FLORIDA LEGAL SERVICES

Issue: Vertical accessibility between floors of an office building.

Analysis: The applicant is requesting a waiver from providing vertical accessibility between the floors of a two story office building. The facility is undergoing a \$147,257 alteration to the lower level only. Because of the terrain, both floors have a ground level entrance, but there is no interior connection between them. In order to move from one floor to the other, people must exit the building and reenter at the other level. Bids of \$69,382 and \$71,260 were submitted as the cost to provide an elevator between floors.

Project Progress:

The project is under construction.

Items to be Waived:

Vertical accessibility between floors, as required by Section 553.509, Florida Statutes.

- 553.509 Vertical a ccessibility. 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: Florida Legal Services, Inc.

Address: 2425 Torreya Drive, Tallahassee, FL 32303

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: Kent R. Spuhler

Applicant's Address: 2425 Torreya Drive, Tallahassee, FL 32303

Applicant's Telephone: (850) 385-7900 **FAX**: (850)385-9998

Applicant's E-mail Address: kent@floridalegal.org

Relationship to Owner: <u>Executive Director</u>

Owner's Name: Florida Legal Services, Inc.

Owner's Address: 2425 Torreya Drive, Tallahassee, FL 32303

Owner's Telephone: (850) 385-7900 FAX (850) 385-9998

Owner's E-mail Address: kent@floridalegal.org

Signature of Owner:

Contact Person: Kent R. Spuhler

Contact Person's Telephone: (850)385-7900 E-mail Address: kent@floridalegal.org

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.
[X] 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.)
Two-story office building built in 1972 with 9,272 square feet divided equally between two floors.
Both Floors are ground-level accessible. The proposed alteration is on the lower level of the existing
two-story building. There are no existing or proposed communicating stairs between the lower and
upper levels of this building.
5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):
<u>\$147,257.00</u>
6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.
[] Under Design [X] Under Construction*
[] In Plan Review [] Completed*
* Briefly explain why the request has now been referred to the Commission.
City of Tallahassee Commercial Plan Examiner has issued a conditional building permit for
renovation of the lower level provided we seek and obtain a waiver of Chapter 11-4.1.6(k)(iii) or
provide vertical accessibility between floors.

7. Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.
Issue
1: Vertical accessibility is required in this alteration in accordance with Section 11-4-1.6(1)(k)(iii),
2004 Florida Building Code with 2005 and 2006 supplements despite the exemption under ADDAG
requirements. Vertical accessibility is required per Section 553.509 Florida Statutes.
Issue
2:
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.
[X] Substantial financial costs will be incurred by the owner if the waiver is denied.
Two bids to install elevator are included. The lower bid would increase cost of renovation project
<u>by 48%</u> .
[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.

Pictures of lower level ceiling structure are included as well as two bids to install elevator.

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. Proposal from TLR Enterprises, Contractor performing renovations.
b. Proposal from Lee Brothers Construction Company.
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.
This waiver is necessary due to the hill-side building site configuration. The building is set into the
hill with both levels having ground floor access. The alteration of the lower level, inclusive of adding a new unisex accessible restroom, will make the lower level fully compliant with current
accessibility codes. Further modifications of this building to provide vertical accessibility between floors in this building is technically infeasible and the cost therein disproportionate to the overall cost
Of this alteration. Jaime Ledo Printed Name
Phone numbe r (850) 681-1999
(SEAL)

Florida Legal Services (FLS) bought the subject building in 2005 and sought a building permit in 2007 to renovate the lower level to provide additional office and meeting room space. The commercial plan reviewer issued a conditional permit requesting that FLS provide vertical accessibility between floors (elevator) or seek and obtain a waiver for the requirement in Chapter 11-4.1.6(k). (Copy of comments attached.)

Subject building is a two-story office building built on a sloped lot with ground floor access to both floors. (Photos attached.) FLS seeks a waiver based on economic hardship per 28 CFR s 36.403(f)(1). A large part of the total cost of the renovation project of \$147,257 is to provide for accessibility, i.e. accessible parking, entrance, restroom, and drinking fountain. Although the exact cost of these specific renovations is unknown, the lowest price elevator bid of over \$69,000 would increase the total renovation cost by 48%.

Once the planned renovations are completed, there will be ground-level accessibility to both floors of the building and the building is less than three stories.

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 14th day of February , 20 08

Signature

Kent R. Spuhler

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.

	rproduct beautiful in Necessianity Code.
a.	Vertical accessibility is required in this alteration, in accordance with Section 11-4.1.6 (1)(k)(iii), 2001 Florida Building Code with 2003 Revisions
b.	Vertical accessibility is required per Section 553,509, Florida Statutes.
c.	
Has there been so, what was t	any permitted construction activity on this building during the past three years? If he cost of construction?
[] Yes [x] N	o* Cost of Construction *other than activity as outlined in waiver request
Comments/Re	ecommendation
Except for atti	esting to the accuracy of the cost figures as presented, to the best of my knowledge, all pulated herein is true and accurate.
an economic h	the installation of the required vertical accessibility would be technically infeasible, create ardship for the owner, and that the cost to provide vertical accessibility would be te to the overall cost of this alteration.
Jurisdiction	City of Tallahassee
Building Offici	sal or Designee Signature Signature
	Robert S. Tredik Printed Name
	BU0000230 Certification Number
	_850-891-7071 / 850-891-7099 Telephone/FAX
Address:30	0 S. Adams St. B28, Tallahassee, FL 32301



2nd PLAN REVIEW COMMENTS

Zoning - Fire - Building

APPLICANT SERVICES 891-7125

FAX: 891-0948
BUILDING INSPECTION

891-7050 FAX: 891-7099

Tallahassee, FL 32301

Location: 408 North Adams St.

Mailing: 300 South Adams St., B- 28 Tallahassee, Florida 32301

Date: <u>12-27-07</u>

To: <u>Jaimie Ledo Architects</u> iledoarchitect@aol.com

From: P. Thomas / B. Tredik

Copied: Terry Richards Fax: 850-681-1999 City Project #: TBB07-2344

Project Name: Florida Legal Services – Alteration to

Lower Floor

Project Address: 2425 Torreya Drive

Pages transmitted (includes cover sheet): ___2__

The above referenced project has been reviewed and placed on HOLD by the reviewers listed below. Please contact the individual plan reviewer with specific questions regarding their comments. AREA CODE (850)

Buildin	g
Bob Tredik	891-7071
Paul Thomas	891-7057

* APPLICANT NOTICE *

Upon resubmittal, provide 2 sets of amended drawings and a written response to all plan review comments. Please transmit resubmittal to Kathy Sands, Codes Review Coordinator (891-7145). The City Project (TBB) must be indicated on your resubmittal and all reviewer comments must be addressed in the response. Response's sent through an Express Mail Service (example, FedEx, UPS) should be sent to the above location address.

Please provide the following with your resubmittal:

- 1.) Provide a written response letter to Plan Review Comments; response shall be on design professional's letterhead. Please reference the corresponding amended drawing sheets and indicate the changes made in the response letter.
- 2.) Provide two (2) each of the resubmitted drawing sheets. Amendments to drawings shall be on full size sheets; attachments will not be accepted. Delineate changes to plans by **clouding on drawings**
- 3.) Provide two (2) sets of supporting documents, such as energy forms or letters.
- 4.) For those who receive comments via email: The response letter needs to be <u>on the design</u> <u>professional's letterhead</u>. PLEASE, DO NOT copy our comments with responses in the same format as was received.

A \$35.00 (per reviewer) re-submittal fee will be added to the building permit fee for each re-submittal after the 2nd Review. Re-submittal fees will be collected at the time of permit issuance.

<u>PLEASE NOTE:</u> <u>Documents</u> prepared or issued by a professional licensed under Chapter(s) 471 or 481, Florida Statutes, shall <u>bear the signature, date, and seal of the design professional</u>, as required by State Laws.

City Project #: TBB 07-2344

2425 Torreya Drive

ZONING COMMENTS: Approved – S. Denny – 10-01-07

PLUMBING COMMENTS: Approved – D. Mann, JR – 12-12-07

ELECTRICAL COMMENTS: Approved – K.L. Lockwood – 12-12-07

MECHANICAL COMMENTS: Approved with Comments - K. Locke - 10-11-07

- 1.) Rebalance fresh air to comply with section 609.1 of the FBC-Existing for Level 2 Alterations. Refer to FBC-M sections 402 and/or 403 for compliance.
- 2.) Exhaust fans for restrooms to comply with FBC-M section 301.11.

FIRE DEPARTMENT COMMENTS: Approved – B. Barnes – 12-13-07

BUILDING COMMENTS: HOLD-P. Thomas - 12-14-07

Review based upon the 2004 Florida Building Code, Building (FBC-B) with 2005 & 2006 Supplements.

1.) Comment Response Generates New Comment:

The architect responds that only one tenant occupies both floors of this building as per letter dated 12-10-07...

In regards to a new alteration to a commercial structure; all buildings greater than one story, with each floor area greater than 3000 sq.ft., shall be required to have vertical accessibility (an elevator) per Chapter 11-4.1.6-(k). One of the following measures shall be taken:

- a) Provide vertical accessibility between floors or
- c) Seek and obtain waiver for this requirement. You may download the waiver from the Internet by going to www.floridabuilding.org, then "click on" Florida Building Code.

<u>Please note the deadline for next Accessibility Advisory Council Meeting is December 28th.</u> (We have not yet been advised on any deadlines after this one.)

2.) <u>OK</u>

3.) Comment Remains:

The architect responds that there exists no accessible parking at the lower level as per letter dated 12-10-07...

Please provide a site plan design indicating lower level accessibility compliance per Chapter 11-4.1.6(2) and 11-4.1.6(2) - (2)(a)(ii).

Upon resubmittal, please provide a <u>signed and sealed letter response</u> to all reviewer comments, referring readers to the <u>revised plan sheets</u>. Please delineate plan revisions by <u>(clouding on drawings)</u>

<u>Please be advised</u>: Responses to comments may reveal additional concerns and, therefore, generate new comments. Please check any plan revisions for compliance with all applicable codes.

END COMMENTS

TLR ENTERPRISES 1993 Indian Springs Court Tallahassee, FL 32303 CB C058943

Date: 2-09-08

PROPOSAL

Address:

Customer Name: Florida Legal Services, Inc.

2425 Torreya Dr.

\$ 69,382.00

We Appreciate your business!

Please call again when we may be of service!! (850)562-4724 (850)-509-4724 Cellular (850) 562-6253 Fax

Lee Brothers Construction Company

2990 Cavanaugh Court Tallahassee, Florida 32303

Terry Lee (850) 562-4620



Residential & Commercial License # CB-C058771

February 11, 2008

TO: Florida Legal Services, Inc. 2425 Torreya Drive

Tallahassee, FL 32303

Proposal

Furnish materials and labor to install one single car hydraulic elevator:

Total

\$71,260.00

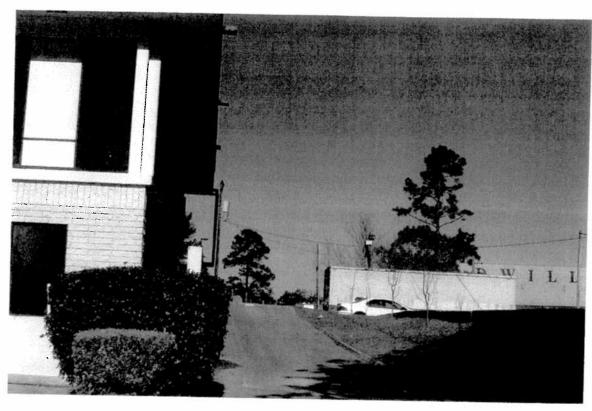
Terry Lee, Contractor



Front of Building



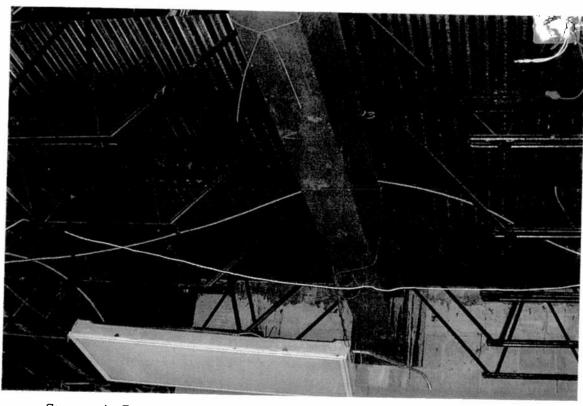
Back of Building



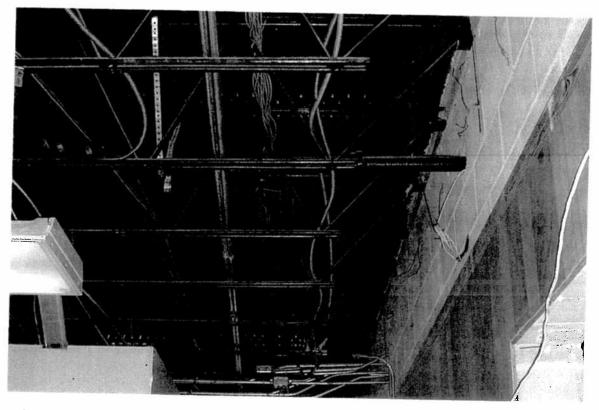
Exit from back parking lot



Lower level entrance



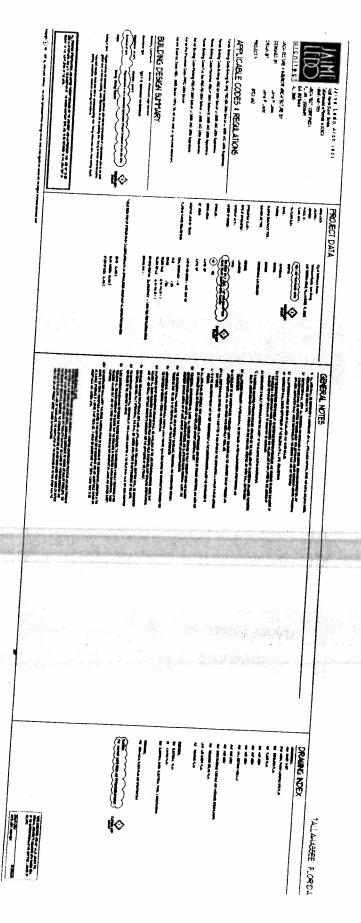
Support Beam

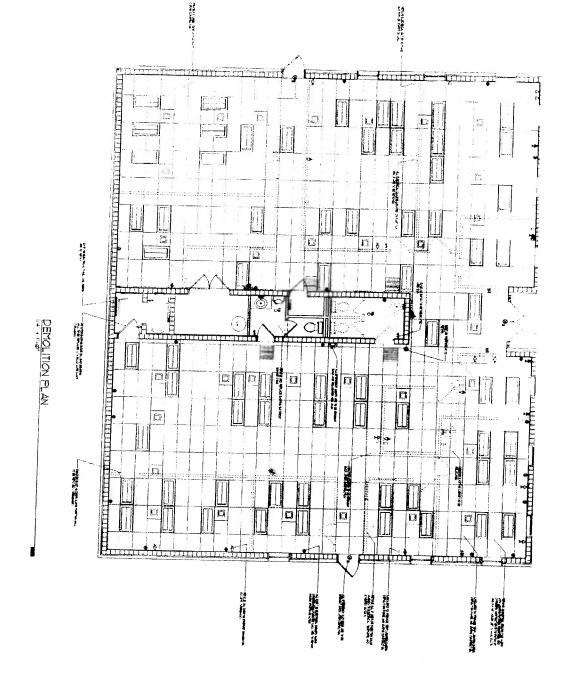


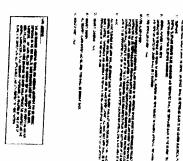
Lower level with ceiling removed

Vices Inc.

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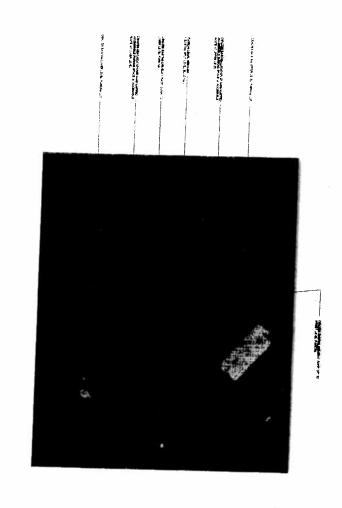








AERIAL PHOTO / GRAPHIC SITE PLAN

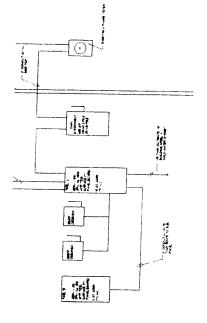


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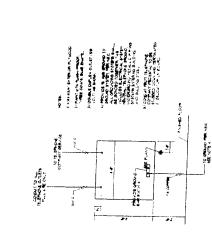




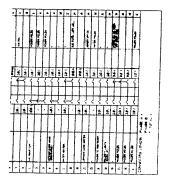
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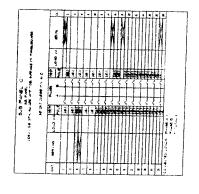






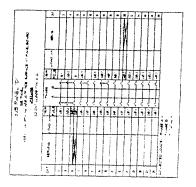






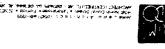


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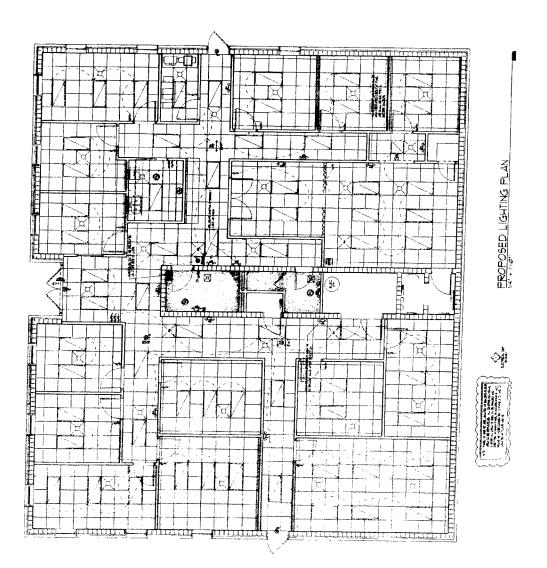


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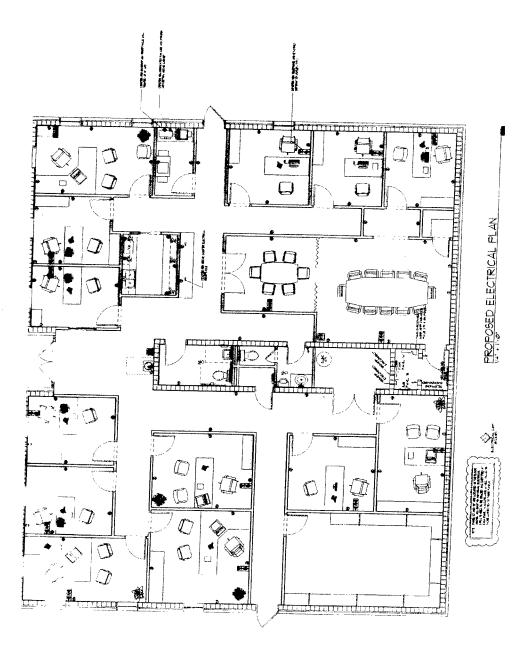
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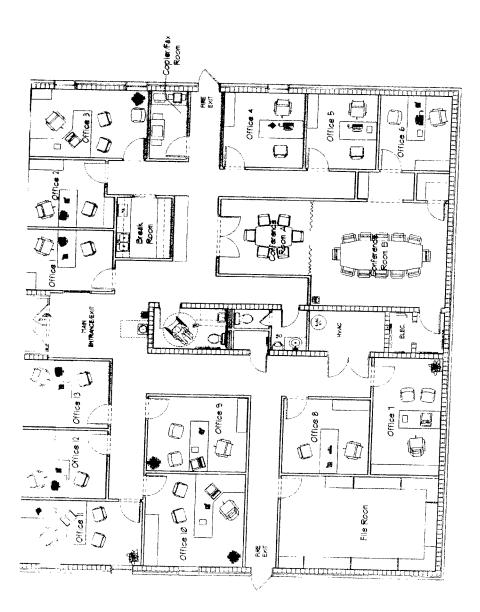






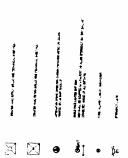


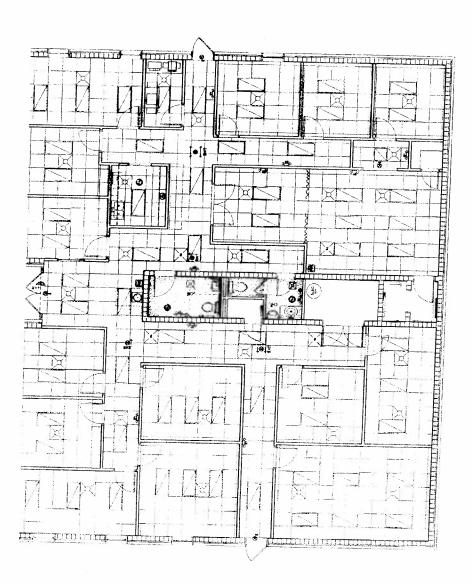




PROPOSED FURNITURE FLOOR PLAN

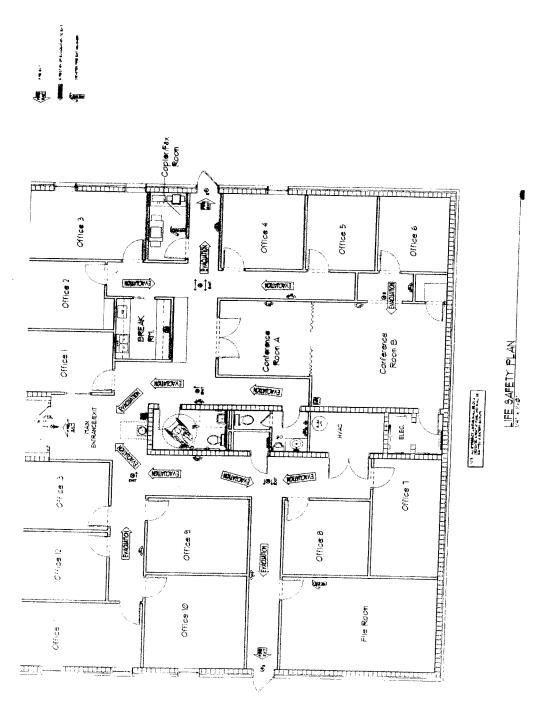




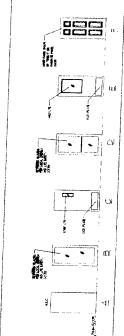


PROPOSED REFLECTED CELLING PLAN









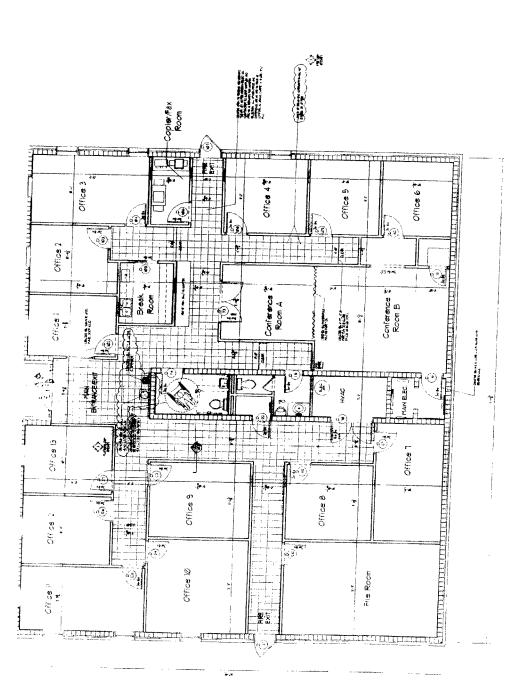
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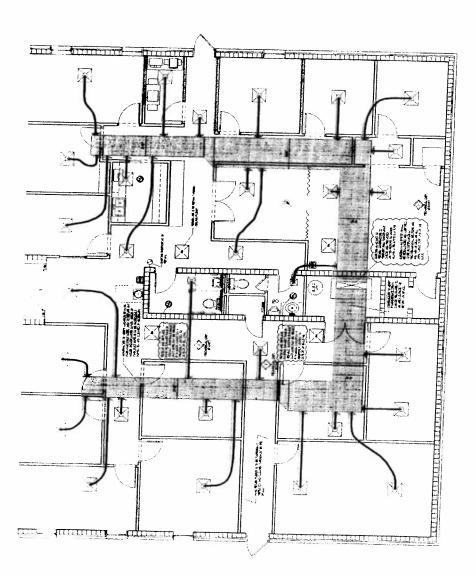


PROPOSED FLOOR PLAN

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DUCTUORY AND INSULATION NOTES



MECHANICAL FLOOR PLAN