

**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 Art Museum

Address: 1075 Biscayne Boulevard

 Miami, Florida 33132

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: John Banks

Applicant's Address: Handel Architects LLP
 150 Varick Street 8th Floor
 New York, NY 10013

Applicant's Telephone: 212-595-4112 FAX: 212-595-9032

Applicant's E-mail Address: jbanks@handelarchitects.com

Relationship to Owner: Project Manager for Executive Architect

Owner's Name: Miami Art Museum

Owner's Address: 101 West Flagler Street

Owner's Telephone: 305-375-3000 FAX 305-375-1725

Owner's E-mail Address: jswolff@miamiartmuseum.org

Signature of Owner: 

Contact Person: Jim Klecker

Contact Person's Telephone: 305-375-3000 E-mail Address: jklecker@comcast.net

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.)

A 118, 285 GSF, 4-story, contemporary art museum with approximately 32,500 SF of gallery space, 5,000 SF of education space, 6,800 SF of administration space, 98,000 SF of parking space accommodating 220 spaces, and a 249-seat auditorium space.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$77,170,000 _____

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.

 The City of Miami Building Department has indicated in their review of the plans that the proposed auditorium does not meet the requirement for vertical accessibility to all levels.

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 Building Code Section 11-4.1.3

Florida Statute 553.509

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.

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

Providing accessibility to all levels of the auditorium seating would require a series of ramps extending perpendicular to the rows of seating thereby increasing the width of the auditorium space by approximately 50%. The cost of such an increase would be a hardship to an art museum for which the auditorium is a secondary function.

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.

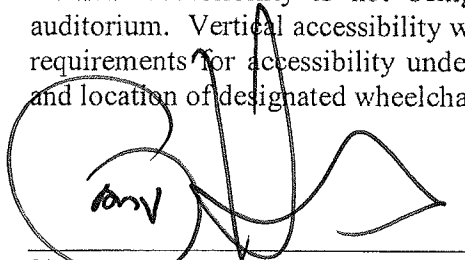
a. _____

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.

Vertical accessibility is not being provided to every individual row within the 249-seat auditorium. Vertical accessibility will be provided to the top and bottom rows and will meet the requirements for accessibility under FBC Section 11-4.33 Assembly Areas, including number and location of designated wheelchair areas and associated companion seats.



Handwritten signature of Gary Handel in black ink, written over a horizontal line.

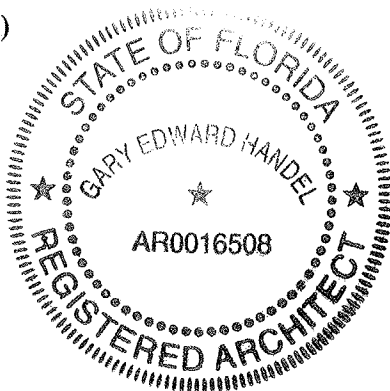
Signature

Gary Handel

Printed Name

Phone number 212-595-4112

(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 13TH day of OCTOBER, 2010

John M. Banks
Signature

JOHN M. BANKS
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. _____

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 _____

Jurisdiction _____

Building Official or Designee _____

Signature

Printed Name

Certification Number

Telephone/FAX

Address: _____

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.

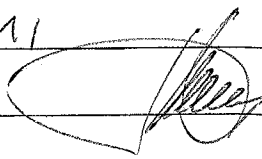
- a. FC 11.4.13
- b. _____
- c. _____

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 as submitted

Jurisdiction CITY OF MIAMI

Building Official or Designee 
Signature

MARIANO V. FERNANDEZ
Printed Name

BEI-689
Certification Number

305 4161107 / 305 4161060
Telephone/FAX

Address: 444 SW 2nd AVE
MIAMI, FL 33130



Miami Art Museum

1075 BISCAYNE BLVD., MIAMI, FLORIDA 33132

PROJECT DIRECTOR

FRANKLIN W. WOOD

568 BROADWAY SUITE 802

NEW YORK, NY 10012

212 334 7700

DESIGN CONSULTANT

HERZOG & DE MEURON

RHEINSHANZE & CH-4058

BASEL SWITZERLAND

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305 868 5363

CIVIL ENGINEERING

ADA ENGINEERING

DOHALL, FL 33122

305 551 4608

STRUCTURAL, MECHANICAL & ELECTRICAL ENG.

STUDIOS UNIC

145 AVENUE OF THE AMERICAS

NEW YORK, NY 10013

212 229 2669

STRUCTURAL ENGINEERING (LOCAL)

DONGLASWOOD & ASSOCIATES, INC.

289 ALHAMBRA CIRCLE SUITE 510

CORAL GABLES, FL 33134

305 461 3450

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JLABW ENGINEERING GROUP, INC.

2510 NW 97TH AVENUE SUITE # 220

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305 594 0660

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FRONT, INC.

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1000 W. WASHINGTON STREET, SUITE 1129

DENVER, CO 80220

303 324 7061

ACOUSTIC & AUDIO / VISUAL

HIMBA

173 W. 81ST STREET SUITE 2 LOWER LEVEL

NEW YORK, NY 10024

212 874 0214

KEY PLAN

SCALE

JOB NO.:

DRAWING TITLE

SCALE: 1" = 100'

JOB NO.: 597-01

DRAWING TITLE

SCALE: 1" = 100'

JOB NO.: 597-01

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DRAWING TITLE

SCALE: 1" = 100'

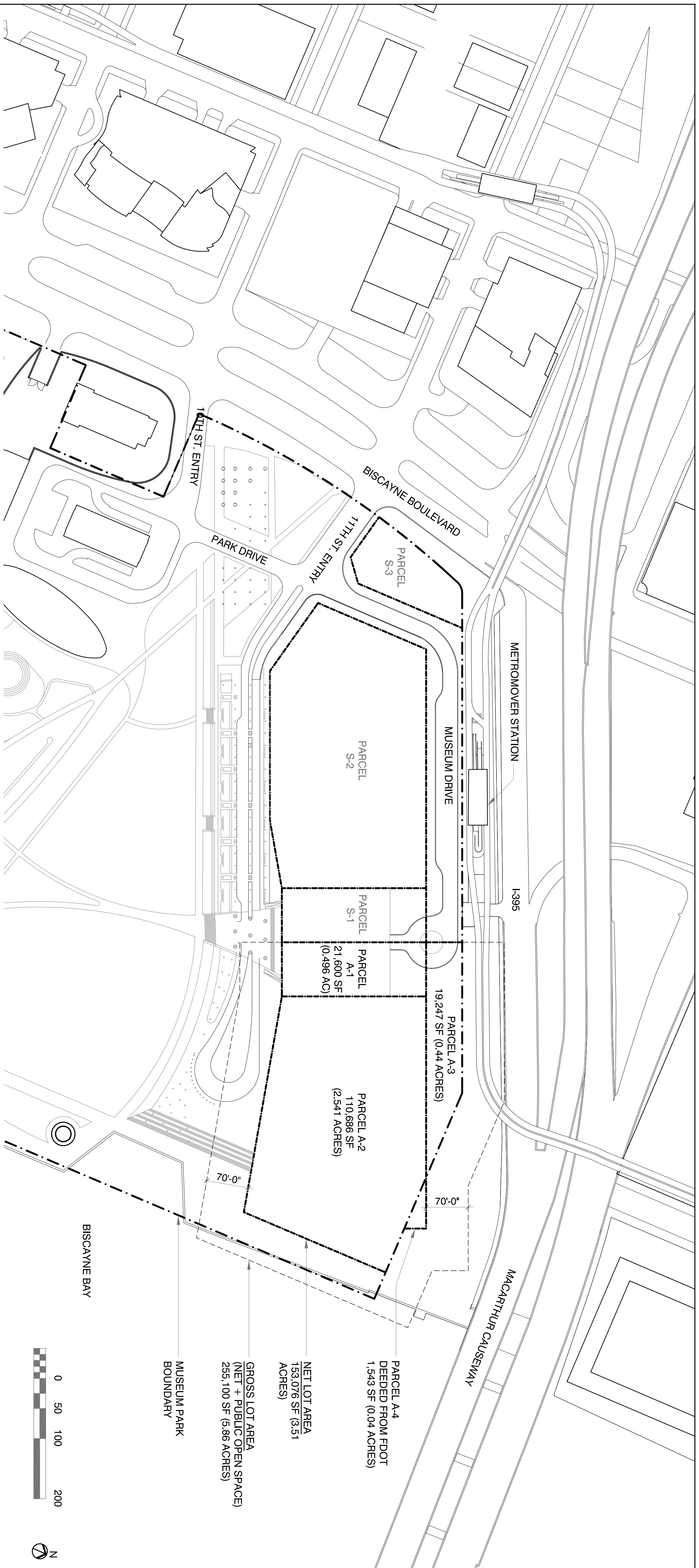
JOB NO.: 597-01

DRAWING TITLE

SCALE: 1" = 100'

JOB NO.: 597-01

DRAWING TITLE



1 PARCEL SUMMARY DIAGRAM

Scale: 1:100

MIAMI ART MUSEUM - MAJOR USE SPECIAL PERMIT (APPROVED)
1075 BISCAYNE BOULEVARD, MIAMI, FL

SITE DATA SUMMARY: (SEE PARCEL DIAGRAM ABOVE)
ZONING DISTRICT: PR - PARKS, RECREATION & OPEN SPACE
FEMA ZONE: AE, MAP 1202560183J
NET LOT AREA = 153,076 SF (3.51 AC)
GROSS LOT AREA = 255,100 SF (5.86 AC)

BUILDING DATA SUMMARY:
BUILDING FOOTPRINT = 92,545 SF (EXTENT OF ROOF)
GROSS BUILDING AREA = 118,215 SF (OUTSIDE OF EXT WALL)
GROSS FLOOR AREA = 114,337 SF (INSIDE OF EXT WALL)
FLOOR AREA NONRESIDENTIAL = 96,154 SF (OUTSIDE EXT WALL MINUS MECH, LOADING, STAIRS, ELEVATORS)
FLOOR AREA RATIO:
MAXIMUM ALLOWED = 0.65
PROPOSED = 0.38 (96,154 / 255,100)

BUILDING HEIGHT:
MAXIMUM ALLOWED = UNLIMITED
PROPOSED = +77'-0" N.G. V.D.
(MEETS MUSEUM PARK MIAMI MASTERPLAN GUIDELINES)

FLOOR AREA SUMMARY: (SEE FLOOR AREA DIAGRAMS, Z-004)
LEVEL 0: 9,822 GSF
LEVEL 1: 27,409 GSF
LEVEL 1M: 1,201 GSF
LEVEL 2: 49,883 GSF
LEVEL 3: 29,900 GSF

OPEN SPACE SUMMARY: (SEE SITE PLAN, Z-002)
OPEN SPACE REQUIRED = 0
OPEN SPACE PROVIDED = 18,285 SF (7.2%)

REQUIRED PER MIAMI-DADE COUNTY CODE, SECTION 33D
REQUIRED SETBACK OF 25FT FROM BAY SEAWALL FOR UP TO 35FT IN HEIGHT ABOVE MEAN WATER LINE (+36'-6"); SETBACK DISTANCE (IN FEET) INCREASES BY 50% OF HEIGHT ABOVE MEAN WATER LINE.
PROVIDED - YES
(SEE Z-003)

REQUIRED PER MIAMI CITY CHARTER - SECTION 3, (MM), (II)
NO PARKING OR ENCLOSED BUILDING WITHIN 50FT OF BISCAYNE BAY
PROVIDED - YES
(SEE Z-003)

LOADING SUMMARY:
REQUIRED PER ZONING ORDINANCE SECTION 923.4
(3) 12X35' LOADING BERTHS FOR BUILDINGS BETWEEN 100,000 - 250,000 SF.

PROVIDED (SEE A-100)
(1) 12' X 35' ENCLOSED LOADING BERTH
(2) 10' X 20' EXTERIOR LOADING AREAS (BY CLASS II PERMIT)

PARKING SUMMARY:
REQUIRED
1 SPACE PER 500 GROSS SF + 1 SPACE PER EMPLOYEE
114,337 GSF / 500 = 229 + 69 EMPLOYEES = 298

(298) X 90% = (269) X 90% = **242 SPACES REQUIRED**
SEC 91.4.2 - 10% REDUCTION FOR LOTS WITHIN 800FT OF METROWOVER
SEC 91.7.1 - 10% REDUCTION FOR COMBINATIONS OF COMMERCIAL & OFFICE USES
PROVIDED
220 SPACES (7 ADA SPACES PROVIDED AS REQUIRED PER ADAAG TABLE 208.2)

A VARIANCE FOR (22) PARKING SPACES WAS OBTAINED
SPACES ON PARCEL A-1 = 48**
SPACES ON PARCEL A-2 & FDOT DEED LOT = 172

**FUTURE MUSEUM PLAZA CONSTRUCTION ON PARCEL A-1 MAY REQUIRE TEMPORARILY CLOSING 48 PARKING SPACES. REQUIRED ADA PARKING SPACES WILL NOT BE AFFECTED DURING THIS TIME.

ISSUE	DATE
DESIGN DEVELOPMENT - 100%	08.25.09
PERMIT APPLICATION	07.30.10
CD ISSUE - 85%	07.30.10

SCALE	DATE
1" = 100'	08.25.09
1" = 100'	07.30.10

JOB NO.	DATE
597-01	08.25.09
597-01	07.30.10

DRAWING TITLE	DATE
PARCEL AND ZONING INFORMATION	08.25.09
PARCEL AND ZONING INFORMATION	07.30.10

PARCEL AND ZONING INFORMATION
DRAWING NUMBER
Z-001



Miami Art Museum

1075 BISCAYNE BLVD., MIAMI, FLORIDA 33132

PROJECT DIRECTOR

PARATUS GROUP
588 BROADWAY, SUITE 602
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DESIGN CONSULTANT

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212 674 0214

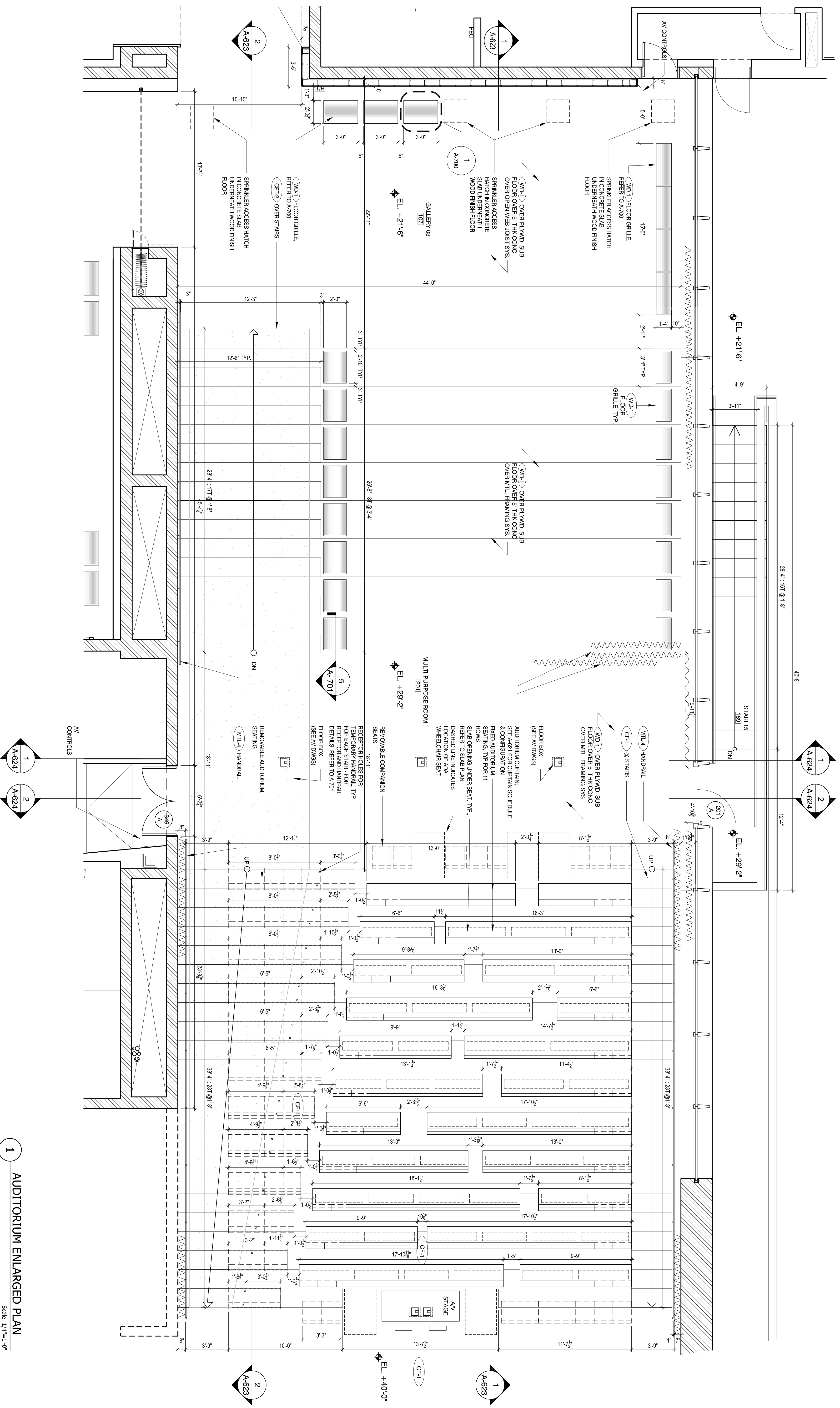
KEY PLAN

ISSUE	DATE
CD ISSUE - 50%	03.30.10
CD ISSUE - 95%	07.30.10

SEAL

SCALE: _____
JOB NO.: 597-01
DRAWING TITLE

1 AUDITORIUM ENLARGED PLAN
Scale: 1/4"=1'-0"
AUDITORIUM PLAN
DRAWING NUMBER
A-620



1 AUDITORIUM ENLARGED PLAN
Scale: 1/4"=1'-0"



Miami Art Museum

1075 BISCAYNE BLVD., MIAMI, FLORIDA 33132

PROJECT DIRECTOR

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ACOUSTIC & AUDIO /VISUAL

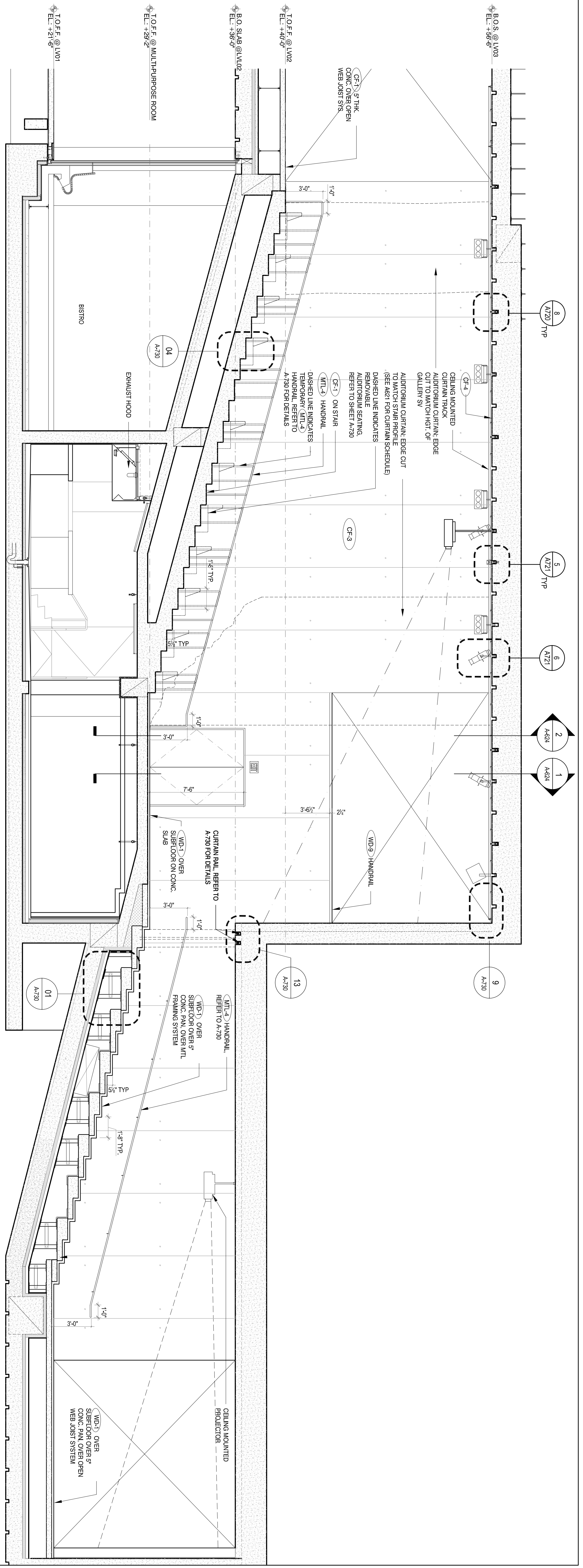
HINSA

173 W. 31ST STREET, SUITE 2 LOWER LEVEL

NEW YORK, NY 10024

212.674.0214

KEY PLAN



2 SOUTH ELEVATION
Scale: 1/4" = 1'-0"

1 NORTH ELEVATION
Scale: 1/4" = 1'-0"

ISSUE	DATE
CD ISSUE - 50%	03.30.10
CD ISSUE - 65%	07.30.10

SCALE:	JOB NO.:	DRAWING TITLE	DRAWING NUMBER
	597-01	AUDITORIUM ELEVATIONS	A-623