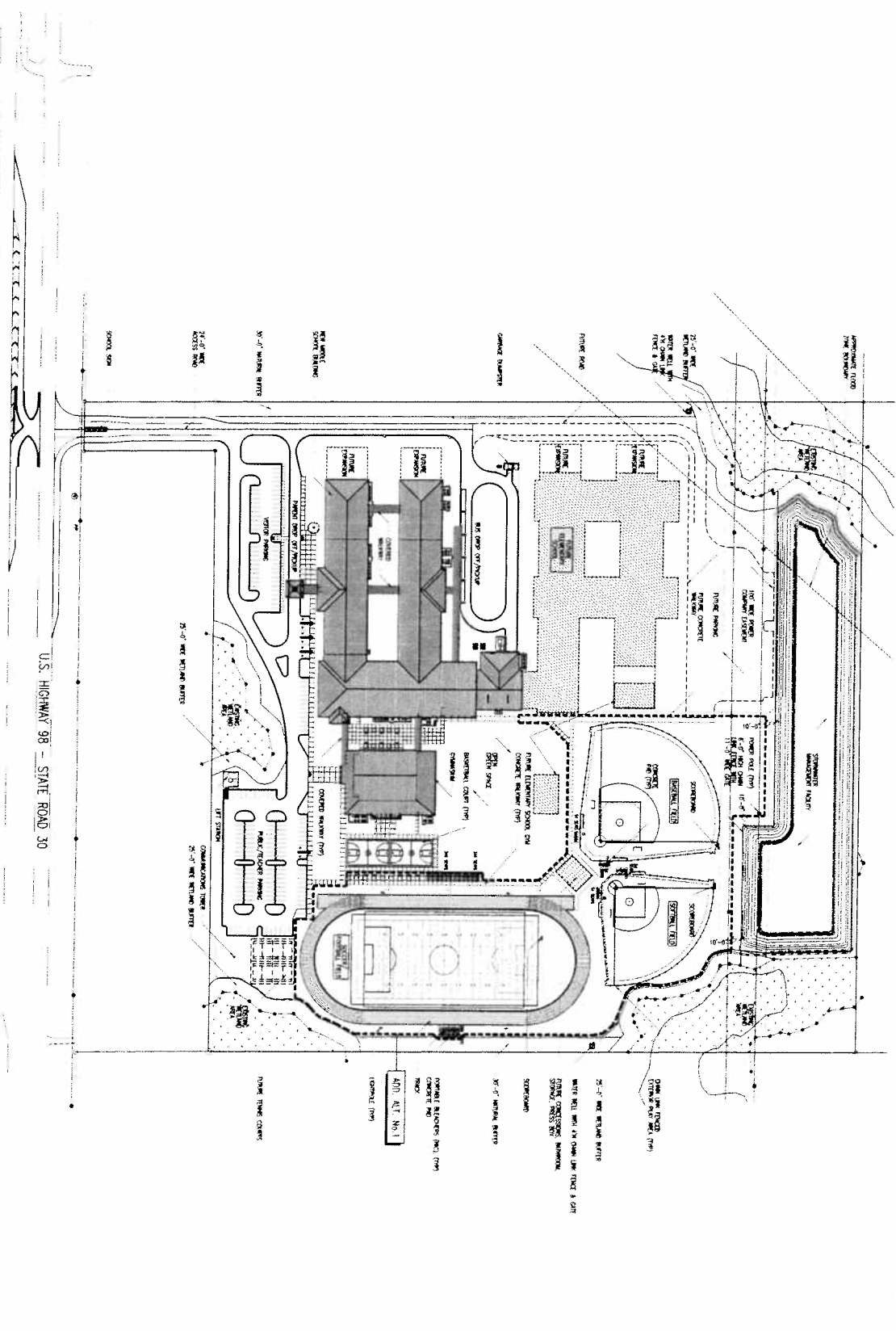
Signature

Elvie Rubio, NCARB, LEED AP  
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.



OVERALL SITE PLAN



U.S. HIGHWAY 98 - STATE ROAD 30

**ELLIOTT MARSHALL INNES PA.**

**AGRICULTURE NETWORK**

LICENSE # 1  
 LA 000448  
 LA 000153  
 2111 JEFFERSON  
 HOUSTON, TEXAS 77002  
 FAX 282-2444

NOTE: ALL SETBACKS ARE SHOWN AS 1/2" ON THIS PLAN. SEE THE ARCHITECTURAL DRAWINGS FOR MORE DETAILS.

**PROJECT NAME:**  
 New Emerald Coast Middle School

**CLIENT:**  
 Wether County School Board

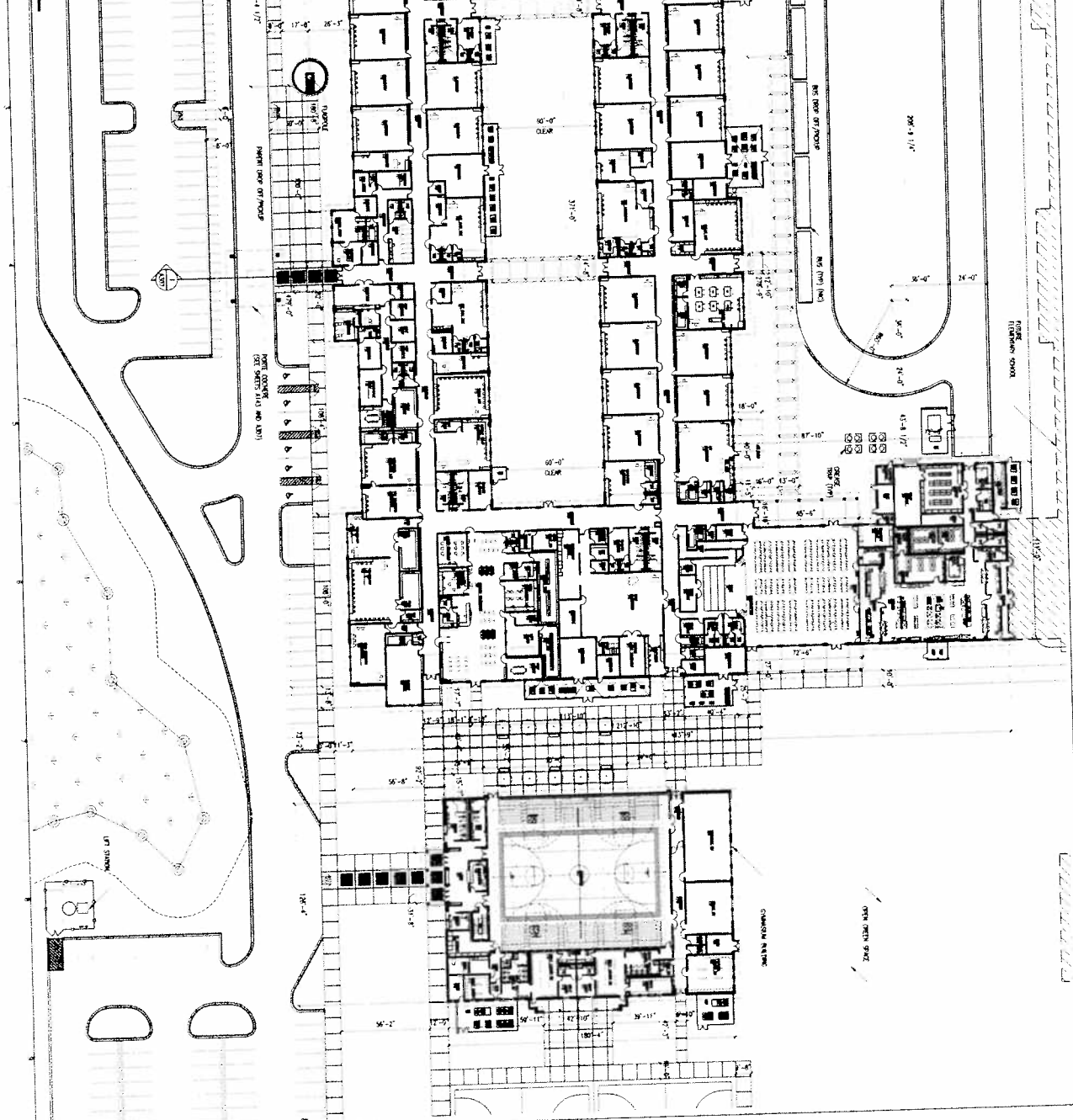
**PROJECT NO.:**  
 A100

**DATE:**  
 10/15/2009

**SCALE:**  
 1" = 40' (AS SHOWN)

**PROJECT NO.:**  
 A100

**ARCHITECTURAL SITE PLAN**



**PROJECT NAME**  
New Emerald Coast Middle School

**CLIENT**  
Walton County School Board

**ARCHITECT**  
Elliott Marshall Innes

**DATE**  
10/20/2009

**SCALE**  
AS SHOWN

**PROJECT NO.**  
A101

**ARCHITECTURAL SITE PLAN**

**DATE**  
10/20/2009

**SCALE**  
AS SHOWN

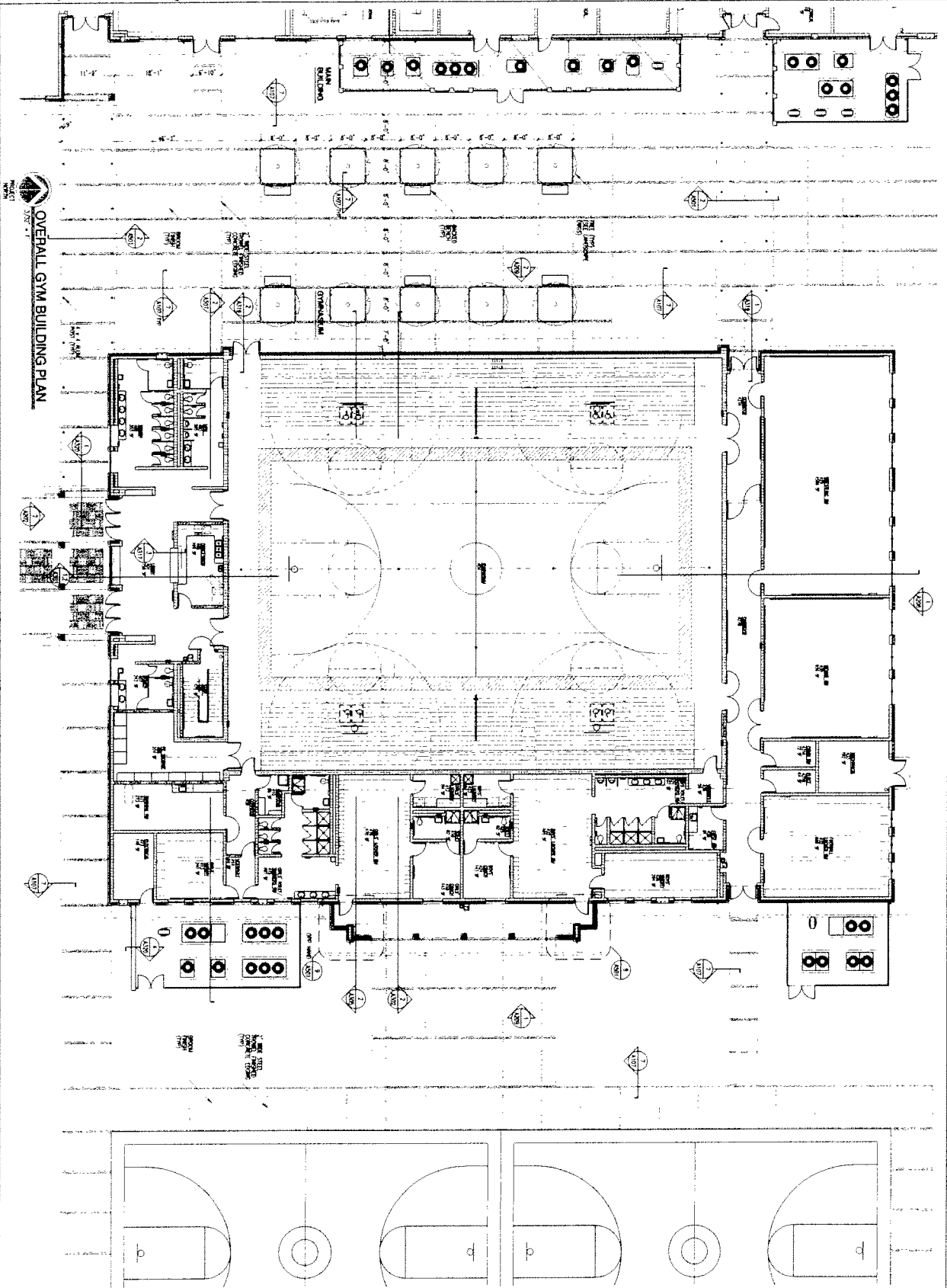
**PROJECT NO.**  
A101

**ELLIOTT MARSHALL INNES P.A.**

ARCHITECTURE  
PLANNING  
INTERIOR

11000 N. W. 22nd Ave.  
Miami, FL 33190  
Tel: 305.552.7442  
Fax: 305.552.7443





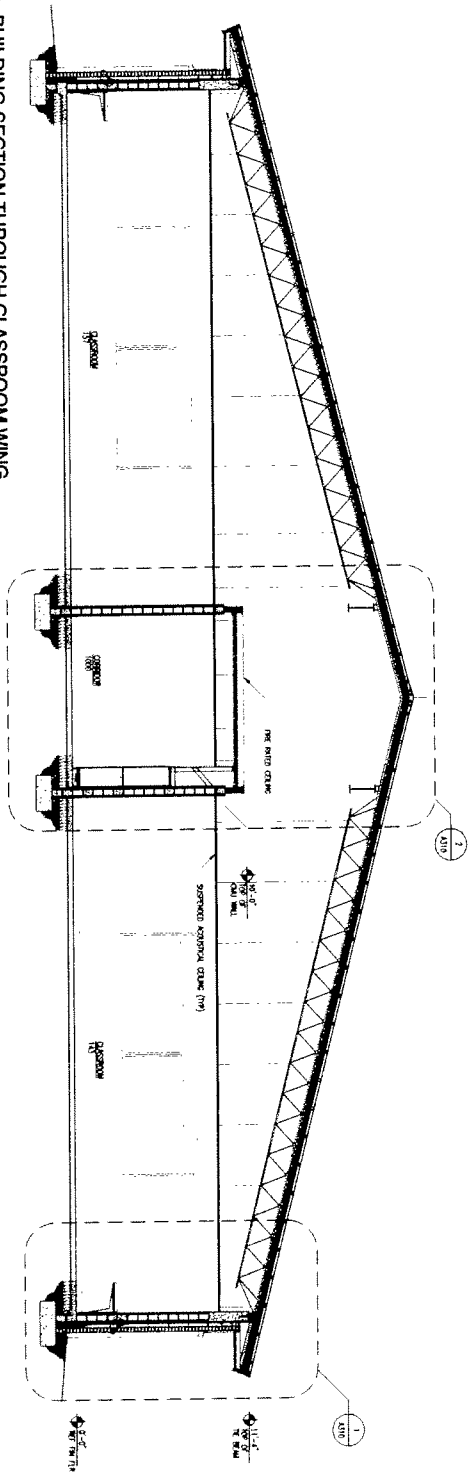
**OVERALL GYM BUILDING PLAN**

<p><b>PROJECT</b>          New Emerald Coast          Middle School          Palatka, Washington, FL</p> <p><b>CLIENT</b>          Walton County          School Board          Ocala, Georgia, FL</p> <p><b>DATE</b>          10/2010</p>	<p><b>ARCHITECT</b>          ELLIOTT          MARSHALL          INNES          P.A.</p> <p><b>ARCHITECTS</b>          311 E. 2nd Ave.          Tallahassee,          Florida 32302          Phone: 904.222.2446          Fax: 904.222.2446</p>	<p><b>PROJECT NAME</b>          OVERALL GYM          BUILDING PLAN</p> <p><b>SHEET NO.</b>          A103</p>
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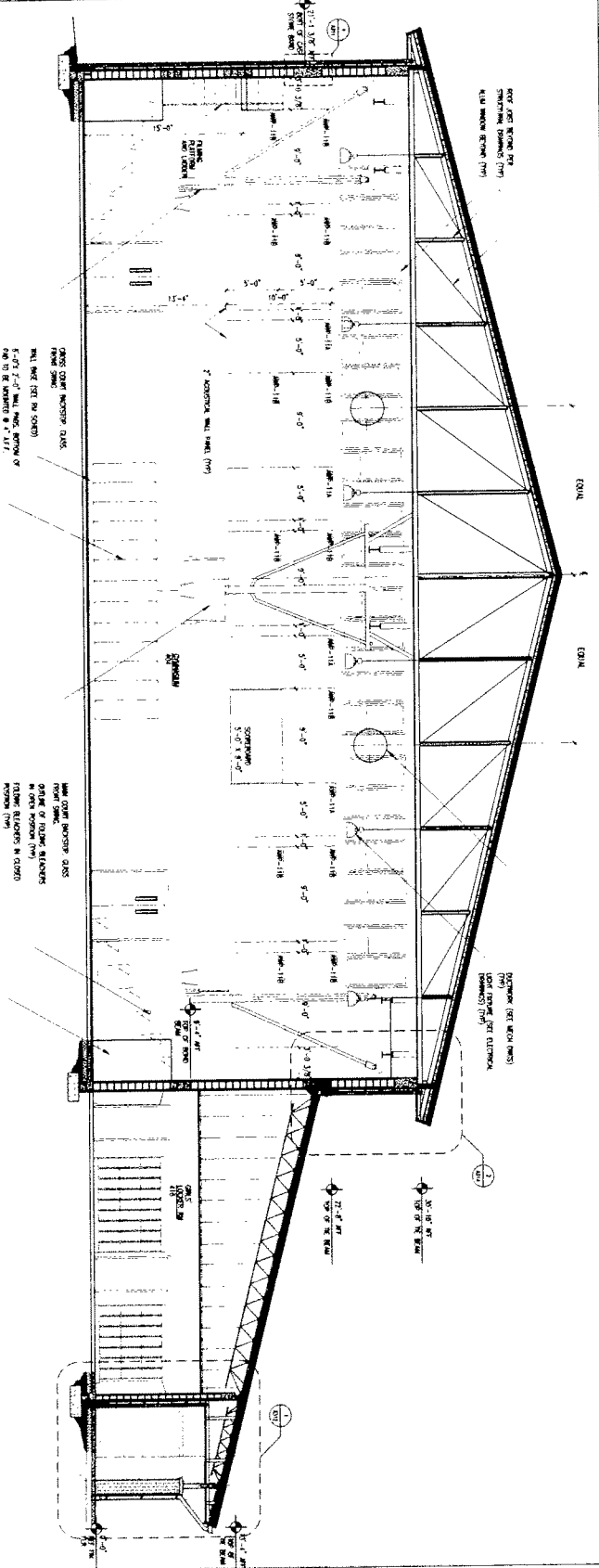




1 BUILDING SECTION THROUGH CLASSROOM WING



2 BUILDING SECTION THROUGH GYMNASIUM



**ELLIOTT MARSHALL INNES P.A.**

ARCHITECTS

LICENSE # 1  
PA 000049  
IN 000130  
2211 ALABAMA STREET  
HUNTSVILLE, ALABAMA 35891  
505.223.2444

PROJECT: **New Emerald Coast Middle School**

OWNER: **Walton County School Board**

10000 Highway 90  
Gulf Breeze, FL 32561

DATE: 12/2018

PROJECT NO: 1802

DATE: 12/2018

SCALE: AS SHOWN

PROJECT NO: 1802

DATE: 12/2018

SCALE: AS SHOWN

**ELLIOTT MARSHALL INNES P.A.**



ARCHITECT  
 PLANNING  
 INTERIORS

1515 EAST 41<sup>ST</sup>  
 SUITE 100  
 FORT LAUDERDALE, FL 33304  
 PHONE: 954.222.1111  
 FAX: 954.222.1112

DATE: 11/17/2010  
 PROJECT: PARTIAL BUILDING SECTION THROUGH GYMNASIUM  
 SHEET: A303

**Client:**  
 New Emerald Coast Middle School  
 Watson County School Board  
 10000 North State Road 100  
 Jacksonville, FL 32256

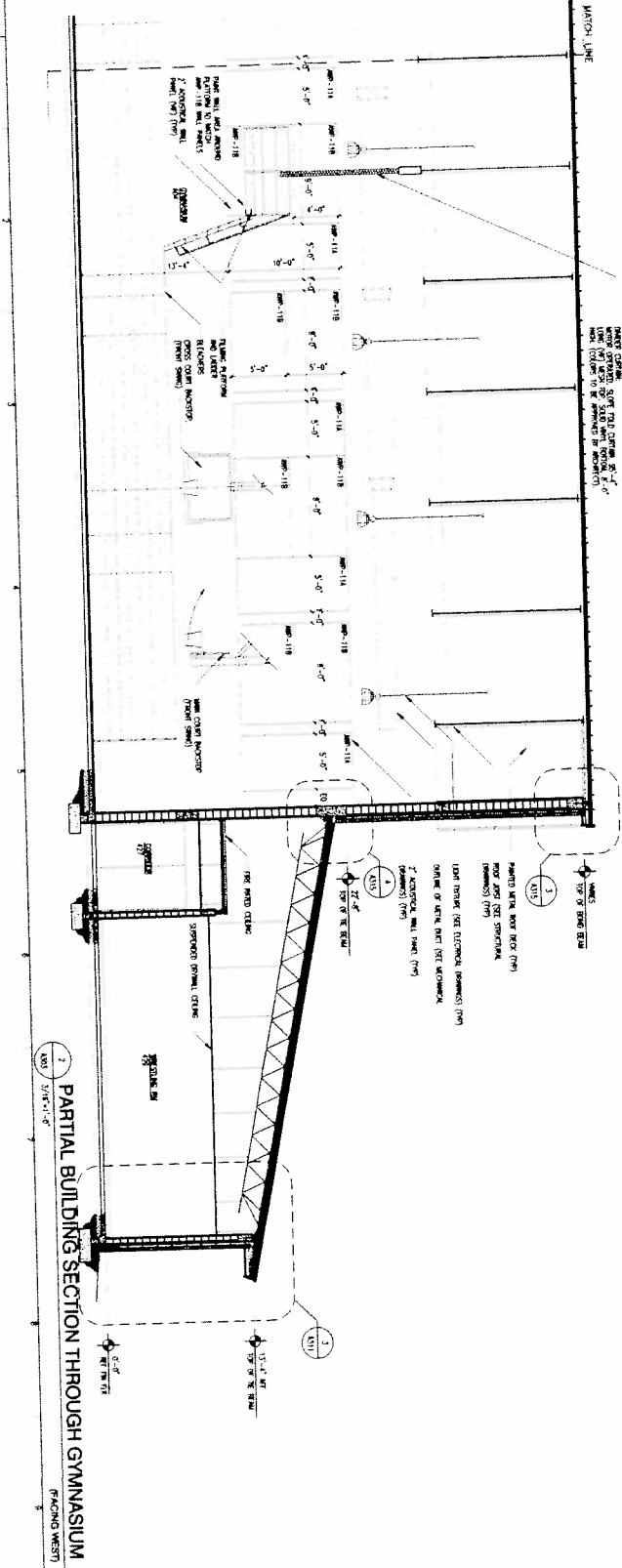
**PROJECT NAME:**  
 NEW EMERALD COAST MIDDLE SCHOOL

**DATE:**  
 11/17/2010

**PROJECT NO.:**  
 10000

**SHEET NO.:**  
 A303

**PARTIAL BUILDING SECTION THROUGH GYMNASIUM**  
 (FACING WEST)



**PARTIAL BUILDING SECTION THROUGH GYMNASIUM**  
 (FACING WEST)

