

**ACCESSIBILITY ADVISORY COUNCIL  
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**DECEMBER 5, 2022  
2:00 P.M.**

## **Minutes**

### **ACCESSIBILITY ADVISORY COUNCIL PRESENT:**

Joe Del Vecchio, Chairman  
Stan De Aranzeta  
Beth Meyer

Sila Miller  
Paul Edward Viksne

### **ACCESSIBILITY ADVISORY COUNCIL NOT PRESENT:**

Allison Klien

### **STAFF PRESENT:**

Mo Madani  
Justin Vogel  
Marlita Peters  
Chip Sellers

Thomas Campbell  
Sabrina Evans  
Jim Hammers

**Welcome:**

**Time: 2:00 p.m.**

Ms. Peters welcomed everyone to the teleconference meeting of the Accessibility Advisory Council.

**Roll Call**

Ms. Peters performed roll call for the Council. A quorum was determined with 6 members present at roll call.

**Agenda Approval:**

Mr. Viksne entered a motion to approve the agenda for today's meeting as posted. Mr. Del Vecchio seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**Public Comment:**

Mr. Kevin Oun, JAA Architecture, stated that he was representing items Waiver 541 and Waiver 572.

**Approval of the minutes from October 5, 2022:**

Mr. Viksne entered a motion to approve the minutes from October 5, 2022 as posted. Mr. Del Vecchio seconded the motion. The motion passed unanimously with a vote of 4 to 0.

**Commission's Action on October 2022 Waiver Applications:**

Mr. Madani informed the committee that the Commissioner actions were consistent with the Council's recommendations.

**Application for waiver from Accessibility Requirements:**

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

- 1) JAA Architecture Inc. – Waiver 541 – 2063 Oak Street, Jacksonville 32204 - Issue:**  
Vertical accessibility to the first and second floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

**Analysis:**

The applicant is requesting a waiver from providing vertical accessibility to the first and second floors of a two-story historic house built in 1926 with 4,183 square feet. The historic house was converted to an office building. The first floor is occupied by several businesses and the second floor will be an architectural office. In addition, a separate building on site that was previously a

garage has been converted into an ADA accessible office space. The alterations for this project consisted of new tenant build out and installation of new light fixtures and plumbing fixtures. The project estimated construction cost is \$40,000. Currently, there is no vertical accessibility available to the first floor or between the first and second floor of the office building. The architect for the project stated that providing vertical accessibility inside this home would significantly alter the historic fabric of the structure and that an existing façade easement on the street facing sides of the building does not allow for new construction. In addition, there is no space to feasibly construct a ramp and its required landing on the non-street facing side of the building. The applicant alleges the hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general. The applicant has provided documentation confirming the historic significance of the property.

**Staff Recommendation:**

Staff recommends granting the request for waiver for vertical accessibility on the grounds of historical significance and technical infeasibility.

**Motion:**

Ms. Miller entered a motion to grant the waiver for vertical accessibility on the grounds of historical significance and technical infeasibility. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 6 to 0.

- 2) **Decca – Waiver 572 – 323 E Bay Street, Jacksonville 32202 – Issue:** Vertical accessibility to the roof top bar.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

**Analysis:**

The applicant is requesting a waiver from providing vertical accessibility to the rooftop bar of a vacant two-story building built in 1913 with 14,906 square feet. The historic building is being converted to an event venue with a rooftop bar. The project estimated construction cost is \$3,035,000. The building currently has an existing historical elevator to access the basement and the second floor. The first floor is accessible via a platform lift. The architect for the project stated that the building's owner has made ADA improvements to the maximum extent feasible and installing an elevator to the rooftop will destroy the historic significance of the building due to the demolition of the existing floors, floor joists and floor plan configuration. Location of a new elevator is limited as the front and the rear of the building are street facing and will need to be set back from the façade per the Secretary of Interior Standards of Design for Rehabilitation. The applicant alleges the hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general. The applicant has provided documentation confirming the historic significance of the property.

**Staff Recommendation:**

Staff recommends granting the request for waiver for vertical accessibility on the grounds of historical nature of the property and technical infeasibility.

**Motion:**

Mr. Del Vecchio entered a motion to grant the waiver for vertical accessibility on the grounds of historical nature of the property and technical infeasibility. Ms. Miller seconded the motion. The motion passed unanimously with a vote of 6 to 0.

**3) Restoration of 407 E Palm – Waiver 597– Issue:** vertical accessibility to the first floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

**Analysis:**

The applicant is requesting a waiver from providing vertical accessibility to the first floor of a historic two-story house being rezoned to mixed-use commercial/residential with 3,453 square feet. The first floor will be a family-owned business that does not take physical clients. The second-story portion is residential and will have individuals living and paying rent. The proposed alterations consist of electrical, plumbing, mechanical, and drywall remodeling. The architect for the project stated due to the historic designation of the building, coupled with the proposed first floor use as a commercial business that does not deal with physical clients, installation of a wheelchair lift would generate a disproportionate cost for its proper implementation and continued safe operation as it would require additional modifications to protect the lift from the elements, which would detract from the historic nature and character of the existing structure. The applicant alleges the hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general. The applicant has provided documentation confirming the historic significance of the property.

**Staff Recommendation:**

Staff recommends granting the request for waiver for vertical accessibility on the grounds of the historical nature of the property.

**Clarifying Question:**

Member of the Council asked the staff for qualifying questions.

Staff provided the members with answers.

**Motion:**

Ms. Laibl-Crowe entered a motion to grant the waiver for vertical accessibility on the grounds of historical nature of the property. Mr. Viksne seconded the motion. The motion passed with a vote of 4 to 2.

- 4) **1771 Coral Way – Waiver 565 – 1771 SW 22 Street, Miami 33145 – Issue:** vertical accessibility to the first floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

**Analysis:**

The applicant is requesting a waiver from providing vertical accessibility to the first floor of an existing 3,884 square feet office building built in 1947 with 3,884 square feet. The proposed alteration will consist of a fully ADA-compliant interior build-out, site work improvements, interior remodeling and certain upgrades to the plumbing, mechanical and electrical systems. The project cost is \$242,839 for the alteration, with \$54,891 toward accessibility. According to the applicant, the city of Miami recently performed right-of-way improvements at the street and public sidewalk. The main entry approach between the door threshold and sidewalk has an aggregate difference in height of approximately 4 inches, which consists of three changes in elevation. The first change in elevation is approximately 1 inch without a bevel; the second change in elevation is approximately 2-1/2 inches in the form of a non-compliant slope; and the third change in elevation is approximately 3/4 of an inch at the threshold of the ramp. The architect for the project stated that the owner has made a diligent investigation into several options for compliance. The first consideration was to propose a ramp. This option was technically infeasible because the distance between the front door and public right-of-way is less than the minimum 44 inches required to accommodate an ADA-compliant approach. The other considerations were to install an ADA-compliant lift or an elevator. However, these options were also considered technically infeasible for the same reason and the fact that there is not enough distance to physically fit the required equipment. The applicant alleges the hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

**Staff Recommendation:**

Staff recommends granting the request for waiver for vertical accessibility on the grounds of technical infeasibility.

**Clarifying Question:**

Member of the Council asked the staff for qualifying questions.

Staff provided the members with answers.

**Motion:**

Ms. Laibl-Crowe entered a motion to grant the waiver for vertical accessibility on the grounds of technical infeasibility. Mr. Viksne seconded the motion. The motion passed with a vote of 5 to 1.

**Other Council Business:**

Mr. Vogel provided a comment.

Ms. Meyer stated to stand on the Council's recommendation for denial on Waiver 597.

**Public Comment:**

None

**Member and Staff Comment:**

None

**Adjourn:**

There being no further business before the Council, Ms. Peters adjourned the meeting at 2:22 p.m.