

## **Harding Suites Hotel WAV# 141**

**Issue:** Vertical accessibility to the upper levels.

**Analysis:** The applicant is requesting a waiver based on the historical significance of the building. This project consists of a 2 story building with an adjusted square footage of 5879sf sitting on a 5500sf site on the corner of Harding avenue and 81st street in Miami Beach. The building currently houses 8 apartments. A cost estimate for the total project cost has been provided at a cost of \$728,547.00. A cost estimate for the construction of an elevator has been provided at a cost of \$242,876.00. The cost for the construction of the elevator comprises 33% of the total construction cost which is disproportionate to the total cost of the project. The building 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 4) 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 (Suites 1&7) will have communication features per BFC 2014 Accessibility table 224.4. 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. The existing first floor of the two level building is raised 20" from the ground and currently accessible through 3 sets of stairs along the street side. The layout of the building and the size of the site are not conducive to modifications to vertical circulation. Because all units face the street and hallways are all open, it would be very difficult to make changes without affecting its historic character. The envelope of the building is very close to the property lines, making exterior modifications virtually impossible. Furthermore, the building is a contributing building in the North Shore National Register Historic District. Documentation is included herein as well as recommendation from both the Local and State Historic Preservation Divisions for granting vertical accessibility waiver. Because of the historic facades and limited exterior space, neither a wheelchair lift nor elevator would be feasible for this building. The hardship is caused based on this disproportionate cost of providing accessibility to the second level of the building and the historical significance of the building.

### **Uploaded Documents:**

1. Licensed Design Professional: Plans
2. Elevator Construction Estimate
3. Total Project Estimate
4. Letter From Building Official
5. Letter From Department of State
6. National Register of Historic Places Registration Form
7. 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.

202.5 Alterations to Qualified Historic Buildings and Facilities. Alterations to a qualified historic building or facility shall comply with 202.3 and 202.4 to the maximum extent feasible.

EXCEPTION: Where the State Historic Preservation Officer or Advisory Council on Historic Preservation determines that compliance with the requirements for accessible routes, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, the exceptions for alterations to qualified historic buildings or facilities for that element shall be permitted to apply.

224.2 Guest Rooms with Mobility Features. In *transient lodging facilities*, guest rooms with mobility features complying with 806.2 shall be provided in accordance with Table 224.2.

**TABLE 224.2 GUEST ROOMS WITH MOBILITY FEATURES**

	<b>Minimum Number of Required Rooms Without Roll-in Showers</b>	<b>Minimum Number of Required Rooms With Roll-in Showers</b>	<b>Total Number of Required Rooms</b>	<b>Florida 5%</b>
1 to 25	1	0	1	See Section 224.6.3
26 to 50	2	0	2	
51 to 75	3	1	4	
76 to 100	4	1	5	
101 to 150	5	2	7	
151 to 200	6	2	8	
201 to 300	7	3	10	
301 to 400	8	4	12	
401 to 500	9	4	13	
501 to 1000	2 percent of total	1 percent of total	3 percent of total	
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000	10, plus 1 for each 100, or fraction thereof, over 1000	30, plus 2 for each 100, or fraction thereof, over 1000	

224.5 Dispersion. Guest rooms required to provide mobility features complying with 806.2 and guest rooms required to provide communication features complying with 806.3 shall be dispersed among the various classes of guest rooms, and shall provide choices of types of guest rooms, number of beds, and other amenities comparable to the choices provided to other guests. Where the minimum number of guest rooms required to comply with 806 is not sufficient to allow for complete dispersion, guest rooms shall be dispersed in the following priority: guest room type, number of beds, and amenities. At least one guest room required to provide mobility features complying with 806.2 shall also provide communication features complying with 806.3. Not more than 10 percent of guest rooms required to provide mobility features complying with 806.2 shall be used to satisfy the minimum number of guest rooms required to provide communication features complying with 806.3

224.6.3 Buildings, Structures, or Facilities Licensed as a Hotel, Motel, or Condominium

Pursuant to Chapter 509, F.S. All buildings, structures, or facilities licensed as a hotel, motel, or condominium pursuant to chapter 509, F.S., a number of rooms equaling at least 5 percent of the guest rooms minus the Total Number of Required (accessible) Rooms required by Table 224.2 shall provide special accessibility features of 806.4.

**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.