

February 19, 2016

Florida Building Commission

RE: Waiver from vertical accessibility per Florida Accessibility Code 102.1.1 exception #3

Dear Sirs,

At the behest of my client:

The 2nd Floor is private offices of the family-owned and operated (Father, Mother & 2 sons) business. It will not be open to the public, and no more than 5 persons will occupy the floor at any time. The Ground Floor has public offices, reception area, conference room, full breakroom and restrooms for employees and the public. The Ground Floor facilities are fully ADA-compliant.

Space has also been allocated for a future 'ADA platform lift' if the current owner were to sell the business or open the 2nd floor to public access.

The Building Department rejected the Vertical Accessibility exception (#3) for non-public space with 5 or less persons occupying the space. The Building Official contends that the Occupant Load calculated from Table 1004.1.2 would be 20 persons. I stated that Chapter 10 is for 'Means of Egress', which we fully comply with, and that applying the Occupant Load stipulation to deny the Vertical Accessibility exception is a mis-application of the Codes.

The Building Official wants the State to issue a letter (Binding Interpretation or Waiver) before they will acquiesce.

I ask for due consideration of this application.

Thank you for your judicious evaluation.

Sincere regards,



The seal is circular with the text "STATE OF FLORIDA" at the top, "REGISTERED ARCHITECT" at the bottom, and "JOHN M. AHERN" in the center. The number "FL AR-12958" is also visible on the seal.

John M. (Jack) Ahern, AIA

FL AR-12958