USF BASEBALL/SOFTBALL COMPLEX

Issue: Vertical accessibility to all rows of a spectator stadium.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a stadium for viewing baseball and softball games. The project will cost $8-9 million, including the stadium, concourse and press level. There will be 1,500 seats available for baseball and 700 for softball games. Wheelchair and companion seats are located on the first level nearest the playing fields; however, it does not appear that enough required seating locations have been provided. No estimates of the cost to provide vertical accessibility were submitted as the applicant deems it structurally impracticable to make all levels accessible, rather than a function of cost.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all rows of seats, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. 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: University of South Florida Baseball/Softball Complex
Address: 4202 E. Fowler Ave. Tampa, Florida 33620

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: Jason Michael Ford - Populous
Applicant’s Address: 300 Wyandotte #200 Kansas City, Missouri 64105
Applicant’s Telephone: (816) 221-1500 FAX: (816) 221-1578
Applicant’s E-mail Address: jason.michael.ford@populous.com
Relationship to Owner: Architect

Owner's Name: University of South Florida, Facilities, Planning and Construction
Owner's Address: 4202 E. Fowler Avenue, FPC 110 Tampa, Florida 33620-7550
Owner's Telephone: (813) 974-0864 FAX (813) 974-3542
Owner’s E-mail Address: Ray Gonzalez Rgonzale@admin.usf.edu
Signature of Owner: __________________________

Contact Person: Ken Boeser - R.R. Simmons (Design/Builder)
Contact Person’s Telephone: (813) 632-5519 E-mail Address: Kenboeser@RRsimmons.com
7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

**Issue**

1: 553.509 FS Vertical accessibility - Vertical accessibility to all levels

**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.

[x] The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

**This condition affects the owners of this facility type. Sloped tiers of seating, for proper lines of sight, etc., causes an extreme hardship in complying with Section 553.509 FS,**

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

**This new facility for both Baseball and Softball cannot be built without a waiver,**

[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 provided vertical and horizontal dispersion and integrated the accessible seating areas throughout the seating bowl. Vertical accessibility to all levels (every row of seating) through design and/or costs is impractical.**
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 Fifth day of March, 2010

Signature

Jason Michael Ford

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.
Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbecue restaurants, and they keep Florida’s economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department’s initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!