

## **WINTER PARK COMMUNITY CENTER**

**Issue:** Vertical accessibility to all rows of seating in a bleacher system.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a new retractable bleacher system. The building contains a gymnasium, meeting room, fitness room, teen classroom and senior center. The gymnasium contains a retractable bleacher system with accessible seating located in the first two rows. The project will cost \$9,000,000 and no estimates of additional costs to provide full accessibility were submitted;

### **Project Progress:**

The project is under design.

**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.

**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:** WINTER PARK COMMUNITY CENTER

**Address:** WINTER PARK COMMUNITY CENTER  
721 W NEW ENGLAND AVE  
WINTER PARK, FL 332789

**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:** SCHENKELSHULTZ ARCHITECTS

**Applicant's Address:** 1591 HAYLEY LANE #201  
FT. MYERS, FL 33907

**Applicant's Telephone:** 239-481-0200      **FAX:** 239-481-3303

**Applicant's E-mail Address:** [rreitz@schenkelshultz.com](mailto:rreitz@schenkelshultz.com)

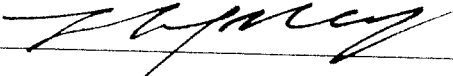
**Relationship to Owner:** ARCHITECT

**Owner's Name:** CITY OF WINTER PARK  
REP: RICK MELLIN

**Owner's Address:** 221 NE IVANHOE BLVD, 2<sup>ND</sup> FLOOR  
ORLANDO, FL 32804

**Owner's Telephone:** 407-422-7487      **FAX:** -

**Owner's E-mail Address:** [rick.mellin@zhaintl.com](mailto:rick.mellin@zhaintl.com)

**Signature of Owner:** 

**Contact Person:** RONALD E. REITZ, AIA – *SCHENKEL & SHULTZ, INC.*

**Contact Person's Telephone:** 239-218-6894 **E-mail Address:** [rreitz@schenkelshultz.com](mailto:rreitz@schenkelshultz.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.)

THE FACILITY IS A NEW 35,000 SQUARE FOOT COMMUNITY CENTER CONSISTING OF A ONE STORY COMBINATION GYMNASIUM, MEETING ROOMS, FITNESS ROOM, TEEN CLASSROOM AND SENIOR CENTER BUILDING. THE GYMNASIUM CONTAINS RETRACTABLE BLEACHER SEATING WITH ACCESSIBLE SPACES AND COMPANION SEATS LOCATED AT THE FIRST ROW.

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** PROJECT CONSTRUCTION COST IS \$9,000,000.00

**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 CITY OF WINTER PARK REQUIRES A WAIVER RELIEVING THE REQUIREMENTS OF FLORIDA STATUTES SECTION 553.509 PRIOR TO CERTIFICATE OF OCCUPANCY. THE PLANS REVIEWERS HAVE NOTED THAT GYMNASIUM BLEACHER FACILITIES DO NOT COMPLY WITH THE INTENT OF THE GUIDELINES REQUIRING ACCESSIBILITY TO ALL LEVELS ABOVE THE OCCUPIABLE GRADE LEVEL BY INTERPRETATION OF THE CODE. WE AND OUR DESIGN STAFF SUBMIT THIS REQUEST FOR RELIEF AS OUR DESIGNS PROVIDE ACCESSIBLE SEATING AS NOTED IN ITEM #4, ABOVE.

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

**Issue**

1: FLORIDA STATUTE 553.509, VERTICAL ACCESSIBILITY

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 WAIVER IS NECESSARY IN ORDER TO PROVIDE FACILITIES FOR PUBLIC USE WITHIN THE BOUNDS OF THE BUDGET. PROVIDING ACCESSIBILITY TO ALL LEVELS OF COLLAPSIBLE SEATING IN THE GYMNASIUM IS NOT FEASIBLE AND WOULD INCUR UNECESSARY COSTS TO THE OWNER. OUR DESIGN STAFF FEELS THAT THE PROPOSED DESIGNS INCLUDE ADEQUATE ACCESSIBLE SEATING ARRANGEMENTS.

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

NOT APPLICABLE

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.

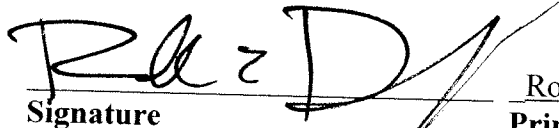
NOT APPLICABLE

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. ALL ACCESSIBILITY FEATURES DESCRIBED ABOVE ARE ALREADY INCLUDED IN THE PROJECT'S GUARANTEED MAXIMUM PRICE AND NOT SEPARATE LINE ITEMS.

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.

GYMNASIUM ACCESSIBLE SPACES ARE LOCATED FOR OPTIMAL SIGHTLINES WITHIN THE FIRST TWO ROWS OF THE COLLAPSIBLE BLEACHER SECTIONS.



Signature

Ronald E. Reitz  
Printed Name

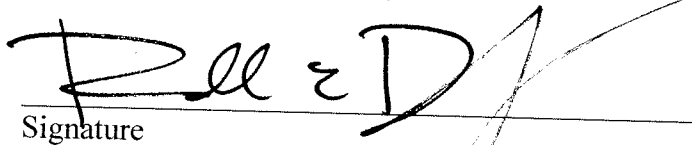
Phone number (239) 481-0200

(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 April day of 22th, 2010

  
Signature

Ronald E. Reitz  
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. This issue is being referred to the Florida Building Commission because the plans do not show accessibility to all levels of the seating and bleachers as required by Florida specific requirements of the Florida Building Code (FBC) Section 11-4.1.3(5)

b. To the best of my knowledge, all information stipulated herein is true and correct.

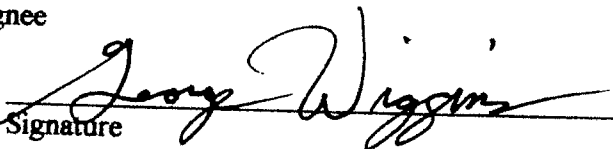
Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

Yes  No Cost of Construction This is new construction

**Comments/Recommendation** I recommend that the Florida Building Commission only approve the request in line with similar waiver requests that have previously come before the Commission.

Jurisdiction City of Winter Park Building & Code Enforcement Department

Building Official or Designee

  
Signature

George Wiggins  
Director of Building/Legislative Affairs  
Printed Name

BU-514  
Certification Number

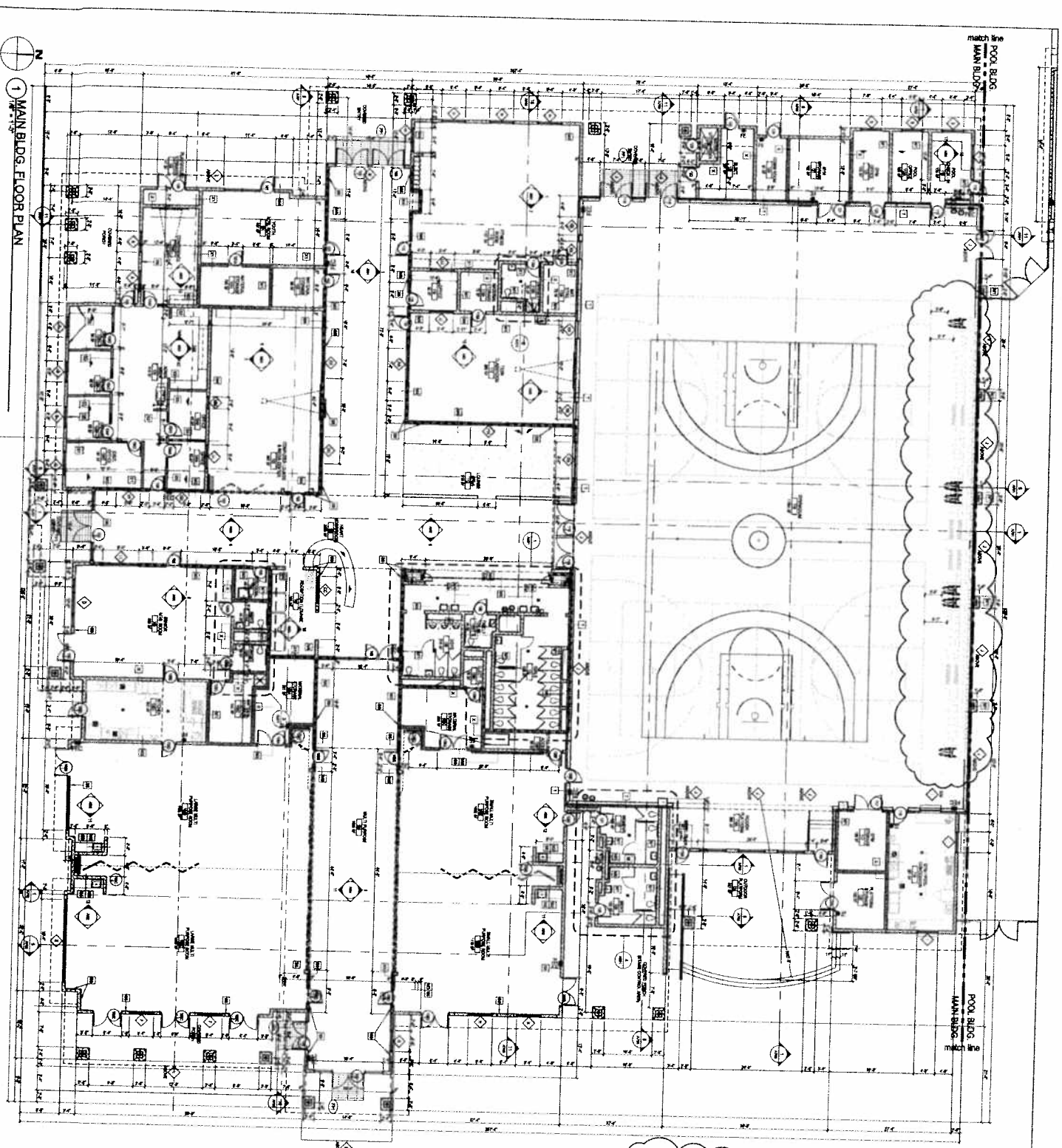
TELE: 407-599-3426 FAX: 407-599-3499  
Telephone/FAX

Address: City of Winter Park  
401 Park Ave South  
Winter Park, FL 32789  
Telephone 407-599-3426  
[gwiggins@cityofwinterpark.org](mailto:gwiggins@cityofwinterpark.org)

POOL BLDG  
MAIN BLDG

POOL BLDG  
MAIN BLDG

1 MAIN BLDG. FLOOR PLAN



**FLOOR PLAN GENERAL NOTES**

1. REFER TO ARCHITECTURAL NOTES FOR ALL GENERAL NOTES.
2. REFER TO MECHANICAL, ELECTRICAL, AND PLUMBING NOTES FOR ALL MECHANICAL, ELECTRICAL, AND PLUMBING NOTES.
3. REFER TO STRUCTURAL NOTES FOR ALL STRUCTURAL NOTES.
4. REFER TO FINISH NOTES FOR ALL FINISH NOTES.
5. REFER TO SCHEDULES FOR ALL SCHEDULES.

**FLOOR PLAN REVISIONS**

NO.	DATE	DESCRIPTION
1	11/15/11	ISSUED FOR PERMIT
2	11/15/11	ISSUED FOR PERMIT
3	11/15/11	ISSUED FOR PERMIT

**ACIA WATER NOTES**

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 5. REFER TO SCHEDULES FOR ALL SCHEDULES.

**SCHENDEL SHULTZ**  
 ARCHITECTS  
 201 West 12th Street  
 Suite 100  
 Milwaukee, WI 53233  
 Phone: 414-271-2323  
 Fax: 414-271-2323  
 www.schen-del.com

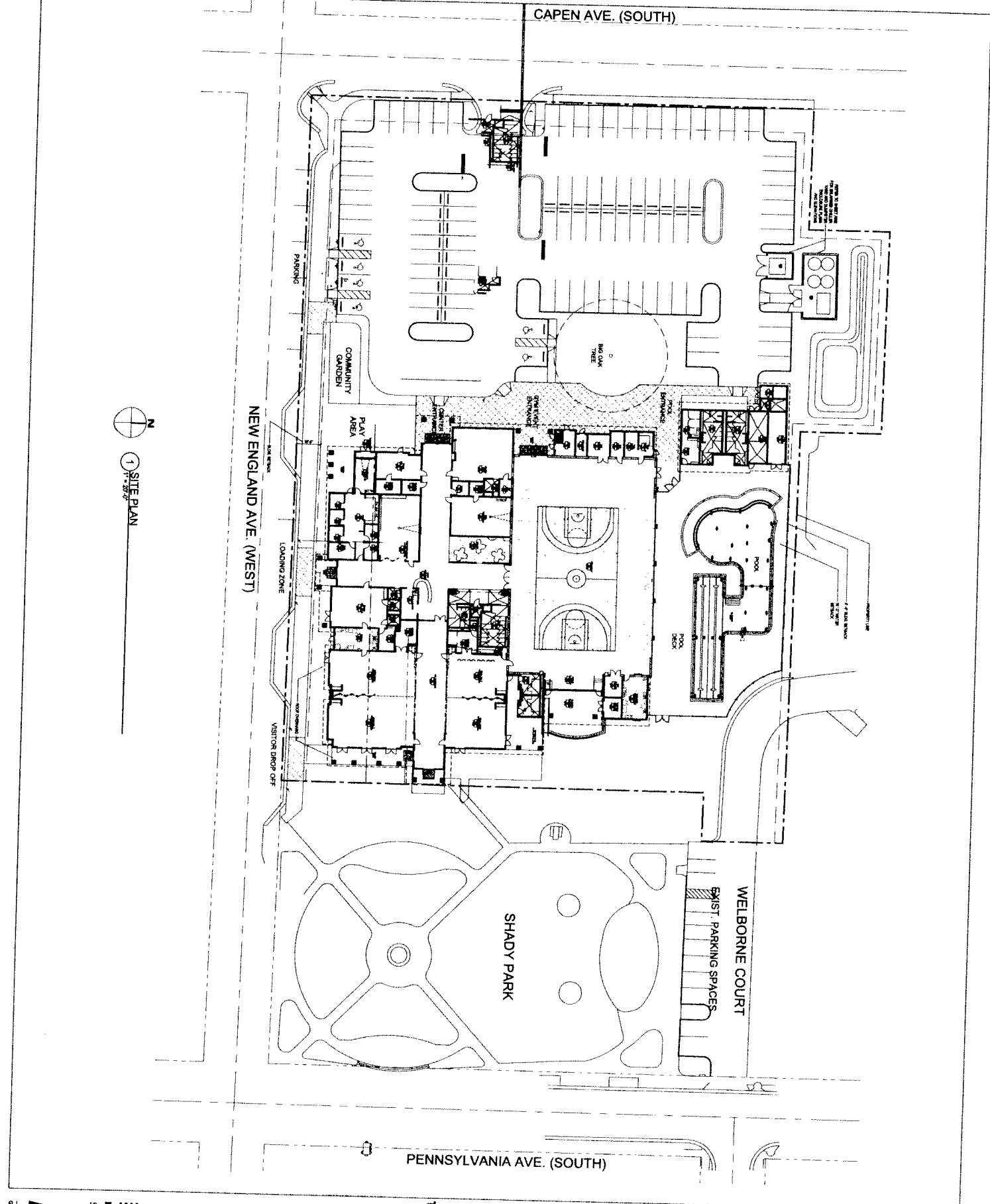


**Winter Park Community Center**  
 77 W. Lake Street  
 Milwaukee, WI 53233

**MAIN BLDG FLOOR PLAN**

**A101**





N  
 1" = 20'  
 1 SITE PLAN

**SCHENKELSHULTZ**  
 2000 PENNSYLVANIA AVE. S.W.  
 WASHINGTON, D.C. 20004  
 PHONE: 202-331-1100  
 FAX: 202-331-1101  
 WWW: WWW.SCHENKELSHULTZ.COM



**THORNTON** Special Projects  
 1000 North Washington Ave., Suite 200  
 Charlottesville, VA 22902  
 PHONE: 434-973-1000  
 FAX: 434-973-1001

**Winter Park Community Center**  
 7000 Winter Park Road  
 Winter Park, VA 22786  
 PHONE: 540-339-2339  
 FAX: 540-339-2340

**SITE PLAN**

**A011**

DATE: 10/15/2008