

## **COLLEGE OF BUSINESS OFFICE DEPOT CENTER**

**Issue:** Vertical accessibility to all tiers of seats in a classroom.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to each of three tiers of seats in a classroom that is part of a \$4,143,819 addition to an existing four story building. The addition will provide two additional stories for the facility. The classroom has 83 seats and the four required accessible seats have been provided on the main floor level and on the third tier. According to the applicant, the issue is not financial, but is unnecessary because of the teaching style that will be used in the auditorium, which will allow close, interactive contact with the instructor.

### **Project Progress:**

The project is under design.

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

Vertical accessibility to all tiers 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.

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:** COLLEGE OF BUSINESS, OFFICE DEPOT CENTER

**Address:** FLORIDA ATLANTIC UNIVERSITY

BOCA RATON, 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:** SCHENKELSHULTZ

**Applicant's Address:** 1300 NORTH CONGRESS AVENUE  
WEST PALM BEACH, FLORIDA 33409

**Applicant's Telephone** (561) 697-3451      **FAX** (561) 697-5210

**Applicant's E-mail Address:** sferreri@schenkelshultz.com

**Relationship to Owner:** ARCHITECT

**Owner's Name:** FLORIDA ATLANTIC UNIVERSITY

**Owner's Address:** 777 GLADES ROAD  
BOCA RATON, FLORIDA 33431-0991

**Owner's Telephone:** (561) 297-3000      **FAX** (561) 297-2260

**Owner's E-mail Address:** jrainwat@fau.edu

**Signature of Owner:** Joseph A. Painter

**Contact Person:** LYN FORSTER

**Contact Person's Telephone** (561) 297-0821      **E-mail Address:** lforste1@fau.edu

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 TWO STORY ADDITION TO AN EXISTING FOUR STORY BUILDING;  
THE STRUCTURE IS REINFORCED CONCRETE FOUNDATION AND COLUMNS, WITH  
STEEL COLUMNS AND FRAMING; THE EXTERIOR IS MASONRY/STUCCO AND  
ALUMINUM WINDOW AND STOREFRONT INFIL. THE FACILITY IS COMPOSED OF  
CLASSROOMS AND OFFICES.

5. **Project Construction Cost (Provide cost for new construction, the addition or the alteration):**           \$ 4,143,819

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.

PLAN REVIEWERS HAVE COMMENTED THAT THE THREE TIERED CLASSROOM  
DOES NOT COMPLY WITH THE INTENT OF THE GUIDELINES REQUIRING VERTICAL  
ACCESSIBILITY TO ALL LEVELS ABOVE AND BELOW THE OCCUPIABLE GRADE  
LEVEL BY INTREPRETATION OF THE CODE. WE AND OUR DESIGN STAFF  
SUBMIT THIS REQUEST FOR RELIEF BECAUSE OUR PLAN IS DESIGNED TO HAVE

SEATING ON THE ACCESSIBLE FLOOR AND ON THE UPPER TIER REACHED BY RAMP  
ACCESS OUTSIDE OF THE CLASSROOM FROM THE ACCESSIBLE CORRIDOR TO THE  
UPPER TIER OF SEATING GIVING A CHOICE OF SEATING FOR THE PHYSICALLY  
DISABLED.

**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 SECTION 553.509; VERTICAL ACCESSIBILITY

**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.

THE "CASE STUDY STYLE" TEACHING METHOD DICTATES THAT THE PLAN  
ARRANGEMENT PROVIDE OPTIMUM SIGHT LINES FOR THE STUDENTS  
PARTICIPATION IN CLASSROOM EXERCISES. AS NOTED ABOVE OUR DESIGN DOES  
PROVIDE SEATING AREAS ON TWO OF THE THREE TIERS.

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

NOT APPLICABLE

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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

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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. THE RAMP ACCESS IS ALREADY PART OF THE PROJECT AND IS NOT A SEPARATE LINE ITEM IN THE COST ESTIMATE.

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b. \_\_\_\_\_

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

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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.

THE WAIVER IS NECESSARY IN ORDER TO SUPPORT THE TEACHING METHODOLOGY.

THE DESIGN OF THE CLASSROOM IS BASED ON A "CASE STUDY STYLE" TEACHING

METHODOLOGY THAT ALLOWS FOR INTERACTION BOTH VERBAL AND VISUAL OF EVERY SEAT TO EVERY OTHER SEAT IN THE ROOM. FURTHERMORE THE INSTRUCTOR MUST HAVE VERBAL AND VISUAL ACCESS DIRECTLY TO EACH STUDENT IN A MORE DIRECT MANNER THAN FOUND IN A "TRADITIONAL" CLASSROOM FORMAT. IN THE PROPOSED DESIGN NOT ONE STUDENT SEAT IS MORE THAN 4 ROWS AWAY FROM THE INSTRUCTOR. THE MOST EFFICIENT AND INTIMATE WAY OF PROVIDING THIS PROXIMITY IS BY STEPPING UP THE ROWS.

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Signature



Printed Name

SAMUEL J. FERRERI, AIA

Phone number (561) 697-3451

(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 8th day of June, 2007

Signature

SAMUEL J. FERRERI, AIA

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. FLORIDA STATUTES SECTION 553.509 VERTICAL ACCESSIBILITY
- b. FLORIDA STATUTES SECTION 553.512 MODIFICATIONS & WAIVERS
- c. \_\_\_\_\_

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

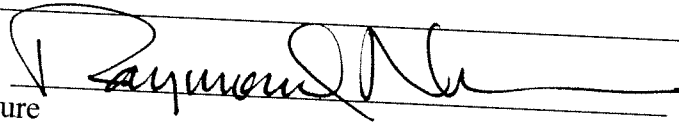
Yes  No Cost of Construction \_\_\_\_\_

Comments/Recommendation WAIVER RECOMMENDED.

Jurisdiction \_\_\_\_\_

Building Official or Designee

Signature



Raymond Nelson, Direct of Facilities Planning  
Printed Name

\_\_\_\_\_  
Certification Number

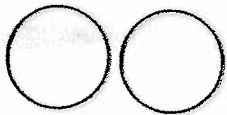
561-297-3000  
Telephone/FAX

Address: FLORIDA ATLANTIC UNIVERSITY, FACILITIES PLANNING

777 GLADES ROAD - BLDG. 69, ROOM 101 BOCA RATON, FL 33431.



**SCHENKEL SRULITZ**  
 ARCHITECTS  
 1000 UNIVERSITY BLVD  
 SUITE 1000  
 FAU CAMPUS  
 TALLAHASSEE, FL 32310  
 TEL: 904.943.1234  
 FAX: 904.943.1235

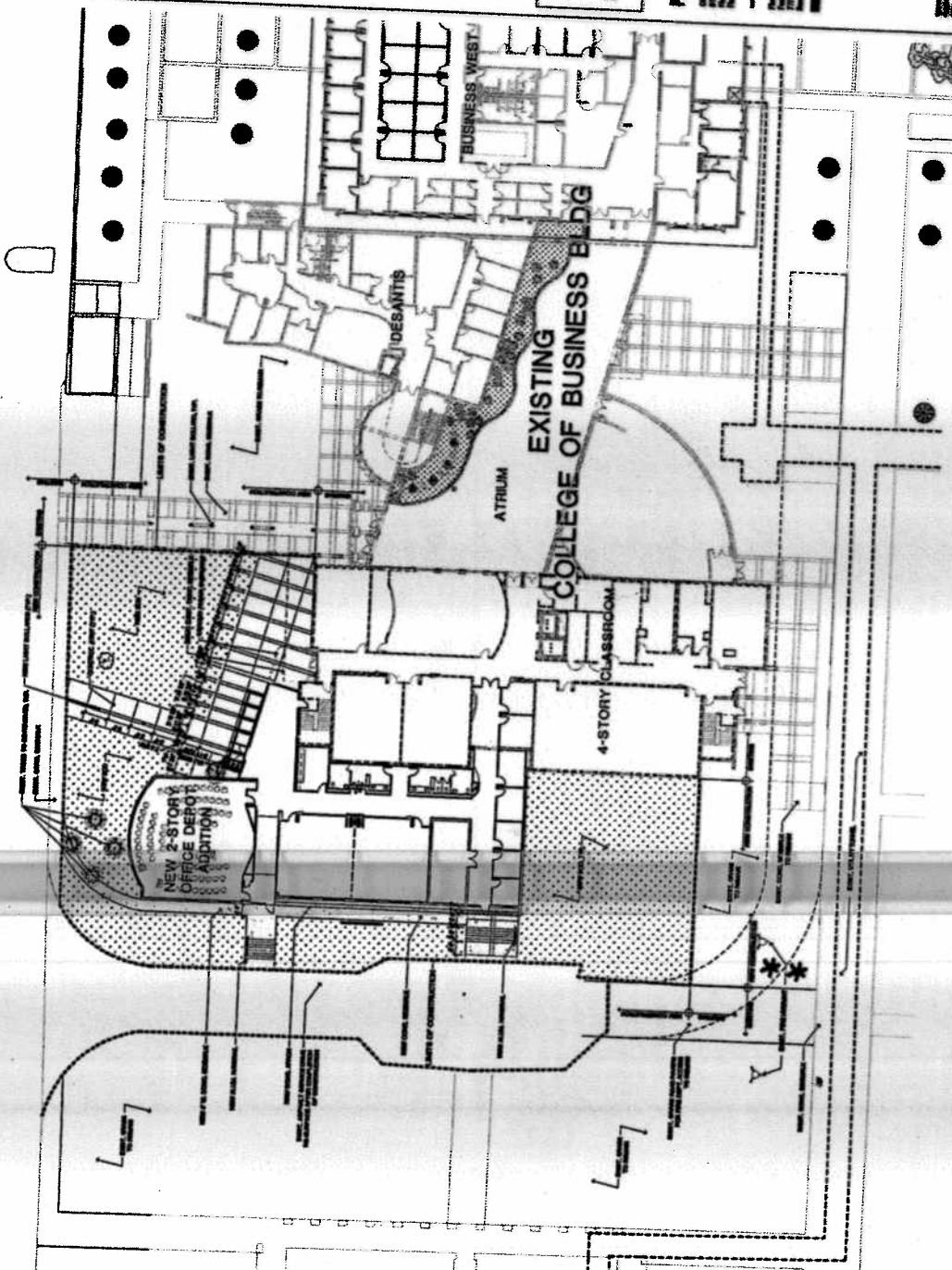


FAU COB

1000 UNIVERSITY BLVD  
 SUITE 1000  
 FAU CAMPUS  
 TALLAHASSEE, FL 32310  
 TEL: 904.943.1234  
 FAX: 904.943.1235

ARCHITECTURAL SITE PLAN

**A012**



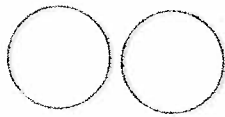
LEGEND	
NEW 2-STORY OFFICE DESIGN Addition	(Hatched pattern)
EXISTING COLLEGE OF BUSINESS BLDG	(Dotted pattern)
4-STORY CLASSROOM	(Dotted pattern)
BUSINESS WEST	(Dotted pattern)
JOESANTIS	(Dotted pattern)
ATRILIUM	(Dotted pattern)

EXISTING  
 EDUCATION BLDG

\*\*\*



SCHMIDT & SCHULTZ  
ARCHITECTS  
1000 UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
TEL: 734.763.1234  
WWW.SCHMIDT-SCHULTZ.COM



FAU

FAU COB

1000 UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
TEL: 734.763.1234  
WWW.FAU.COBS.COM

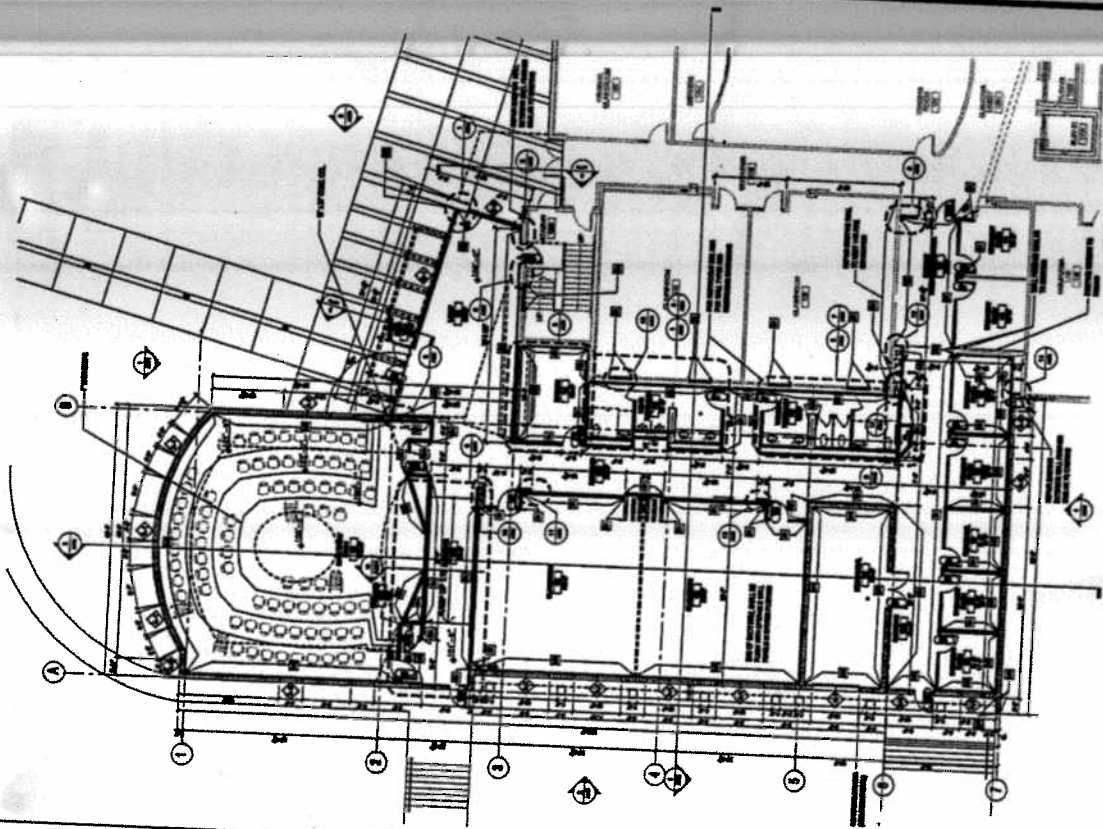
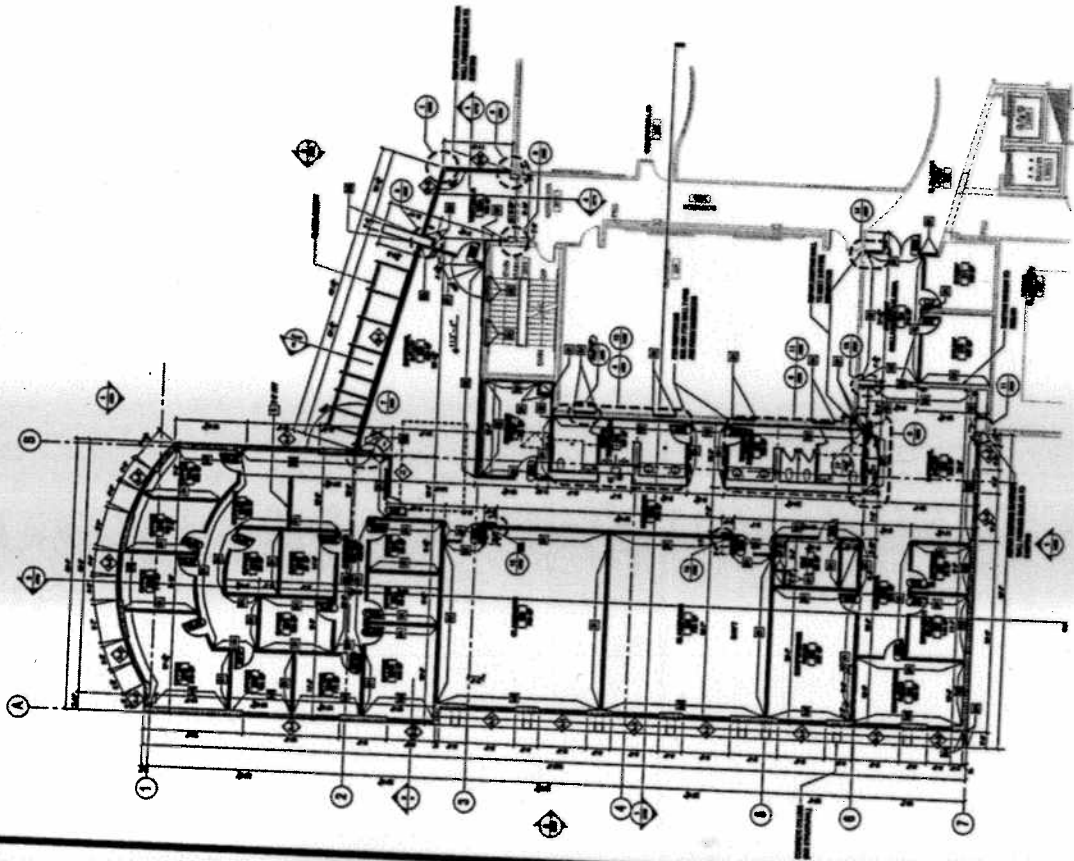
1000 UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
TEL: 734.763.1234  
WWW.FAU.COBS.COM

FAU

FIRST & SECOND  
FLOOR PLANS

A101

1000 UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
TEL: 734.763.1234  
WWW.FAU.COBS.COM



**SCHENKELSHULTZ**  
□ □ □ ARCHITECTURE □ □ □

June 8, 2007

Department of Community Affairs  
Florida Building Commission  
255 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

RE: Request for Waiver FBC 2004 edition,  
Chapter 11 Florida Accessibility Code for Building Construction  
Florida Statute Section 553-509 Vertical Accessibility

Dear Mr. Chairman:

Transmitted herewith is our Request for Waiver of the requirement for vertical accessibility to every level above and below the occupiable grade level for the specific classroom occurrence submitted.

Included are three 30 inch by 42 inch drawings; three 11 inch by 17 inch copies of the documents; three 8 1/2 inch by 11 inch transparencies; a hard copy of the request signed and sealed and a CD of the items listed above in PDF format.

We believe this fulfills the requirements and look forward to a positive determination after the Florida Building Commission reviews and considers the intent of the design.

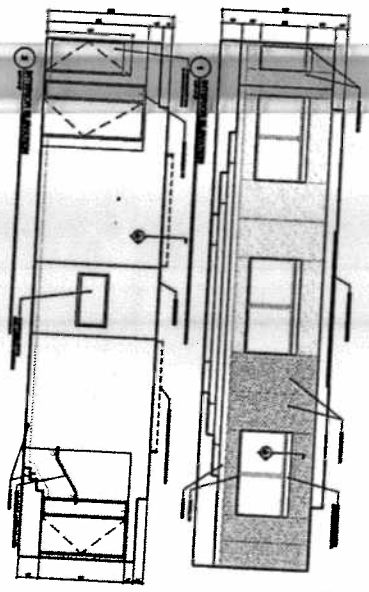
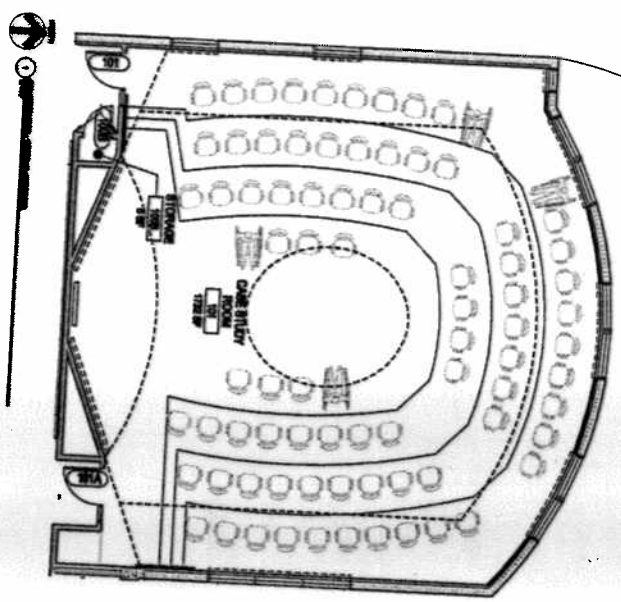
Sincerely,

**SCHENKELSHULTZ**



Samuel J. Ferreri

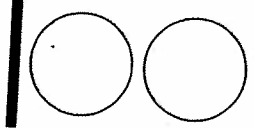
cc: Lyn Forster  
Jerzy Jurewicz  
0620135 permitting



**A203**

**ENLARGED PLAN**

**FAU C08**



**SCHWENDEL SHULTZ**  
ARCHITECTS  
1000 UNIVERSITY AVENUE  
ANN ARBOR, MI 48106  
313.936.1234  
WWW.SCHWENDEL-SHULTZ.COM