



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

Building Department, Administration Services Division  
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March 1, 2016

Members of the Florida Building Commission & Accessibility Advisory Council  
Office of Codes & Standards, Florida Department of Community Affairs  
1940 North Monroe Street  
Tallahassee, Florida 32399-2100

**RE: 8040 Harding Avenue, Miami Beach, FL 33140  
WAIVER #141-R0**

Dear Members of the Florida Building Commission & Accessibility Advisory Council,

This project consists of a two story building which houses eight units built in 1949. This existing apartment building (R2) is undergoing a Change of Use into a hotel (R1) classification. This structure is designated as contributing in the North Shore Historic District of Miami Beach, listed on the National Register of Historic Places. Further, a "Letter of determination of potential adverse impacts resulting from alterations for ADA Code compliance from the Florida Department of State, Division of Historical Resources", was also received.

Pursuant to Florida Statutes 553.509 Vertical Accessibility and the Florida Building Code 5<sup>th</sup> Edition, (2014) Accessibility - Section 201.1.1, vertical accessibility shall be provided to all levels above and below the occupiable grade level. In order to achieve compliance via lifts and / or elevators, according to the Architect, the owner will incur disproportionate financial costs. However, the proposed renovations will provide an accessible ground floor guest room with mobility features as per Table 224.2 via an accessible ramp that also leads to the Management Office, and two additional guest rooms with communication features in compliance with Table 224.4 located at the ground and second floors and in compliance with the requirements of 224.5, Dispersion.

Based on the reasons stated above we recommend that the requested waiver be granted.

Sincerely,

Mariano V. Fernandez, P.E., BU 689  
Building Department Director / Building Official