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January 6, 2020

To: Florida Building Commission  
c/o Chip Sellers, Government Operations Consultant  
2601 Blair Stone Road  
Tallahassee, Florida, 32399

Re: 221 Collins Avenue – Vertical Access Waiver #430-R1

Mr. Sellers,

Per our telephone discussion on January 3rd, 2020, we are including with our request for waiver the below certified letter from Wm. H. Arthur IV, AIA, NCARB, the Architect of Record for the improvements:

The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon the consideration of at least one (1) of three (3) potential conditions determining an unnecessary, unreasonable or extreme hardship; we find the subject property possesses two (2) conditions:

Condition 1) The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general:

The subject property is an existing 2-level masonry and wood-framed structure built in 1922. Municipal building code does not require vertical access, however if vertical access were provided, the existing gravity-resisting frame must be modified to meet the proposed loads. The building is currently placed upon a shallow foundation. Vertical access would require deep foundations. The existing building in its condition, historic plot and site orientation, could not reasonably withstand such modification.

Through an Actual Cash Value Appraisal published by Deiky Vergel, SRA, State Certified General Appraiser RZ3126 of Dade Real Estate Services Corp on July 10, 2019, the depreciated market value of the existing building was valued at \$1,145,000 (excluding the land value). The proposed improvements consist of the remodel of eight (8) hotel rooms. The cost of the proposed improvements exceed the building's total value, whereas more than 50% of the proposed construction cost of approximately \$1,210,000 is being directed towards Life Safety and Accessibility improvements already, such as, but not limited to: The installation of Fire Alarm, Audio and Visual devices, Fire Sprinklers, handrails, guards, an ADA-compliant ramp providing vertical access to one unit and an ADA-complaint reception room, and two (2) rooms with Special Communications features.

The total number of required Accessible rooms pursuant to Chapter 509, F.S., is at least 5% of the total number of guest units per tables 224.2 and 224.4. The proposed is 12%.

The total number of required Special Communications units is two (2) units per FBC ACC 806.4. The proposed complies and provides two (2) units.

Condition 2) Historic Building on which compliance with the requirements for accessibility is not feasible while maintaining historically significant features:

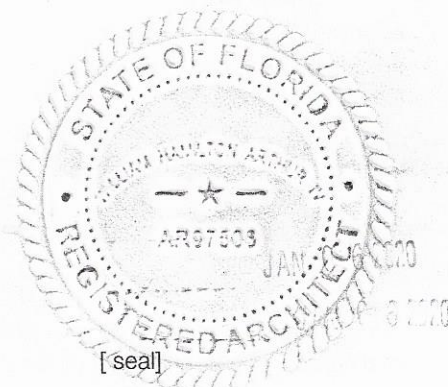
The building is locally-designated as a contributing structure to the Flamingo Park Historic District of Miami Beach<sup>1</sup>. Exterior modifications are generally not allowed, however an exception has been made by the municipal Planning department to allow for the construction of one (1) ADA-compliant ramp that leads to the new ADA-compliant unit. Although vertical access can be reasonably provided to one (1) unit, access cannot be reasonably provided to all remaining seven (7) units, nor be provided without violating the building's distinguishing historic features.

Supporting documentation including a letter from Debbie Tackett, Chief of the City of Miami Beach's Historic Preservation department dated September 13, 2019, in support of our request for the waiver has been uploaded for your consideration.

Review of our request waiver by Corey Lentz, Historic Preservationist of the State of Florida's Bureau of Historic Preservation is under review, currently pending status and therefore has not been included.

Thank you,

William H. Arthur IV, AIA, NCARB  
Principal, WHAA



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<sup>1</sup> There are 501 contributing structures within the Flamingo Park subdivision, officially platted on May 17, 1921, with more than 76 building permits issued in 1923. The Flamingo Park Historic District is listed on the National Register of Historic Places.