

**ACCESSIBILITY ADVISORY COUNCIL**  
**May 9, 2005**

**CONSENT AGENDA:**

**The Council unanimously recommended approval on:**

**Case #1 – Paris Theater based on the provisions of F.S. 553,512 related to disproportionate cost.**

**Case #3 - AMC Sarasota Theater based on the provisions of F.S. 553.512 related to unreasonable and unnecessary.**

**Case #4 – Windermere Union Church Preschool in favor of the provisions of the ADAAG Accessibility Guidelines for Children’s Facilities.**

**Case #6 – Homestead Miami Speedway based on the provisions of F.S. 553.512 related to unreasonable and unnecessary.**

**Case # 8 – Empire Plaza LLC. based on the provisions of F.S. 553.512 related to disproportionate cost.**

**Case #9 – The Tudor South Beach Resort was deferred at the request of the applicant.**

**Case #10 – The Palmer (Tudor South Beach Resort) was deferred at the request of the applicant.**

**The Council unanimously recommended deferral on the following cases:**

**Case #2 – Greystone Hotel. The case was deferred in May for the applicant to provide additional information. The Council again recommended deferral for the applicant to provide the following specific information: Detailed cost breakdown; proof of disproportionate cost/technical infeasibility; minimum of 2 bids for each alternative method of vertical accessibility; completion of the Review and Recommendation by Local Building Department form to include any permitted construction activity; and cost from the previous 3 years**

and detail the work to be performed with the required 20% of the construction value.

**Case #7 – Misener Marine Construction.** The applicant was not present for the case. The application was incomplete and lacked adequate information for the Council to recommend approval and therefore recommended deferral with the recommendation that the applicant appear at the next meeting.

The Council recommended approval with conditions on the following cases:

**Case #5 – The Angler’s Boutique Resort.** The applicant is requesting a waiver from providing vertical accessibility to all levels of a resort hotel containing two historic structures and two new buildings. The applicant presented the case as a single complex basically proposing that there is not a need to provide vertical accessibility to all levels of the new buildings if they at least met the two required accessible rooms. No accessible rooms were shown on the plans presented. The applicant’s proposed hardship is based on unnecessary.

The applicant proposed the following:

**EXISTING HISTORIC NORTH BUILDING: \$550,000**

No accessible rooms

No accessible route to two of the four rooms

No accessible restrooms shown

**EXISTING HISTORIC CENTER BUILDING:**

No waiver requested to this building. However, there is no alteration cost demonstrated and there are no accessible bathrooms indicated on the plans. Applicant proposed both accessible rooms to be located within this building.

**NEW NORTH BUILDING: 3 unit – 2 story \$650,000**

No vertical accessibility demonstrated

No room furniture layout plans demonstrating accessibility compliance

No dimensions to verify bathroom compliance

**NEW SOUTH BUILDING: 5 story 16 units \$1,950,000**

Elevator does not access all floors

No dimensions to verify bathroom compliance roll in showers, etc.

No room furniture layout plans demonstrating accessibility compliance

**During the presentation, the applicant proposed that if the requested waivers were granted the owner would provide vertical accessibility to all floors and provide at least one accessible room in the new 5-story building. The Council advised we were not here to barter but rather seek compliance and recommend waivers based on hardship.**

**The Council recommended the following:**

**Existing Historic North Building – approval based on the historic provisions and the technical infeasible provisions of F.S. 553.512.**

**Existing Historic Center Building – no waiver requested but recommend that plans be submitted showing accessible room compliance.**

**New South 5-story Building- Except applicant’s proposal to provide vertical accessibility to all floors and to provide the required accessible rooms, either both in this building or one in this building and one in another building with the condition that plans be submitted to DCA to demonstrate compliance. Upon this recommendation the applicant advised that his offer to provide vertical accessibility to all floors of this building was contingent upon all the waiver requests being approved.**

**New North 2-story Building – The council recommended denial based on a lack of hardship.**

**Case #11 – Related Cervera Realty Services. The applicant is requesting a waiver from providing vertical accessibility to the second floor and roof terrace of a portion of an existing building undergoing a \$26,000 alteration. The existing floor and roof assemblies of the structure are post tension construction. Also, the stairs are too narrow to allow a chair lift and provide adequate width for means of egress. Even though the applicant did not provide the cost estimates and any construction costs from the previous renovation(s), the Council unanimously recommended granting the waiver based on technical infeasibility.**

**Case #12 – Surfstyle Retail Store. This case was not heard based on lack of jurisdiction and authority. This case received a final order in January of this year. According to legal council, this case cannot be reheard until the Commission votes to reconsider this case. If the Commission should vote to reconsider, the Council requests that the Commission refer it back to the Council for their recommendation.**