

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 STATUTE 553.509, VERTICAL ACCESSIBILITY – Request for waiver of vertical accessibility requirements to all levels of the telescoping gymnasium seating

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

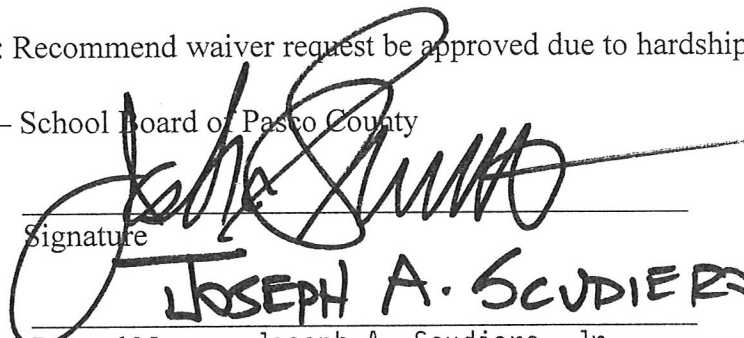
Yes No Cost of Construction _____

Comments/Recommendation: Recommend waiver request be approved due to hardship.

Jurisdiction: Building Official – School Board of Pasco County

Building Official or Designee _____

Signature



JOSEPH A. SCUDIERO, JR

Printed Name Joseph A. Scudiero, Jr.

BU 1296

Certification Number

727-774-7950/Fax: 727-774-7992

Telephone/FAX

Address: School Board of Pasco County
11835 Treebreeze Drive
New Port Richey, FL 34654

**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: Charles Rushe Middle School

Address: 18654 Mentmore Boulevard, Land O'Lakes, FL 34639

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: Harvard Jolly, Inc., Project Architect Ronald Zajac

Applicant's Address: 5201 W. Kennedy Blvd. Suite 515, Tampa, FL 33609

Applicant's Telephone: 813-286-8206 FAX: 813-287-1830

Applicant's E-mail Address: r.zajac@harvardjolly.com

Relationship to Owner: Project Architect

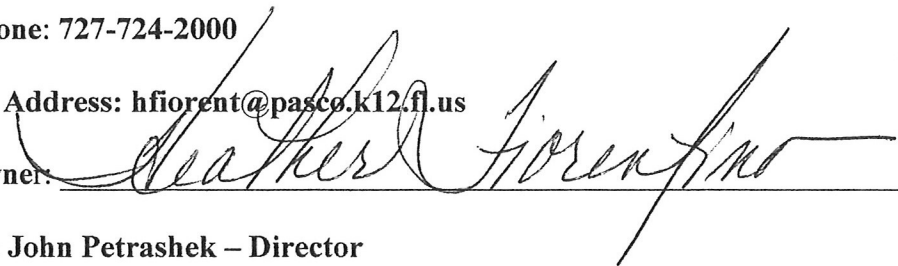
Owner's Name: District School Board of Pasco County, Superintendent Heather Fiorentino

Owner's Address: 7227 Land O' Lakes Blvd., Land O' lakes, FL 34638

Owner's Telephone: 727-724-2000

Owner's E-mail Address: hfiorent@pasco.k12.fl.us

Signature of Owner:

A handwritten signature in black ink, appearing to read "Heather Fiorentino", is written over a horizontal line. The signature is cursive and extends slightly above and below the line.

Contact Person: John Petrashek – Director

Contact Person's Telephone: 727-774-7950 E-mail Address: jpetrash@pasco.k12.fl.us

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 248,463 square foot Middle School consisting of a three story Classroom and Administration Building with one story portions which include a cafeteria and gymnasium around a central atrium.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$36,386,300.00

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.

Need a waiver for vertical accessibility to all levels of bleacher seating at gymnasium.

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 Statue 53.509 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.

[x] 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 the collapsible seating in the gymnasium is not feasible and would incur unnecessary cost and cause an extreme hardship in complying. We believe that the proposed design includes adequate accessible seating arrangements. This condition affects all owners of this type of facility.

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

Not Applicable

[x] 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.

We have dispersed and integrated the accessible seating areas in the bleachers at the floor of the gym. Vertical accessibility to all levels (every row of seating) through design and/or cost is impractical.

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 and in the attached drawings are already included in the projects guaranteed maximum price and are 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.

Crews Lake Middle School has been designed to provide the maximum accommodations to accessibility within the difficult constraints of the project budget. All of the educational spaces are fully accessible in compliance with state statues. The areas for assembly seating presents an extreme hardship to achieve compliance.

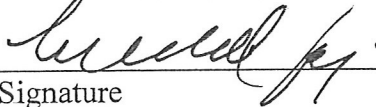
In the gymnasium, the bleachers are of a telescoping variety to maximize the primary use

of the space for physical education as well as their supplemental use for games and assemblies. Providing full accessibility would require a fixed seating system type and much larger space requirements to accommodate the assemblies or games.

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 15 day of SEPTEMBER, 2010



Signature

Ronald Zajac

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.