

HIALEAH RACE TRACK

Issue: Vertical accessibility to all rows of seats at a race track facility.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in the grandstand at a historic racetrack. The grandstand is constructed in three large sections, each of which contains wheelchair accessible seating; however, it appears the total number of locations provided may not be sufficient. Also, in a number of cases, the wheelchair locations are on the ends of the rows. No cost estimates were provided, nor was the total cost of construction submitted.

Project Progress:

The project is in plan review.

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: Hialeah Race Park

Address: 2200 East 4th Avenue, Hialeah, FL 33010

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: Les Beilinson, AIA, LEED AP

Applicant's Address: 8101 Biscayne Boulevard, Suite 309, Miami, FL 33138

Applicant's Telephone: 305-559-1250 x 207 FAX: 305-551-1740

Applicant's E-mail Address: ldb@beilinsonarchitectspa.com


Relationship to Owner: Architect

Owner's Name: Bal Bay Realty, Ltd.

Owner's Address: 2200 East 4th Avenue, Hialeah, FL 33010

Owner's Telephone: 305-885-8000 x 202 FAX 305-883-9680

Owner's E-mail Address: Jbrunettijr@brunetti.com

Signature of Owner: 

Contact Person: Stanley B. Price

Contact Person's Telephone: 305-350-2374 E-mail Address: Sprice@bilzin.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 the existing race track at the Hialeah Park.

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

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 existing race track facilities are being repaired to reopen for this racing season.

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

Issue

1: Accessibility to all levels – F.A.C. 11.-4.1.6(1)(k)(iii) in conflict with F.A.C. Section 11-4.33.
Need clarification

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.

Hialeah Park is a historic site listed on the National Register of Historic Places. To the best of my knowledge, the portions of the clubhouse, grandstand and paddock to be occupied this racing season will be accessible. The entire building will conform to F.A.C. Section 11-4.1.7. The grandstand will be accessible in accordance with F.A.C. Section 11-4.33, it will not conform to Section 11-4.1.6(1)(k)(iii). It is because of the conflict between F.A.C. Section 11-4.33 and Section 11-4.1.6(1)(k)(iii) that I am requesting clarification and a waiver.

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.

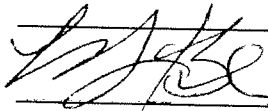
a. _____

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 requesting clarification of conflicting requirements for accessibility to all levels



Les Beilinson, AIA, LEED AP

Signature

Printed Name


Phone number 305-559-1250 x. 207

(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 9th day of October, 2009.



Signature

Les Beilinson, AIA, 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.

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. Accessibility to all levels – F.A.C. 11.-4.1.6(1)(k)(iii) in conflict with F.A.C. Section 11-4.33.
Need clarification
- 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 _____

Comments/Recommendation _____ **Approval** _____

Jurisdiction _____ City of Hialeah _____

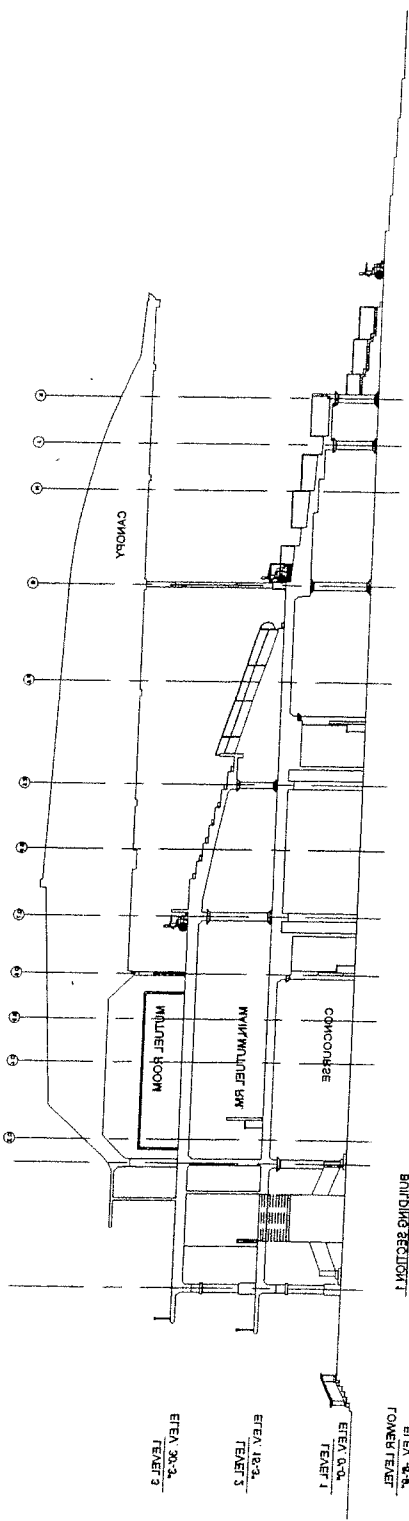
Building Official or Designee _____
Signature _____ 10/9/09

John T. Travers, Director Department of Community Development
Printed Name

BCAI BU1315
Certification Number

305-492-2007 / 305-883-8094
Telephone/FAX

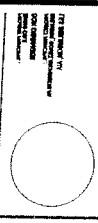
Address: _____ 501 Palm Avenue, Hialeah, FL 33010 _____



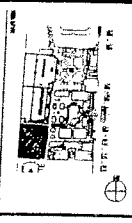
1 ACC-400A

PHASE 1
RACE TRACK
HIALEAH PARK

DATE: 11/15/11
SCALE: 1/8" = 1'-0"
DRAWN BY: [Name]
CHECKED BY: [Name]



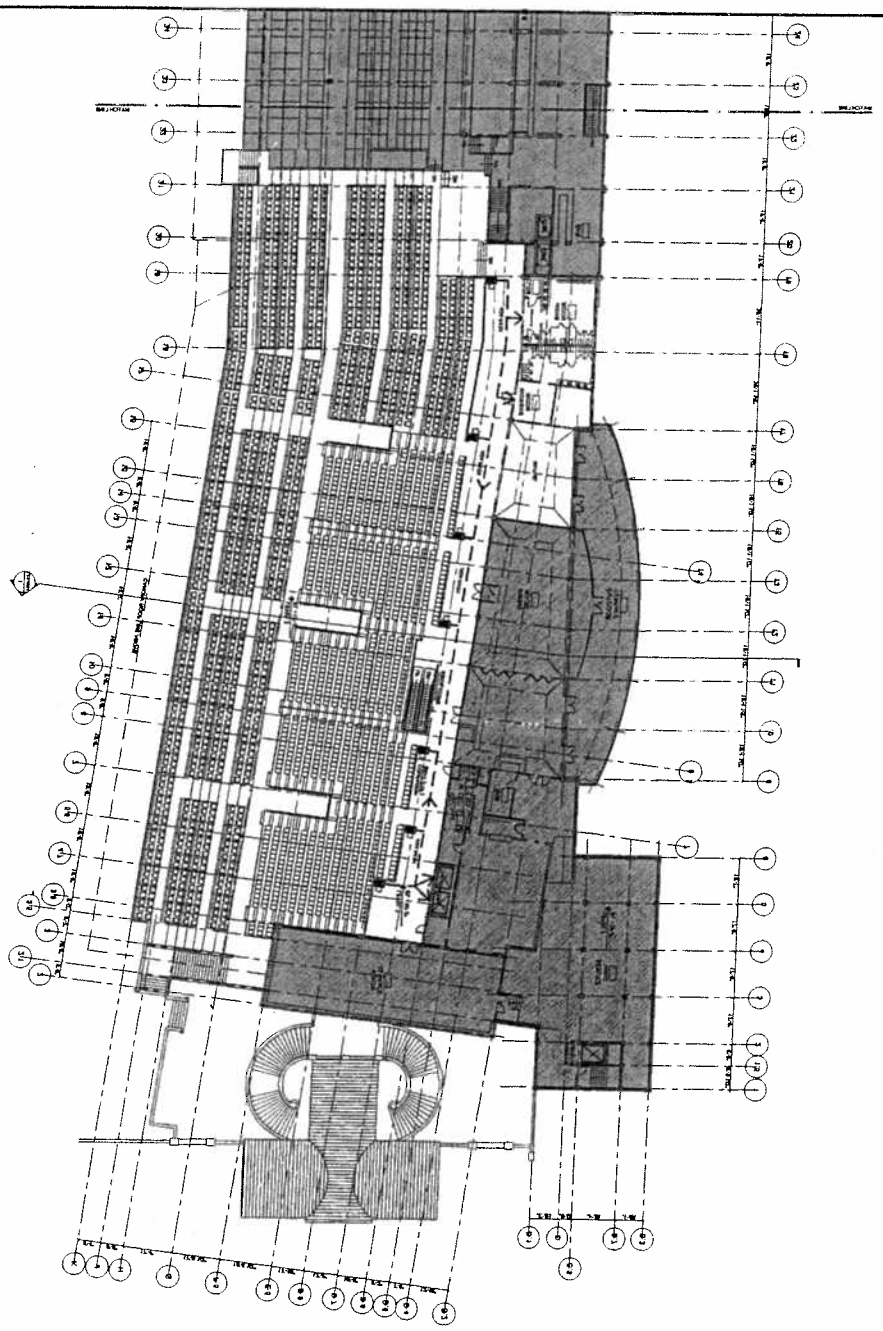
Hansen



CONTRACT NO. 11-1000000-0000
PROJECT NO. 11-1000000-0000
DATE: 11/15/11
SCALE: 1/8" = 1'-0"
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

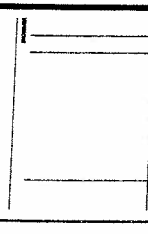
LET: 11/15/11
BIDDING: 11/15/11
CONSTRUCTION: 11/15/11
COMPLETION: 11/15/11

COLE EWING



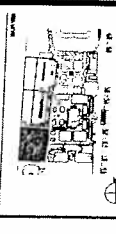
DATE: 10/1/03
 DRAWN BY: J. COLE
 CHECKED BY: J. COLE
 SCALE: 1/8" = 1'-0"

PHASE 1
 BYOE TRAVEL
 HILTEH PARK



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 HEREIN IS FOR THE
 USE OF THE CLIENT ONLY
 AND IS NOT TO BE
 REPRODUCED OR
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 WITHOUT THE WRITTEN
 PERMISSION OF THE
 ARCHITECT.

HilteH Park

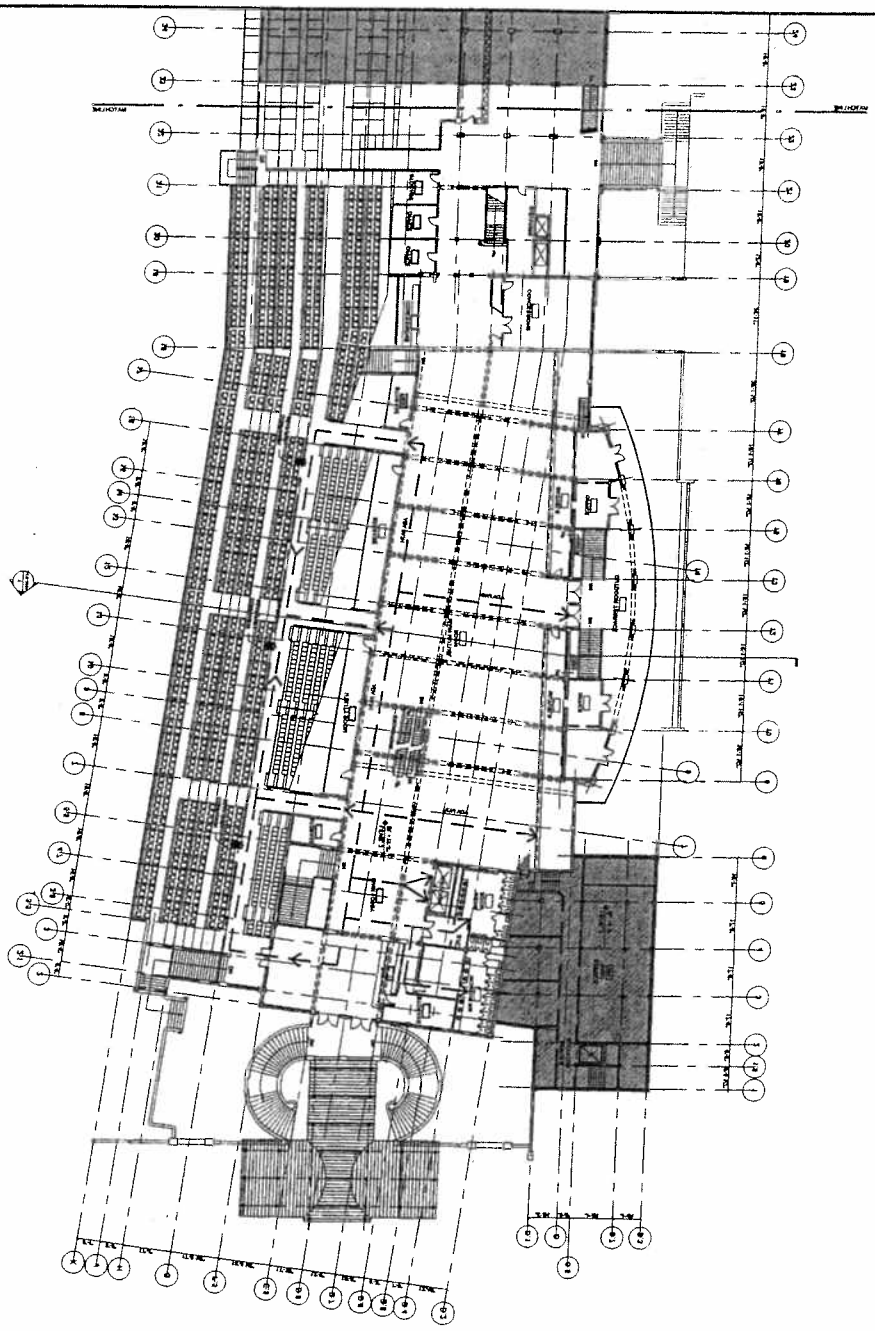


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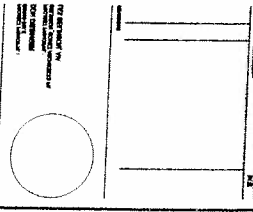
**COLE
 EWING**

SECOND FLOOR PLAN



1 ACC-105A

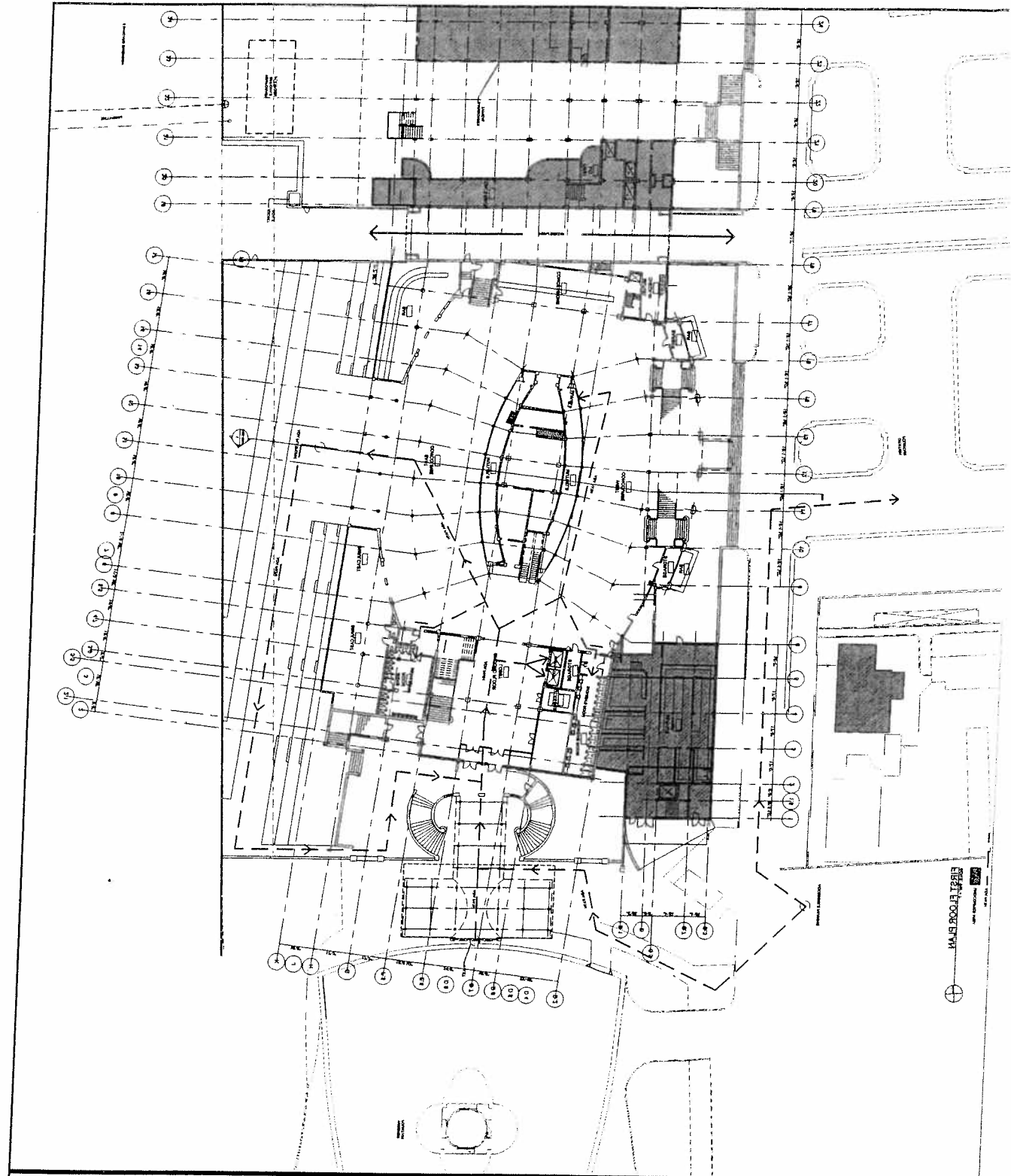
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RACE TRACK
HILTEH PARK



Hilteeh Park



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 ARCHITECTS
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 Seattle, WA 98108
 Phone: (206) 461-1111
 Fax: (206) 461-1112
 Website: www.cole-ewing.com



ELECTRICAL ROOM
MECHANICAL ROOM

1 ACC-101A

PHASE 1
BYCE BAYOK
HAYLEIGH PARK

Harcourt Brace



**COLE
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