

**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: \$1,238,719.00 \*The tenant space in the proposed application was not altered in this previews alteration. The cost of alteration for the project is \$150,000.00.

**Comments/Recommendation:** The City of Miami Beach during the drawing review, we found that vertical accessibility to all levels was not provided for the "stadium type" seating and suggest the owner apply for a waiver from the Florida Building Commission. All other accessible elements were design in compliance with the Florida Building Code Chapter 11.

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, 2<sup>ND</sup> Floor.

This application is available in alternate formats upon request.

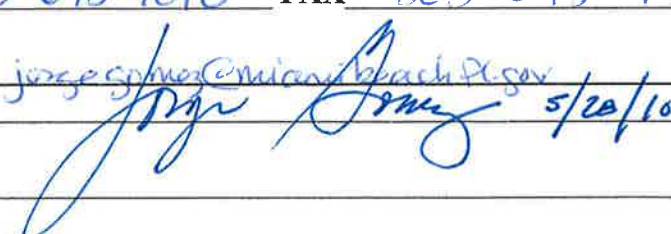
**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
OF CHAPTER 553, PART V, FLORIDA STATUTES**

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: Miami Beach Cinematheque  
Address: 1130 Washington 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: Dana Keith  
Applicant's Address: 723 14<sup>th</sup> place, #16, Miami Beach, FL 33139  
Applicant's Telephone: 305.613.0636 FAX: 305.534.5196  
Applicant's E-mail Address: info@mbcinema.com  
Relationship to Owner: tenant  
Owner's Name: City of Miami Beach  
Owner's Address: 1700 Convention Center Drive  
Owner's Telephone: 305-673-7010 FAX 305-673-7787  
Owner's E-mail Address: jorge.sanchez@miamibeach.fl.gov  
Signature of Owner:  5/20/10  
Contact Person: \_\_\_\_\_  
Contact Person's Telephone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**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 21<sup>st</sup> day of MAY, 2010

Signature 

DANA KEITH  
Printed Name EXECUTIVE DIRECTOR  
FOR MIAMI BEACH FILM SOCIETY & CINEMATHEQUE.

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.

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.)

Miami Beach Historic City Hall

Office

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

Total Project Cost: \$150,000

**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.

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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: Waiver is for theater seating platform.  
We have a level surface for 4 wheelchairs.

**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.

Stepped seating is a requirement for viewing the  
films. Many of the films have subtitles at the bottom.

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.

\_\_\_\_\_  
\_\_\_\_\_.

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. \_\_\_\_\_  
\_\_\_\_\_

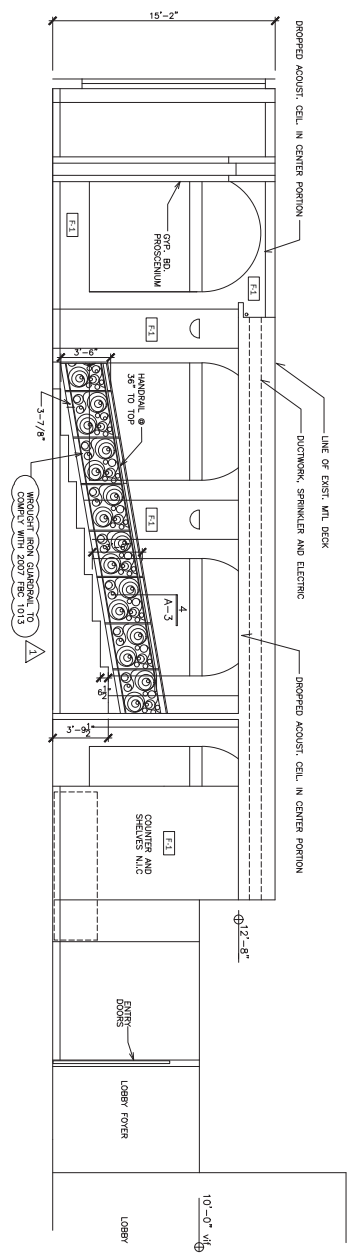
c. \_\_\_\_\_  
\_\_\_\_\_.

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.

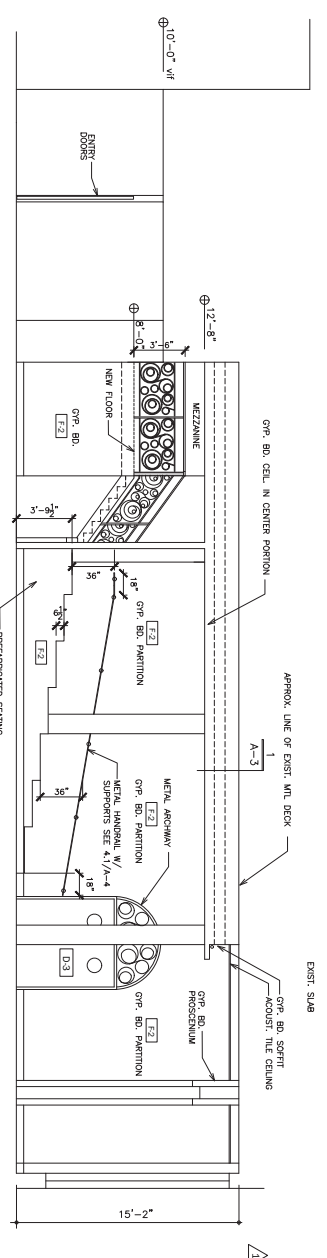
We are constructing a theater within an accessible space.  
We have provided the four required wheelchair spaces but need  
a waiver for the stepped platform seating above.

Signature  Printed Name Scott Weinkle  
Phone number 786.546.5046

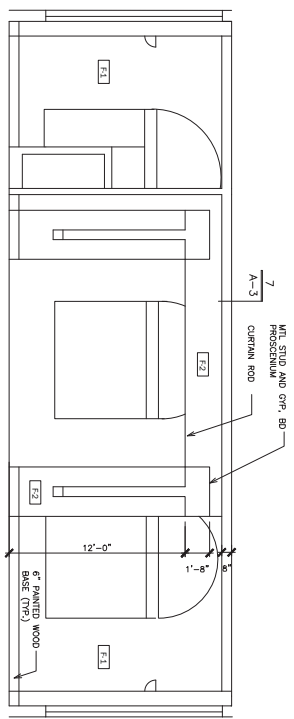
(SEAL)



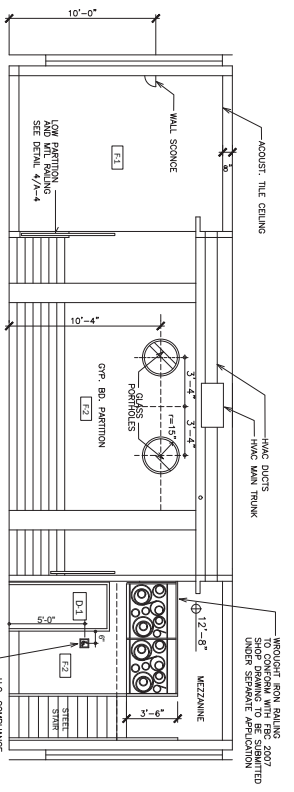
1 SECTION LOOKING WEST



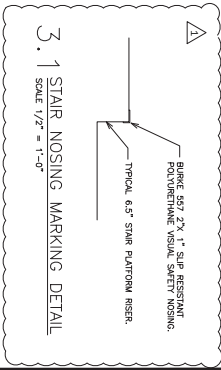
2 SECTION LOOKING EAST



3 SECTION LOOKING SOUTH IN FRONT OF PROSCENIUM

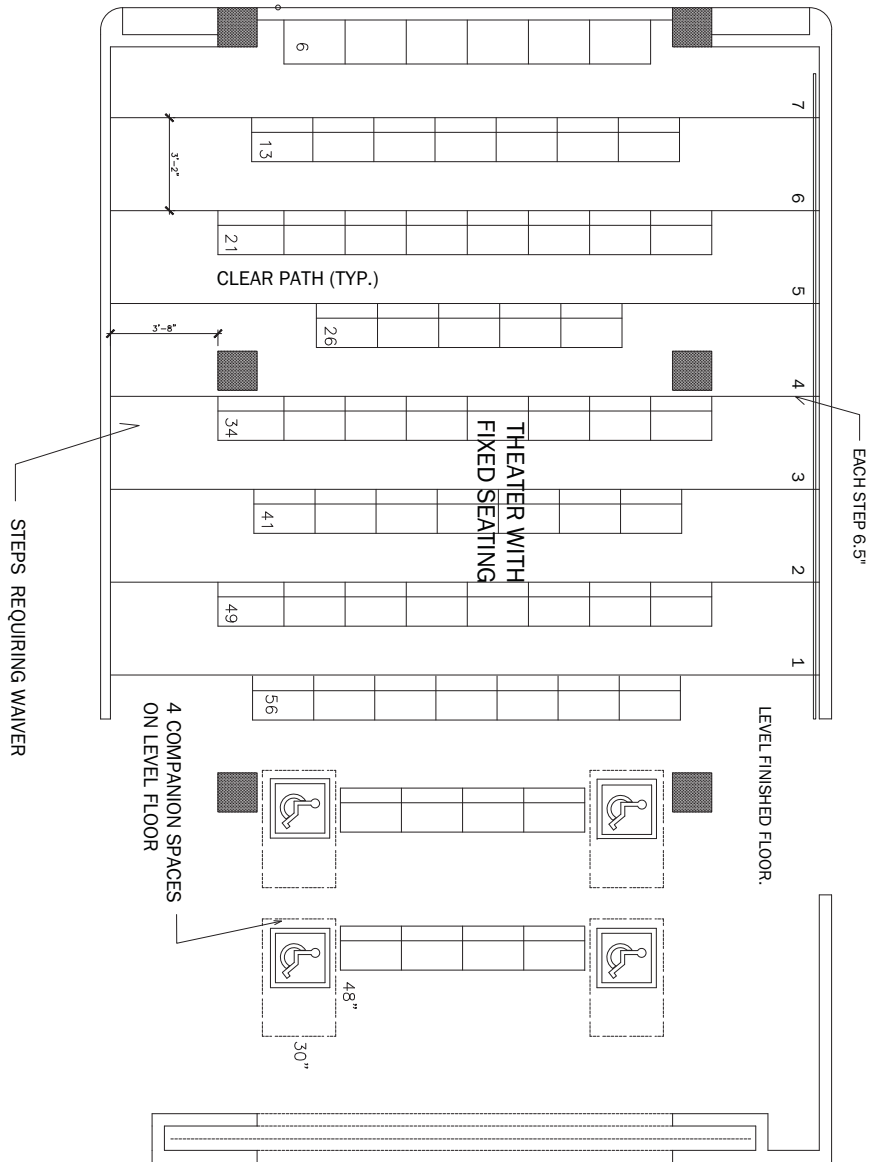


4 SECTION LOOKING NORTH



FINISH SCHEDULE	
NO.	FINISH
F.1.1	WETLAP GROUT FINISH ON EXIST. CON.
F.1.2	PAINT ON 5/8\"/>
F.1.3	FINISHED CONCRETE TYPING ON EXIST. SLAB
F.1.4	FINISHED CONCRETE TYPING ON METAL PAN
F.1.5	PAINT ON 5/8\"/>
F.1.6	
F.1.7	

<b>A-3</b>	Construction Details Scale: as noted	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REVISION</th> <th>DATE</th> <th>NOTES</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">4-1-10</td> <td>dob review</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">5-26-10</td> <td>dob review</td> </tr> </tbody> </table>	REVISION	DATE	NOTES	1	4-1-10	dob review	2	5-26-10	dob review	<p><b>Miami Beach Cinematheque</b></p> <p>Miami Beach Historic City Hall 1130 Washington Avenue - Ground Floor South Miami Beach, Florida, 33139</p>	<p><b>SCOTT WEINKLE ARCHITECT</b></p> <p>11 ISLAND AVE. SUITE 2008 MIAMI BEACH, FL. 33139 305-531-6955 info@weinkle.com AR92690</p>
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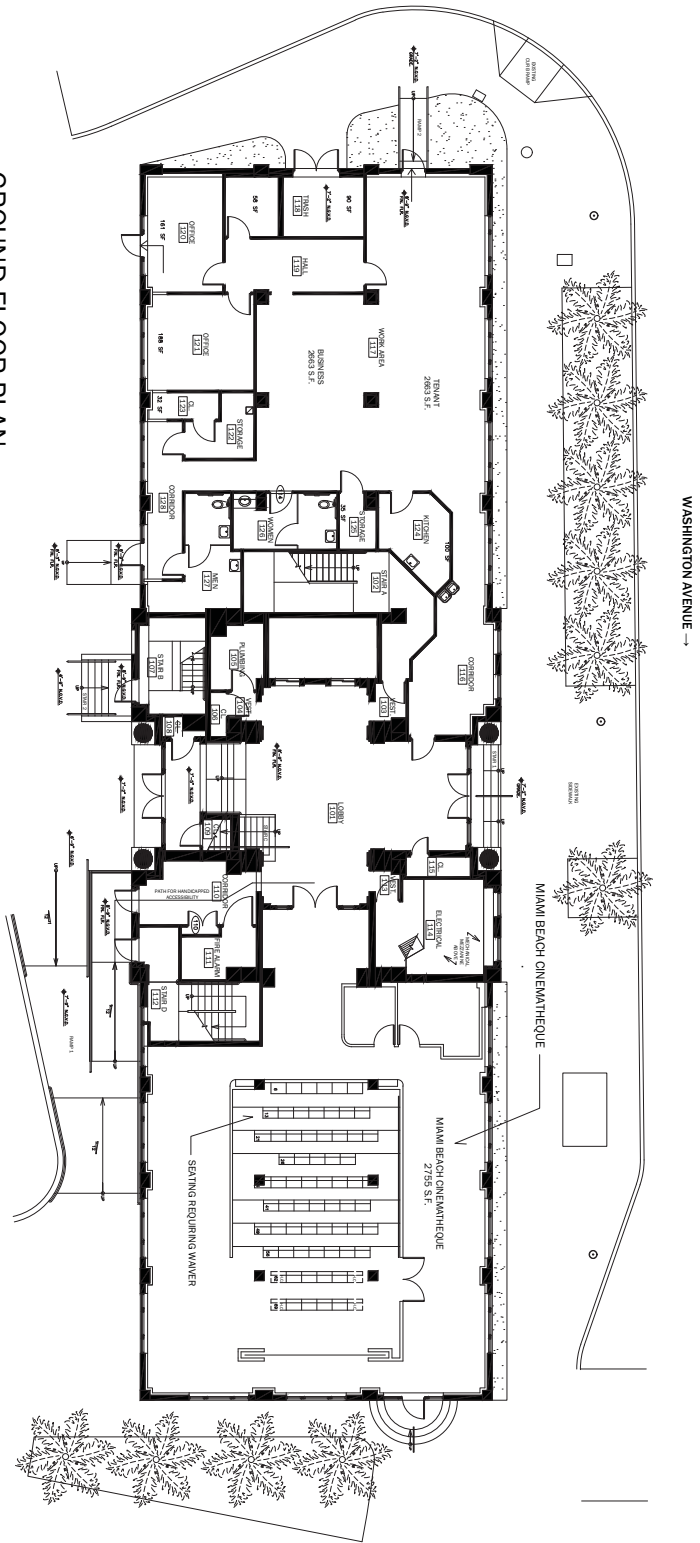


STEPS REQUIRING WAIVER

4 COMPANION SPACES ON LEVEL FLOOR

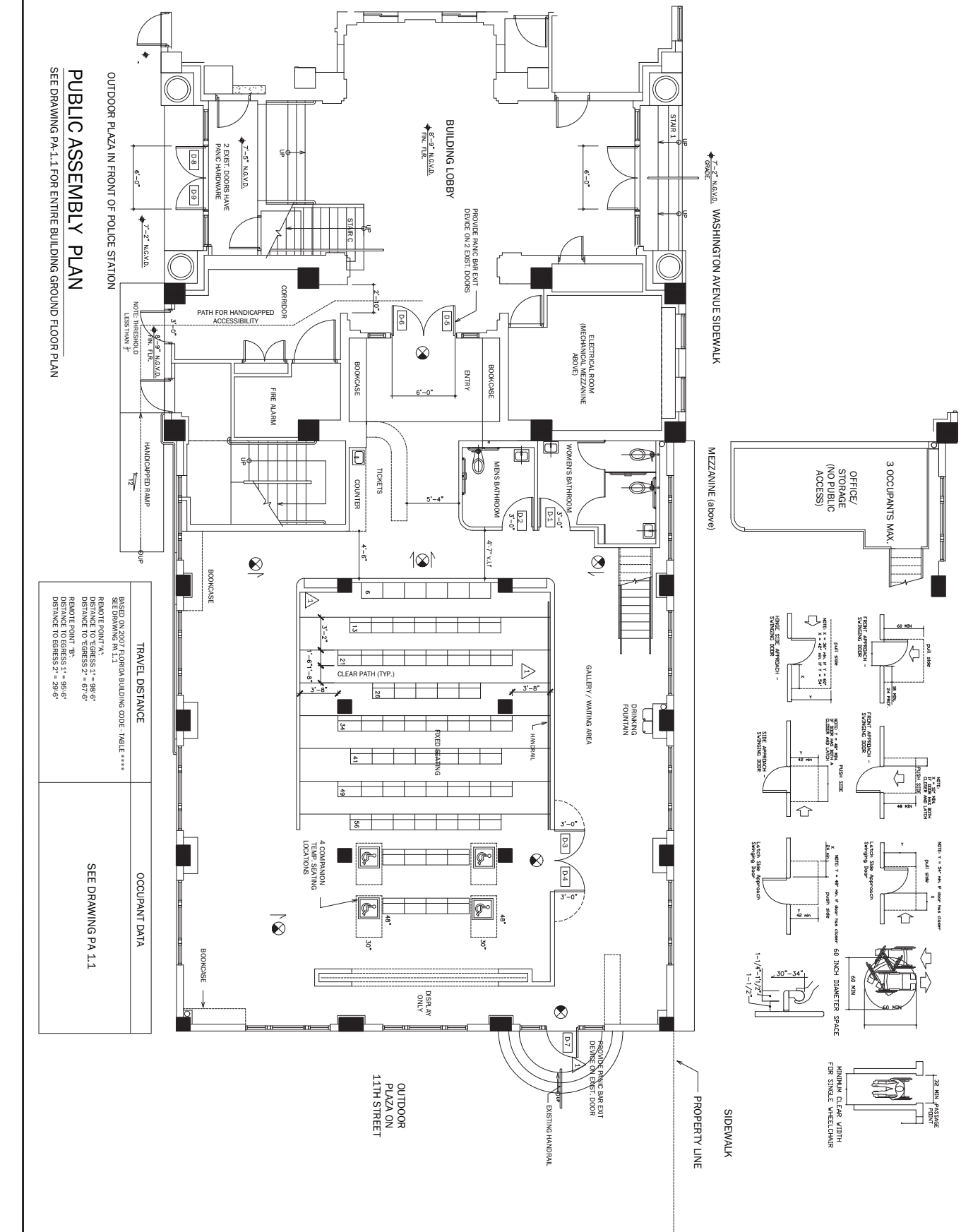
<b>PA-1.2</b>															
	<p><b>Enlarged Theater Plan</b> Scale: 1/2" = 1'-0"</p>	<p><b>REVISION</b>    <b>DATE</b>    <b>NOTES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%;">5-26-10</td> <td style="width: 80%;">ACCESSIBILITY REVIEW</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		5-26-10	ACCESSIBILITY REVIEW										<p><b>Miami Beach Cinematheque</b> Miami Beach Historic City Hall 1130 Washington Avenue - Ground Floor South Miami Beach, Florida, 33139</p>
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GROUND FLOOR PLAN  
1/8" = 1'-0"

<b>PA-1.1</b>	Ground Floor Plan			Scale: 1/8" = 1'-0"	<p style="text-align: center;"><b>REVISION</b></p> <table border="1"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>																			<p style="text-align: center;"><b>DATE</b></p> <table border="1"> <tr><td>5-26-10</td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	5-26-10												<p style="text-align: center;"><b>NOTES</b></p> <table border="1"> <tr><td>ACCESSIBILITY REVIEW</td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>	ACCESSIBILITY REVIEW						<p><b>MIAMI BEACH CINEMATHEQUE</b></p> <p>Miami Beach Historic City Hall 1130 Washington Avenue - Ground Floor South Miami Beach, Florida, 33139</p>	<p><b>SCOTT WEINKLE ARCHITECT</b></p> <p>11 ISLAND AVE. SUITE 2008 MIAMI BEACH, FL. 33139 305-531-6955 info@weinkle.com AR92690</p>
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WASHINGTON AVENUE SIDEWALK

MEZZANINE (above)

OFFICE/STORAGE (NO PUBLIC ACCESS)

3 OCCUPANTS MAX.

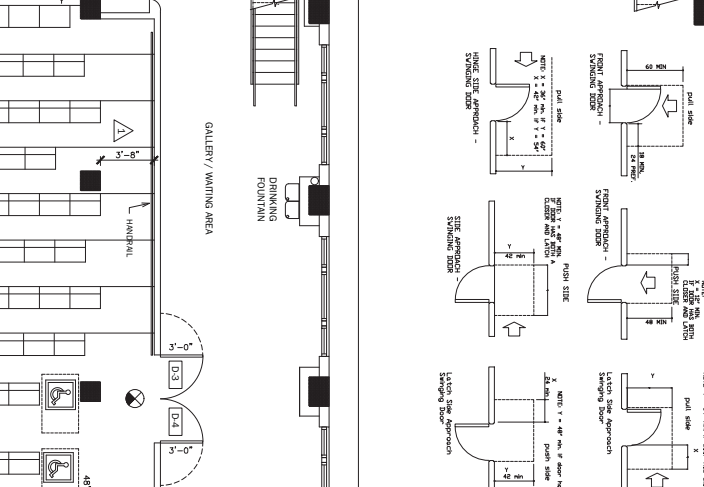
PROPERTY LINE

SIDEWALK

OUTDOOR PLAZA IN FRONT OF POLICE STATION

**PUBLIC ASSEMBLY PLAN**

SEE DRAWING PA-1.1 FOR ENTIRE BUILDING GROUND FLOOR PLAN



TRAVEL DISTANCE	OCCUPANT DATA
BASED ON 2007 FLORIDA BUILDING CODE - TABLE ***** SEE DRAWING PA 1.1 REMOTE POINT 'A' - DISTANCE TO EGRESS 1' - 06" 6' REMOTE POINT 'B' - DISTANCE TO EGRESS 2' - 07" 6' REMOTE POINT 'C' - DISTANCE TO EGRESS 2' - 07" 6' REMOTE POINT 'D' - DISTANCE TO EGRESS 2' - 29" 6'	SEE DRAWING PA 1.1

REVISION	DATE	NOTES
	5-26-10	ACCESSIBILITY REVIEW

**Miami Beach Cinematheque**  
 Miami Beach Historic City Hall  
 1130 Washington Avenue - Ground Floor South  
 Miami Beach, Florida, 33139

**SCOTT WEINKLE ARCHITECT**  
 11 ISLAND AVE. SUITE 2008 MIAMI BEACH, FL 33139  
 305-531-6955 info@weinkle.com AR92690

**PA-1**

Public Assembly Plan  
 Scale: 1/4" = 1'-0"



# MIAMI BEACH, FL

MIAMI BEACH  
MIAMI-DADE COUNTY, FL

- LEGEND:**
- (P) FIELD MEASURES
  - (C) NON RISE
  - (S) MONUMENT
  - (M) IRON PIPE
  - (W) 1/4" IRON PIPE
  - (D) 1/2" IRON PIPE
  - (O) 3/4" IRON PIPE
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**GENERAL NOTES:**  
 ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT OTHER THAN THE SHOWING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SHOWING PARTY PER FLORIDA STATUTES RULE 61G17-6.000(2)(K).  
 RE-USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED WITHOUT WRITTEN CONSENT FROM THE ENTITY IN WHICH IT WAS PREPARED FOR, WILL BE AT THE RE-USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYING SURVEYORS OR ITS FIRM.  
 NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE WHOM THE SURVEY WAS PREPARED FOR.  
 THIS MAP CONSIST OF 1 SHEET. WHEN MULTIPLE SHEETS COMPOSE THE PLAT OR MAP OF SURVEY NO SINGLE SHEET SHALL BE CONSIDERED FULL AND COMPLETE WITHOUT THE OTHERS.  
 LANDS SHOWN HEREIN WERE NOT ABSTRACTED BY THIS SURVEYOR FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.  
 THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATION SHOWN HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.  
 THIS IS AN ABOVE GROUND SURVEY AND LOCATIONS ARE LIMITED TO VISIBLE IMPROVEMENTS ONLY. NO IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL ABOVE GROUND AND/OR UNDERGROUND UTILITIES / IMPROVEMENTS NOT SHOWN ON THIS SURVEY.  
 THIS SURVEY DOES NOT REFLECT NOR DETERMINE OWNERSHIP.  
 NO ABSTRACT OF TITLE, TITLE COMMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.  
 MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.  
 THE EXISTING MONUMENTATION AS SHOWN HEREON HAS BEEN HELD TO DEFINE THE PLAT AND RECORD BOUNDARY TITLE DESCRIPTIONS. SAID MONUMENTATION HAS BEEN DETERMINED TO BE THE BEST ACCEPTABLE EVIDENCE OF THE EXISTING WHOLE OF THESE AREAS INVOLVED. SAID EXISTING MONUMENTATION MAY OR MAY NOT HARMONIZE WITH STANDARD SECTIONAL LANDS LINES, OTHER RECORD PLAT BOUNDARIES OR LIMITS AND OTHER FEE TITLE DESCRIPTIONS ADJACENT TO THE AREA SHOWN HEREON.

**LEGAL DESCRIPTION SUPPLIED:**  
 ALL OF BLOCKS 23 AND 37 AND THAT PART OF DREXEL AVE. LING BETWEEN 11TH AND 12TH STREETS AS PER MAP OR PLAT OF OCEAN BEACH ADDITION # 3 RECORDED IN PLAT BOOK 2 AT PAGE 81 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

FOLIO NUMBER: 02-4203-009-0370  
 OWNER MAILING ADDRESS: CITY OF MIAMI BEACH, FL  
 1700 CONVENTION CENTER DR., MIAMI BEACH, FL 33139  
 YEAR BUILT 1987 (PER APPRAISERS OFFICE)  
 LOT SIZE 2.44 +/- ACRES (PER COUNTY APPRAISER)  
 ZONING LAND USE: INSTITUTIONAL  
 INSIDE URBAN DEVELOPMENT BOUNDARY  
 ZONING: DU (GOVERNMENT USE)

SUBJECT LIES IN FLOOD ZONE "AE"  
 (FLOOD HAZARD AREA 1 ANNUAL CHANCE)  
 PER FEDERAL EMERGENCY MANAGEMENT AGENCY  
 FIRM (FLOOD INSURANCE RATE MAP)  
 COMMUNITY # 220851 PANEL 0314  
 MAP NUMBER 220850219  
 SURFACE DATED 08/11/2005  
 FLOODING DATED 08/11/2005  
 MAP SCALE 1"=50'  
 REVISION DATE 9.11.2009

**GENERAL NOTES:** NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAYS AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. THE FIRM CERTIFIED AS USED ON THIS PLAT, IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND FIRM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. THE SURVEY DEPICTED HERE IS NOT COVERED BY A PROFESSIONAL LIABILITY POLICY.

**LAWRENCE E. POWERS**  
 PROFESSIONAL LAND SURVEYORS  
 277 PALM AVE., MIAMI BEACH, FL 33139 P 954.290.9674  
 EMAIL: LARRY@PAPOWERRECORDS.COM

I, THE UNDERSIGNED HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT TO BE A TRUE REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA AS PER CHAPTER 21 HR-8, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO ALL NOTES SHOWN HEREON.

TYPE OF SURVEY: SPECIFIC PURPOSE PARTIAL ABSTRACT  
 PREPARED FOR: MIAMI BEACH OCEANVIEW  
 THIS PLAT IS HEREBY CERTIFIED TO:  
 A) B) C) D)  
 DREW CHIEF: LEP  
 DRAWN BY: LEP CAD 5/14/2010  
 CHECKED BY: LEP  
 FIELD BOOK: PAGE: LOOSE LEAF  
 FILED IN: OCEAN BEACH 3  
 PROJECT NUMBER: 1008201  
 FIELD SURVEYED: MAY 11, 2010  
 DRAWING SCALE: 1" = 50'  
 ORDERED BY: SCOTT WENZLE

ELEVATIONS SHOWN HEREON ARE BASED ON:  
 REVISIONS:  
 SHEET 1 OF 1

- (P) FIELD MEASURES
- (C) NON RISE
- (S) MONUMENT
- (M) IRON PIPE
- (W) 1/4" IRON PIPE
- (D) 1/2" IRON PIPE
- (O) 3/4" IRON PIPE
- (1) 1" IRON PIPE
- (2) 2" IRON PIPE
- (3) 3" IRON PIPE
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