

Garden Suites Hotel WAV# 142

Issue: Vertical accessibility to the upper levels.

Analysis: The applicant is requesting a waiver based on disproportionate cost. This project consists of two buildings, namely 3900 Garden Avenue which is two stories in height and consists of ten units and 3920 Garden Avenue also two stories in height and contains nine units. These existing apartment buildings (R2) constructed in 1948 are undergoing a Change of Use into a hotel (R1) classification. A cost estimate for the total project cost has been provided at a cost of \$ 1,585,870.00. A cost estimate for the construction of two hydraulic elevators has been provided at a cost of \$ 395,900.00. The cost for the construction of the two elevators comprise of 25% of the total construction cost which is disproportionate to the total cost of the project. The buildings will undergo maintenance, repairs and safety upgrades to abide by FBC2014. Some of these upgrades include updating all handrails and guardrails to meet current requirements and upgrading windows for safety and security to impact windows. Additional changes include redistributing one of the suites (suite 5 in 3900) to allow it to become an ADA accessible suite. Per FBC 2014 Accessibility 224.5, such ADA suite will also be equipped with communication features. 2 additional suites (suite1 in build. 3900 and suite9 in build 3920) will have communication features per BFC 2014 Accessibility table 224.4 (dispersed). Within the site features that will be impacted include the addition of an ADA compliant ramp that provides connection from public way to the lobby and accessible suite. One building (3900) has 2 main points of entry into the units, while building 3920 has 3 separate and individual points of entry. This multiple entry design provides a hardship when attempting to allocate one primary point of entry where to position vertical accessibility to upper floors. Due to its design, vertical accessibility to the upper level would require the design to allocate multiple elevators or new walkways throughout the building to access all units from one main point of access. Neither a wheelchair lift nor elevator would be feasible for this project. One elevator would signify extensive exterior walkways which will in many cases encroach into setbacks of the buildings. Furthermore, a walkway system throughout has a cost disproportionate to the overall project cost, where most of the interior features will remain. An alternate option would be 2 or 3 sets of elevators to avoid the walkway system. Again the cost for this option is disproportionate to the overall design. These 2 options are a result of the multiple entry design of each of the buildings. The hardship is caused based on this disproportionate cost of providing accessibility to the second levels of the buildings.

Uploaded Documents:

1. Licensed Design Professional: Plans
2. Elevator Construction Estimate
3. Total Project Estimate
4. Letter From Building Official
5. Letter from Licensed Design Professional

Project Progress: This project is under design and change of use (apartment to hotel) alteration.

Items to be waived:

Vertical accessibility to the structure, as required by section 553.509, Florida Statutes.

553.509 Vertical accessibility. This part and the Americans with Disabilities Act Standards for Accessible Design do not relieve the owner of any building, structure, or facility governed by this part from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the standards require an elevator to be installed in such building, structure, or facility, except for:

- (a) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
 - (b) 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
 - (c) 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.
 - (d) Theaters, concert halls, and stadiums, or other large assembly areas that have stadium-style seating or tiered seating if ss. 221 and 802 of the standards are met.
 - (e) All play and recreation areas if the requirements of chapter 10 of the standards are met.
 - (f) All employee areas as exempted in s. 203.9 of the standards.
 - (g) Facilities, sites, and spaces exempted by s. 203 of the standards.
- (2) However, buildings, structures, and facilities must, as a minimum, comply with the Americans with Disabilities Act Standards for Accessible Design.

206.2.4 Spaces and Elements. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility which are otherwise connected by a circulation path unless exempted by 206.2.3 Exceptions 1 through 7.

402.2 Components Accessible routes shall consist of one or more of the following components: Walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4 and 208.3.1.

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.