GABLES CITITOWER

Issue: Vertical accessibility to a raised platform in an office building.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to a platform raised 4 inches in the lobby of an office building. The project is a tenant build out and according to the applicant, the need for vertical accessibility was not identified until an onsite inspector noted the platform. The project will cost approximately $65,000 and estimates of $68,851 and $73,390 were submitted to substantiate disproportionate cost.

Project Progress:
The project is under construction.

Items to be Waived:
Vertical accessibility to a 4 inch raised platform, 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: Gables CitiTower

Address: 999 Ponce de Leon Boulevard, Coral Gables, Florida

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: Robert S. Fine, Esq., AIA

Applicant's Address: Greenberg Traurig, PA, 1221 Brickell Avenue, Miami, FL 33131

Applicant's Telephone: 305-579-0826 FAX: 305-961-5826

Applicant's E-mail Address: finer@gtlaw.com

Relationship to Owner: Legal counsel

Owner's Name: 999 Ponce, LLC.

Owner's Address: 999 Ponce de Leon Boulevard, Suite 101, Coral Gables, FL 33134

Owner's Telephone: 305-442-7301 FAX

Owner's E-mail Address: c/o Applicant

Signature of Owner: [Signature] as agent for 999 Ponce, LLC

Contact Person: Robert S. Fine

Contact Person's Telephone: 305-579-0826 E-mail Address: finer@gtlaw.com

This application is available in alternate formats upon request.

Form No. 2001-01
Form No. 2001-01

3. Please check one of the following:

[ ] New construction.

[ ] Addition to a building or facility.

[X] Alteration to an existing building or facility.

[ ] Historical preservation (addition).

[ ] Historical preservation (alteration).

4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

____________________________________________________

Office building

____________________________________________________

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): ____________Approximately $ 65,000.00

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.

[ ] Under Design [X] Under Construction*

[ ] In Plan Review [ ] Completed*

* Briefly explain why the request has now been referred to the Commission.

Concern for whether vertical accessibility is required was first raised by inspector during inspections while construction was underway.

____________________________________________________
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, Fla. Stat / 11-4.1.6(1)(f): Vertical accessibility

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**Issue**

2:

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**Issue**

3:

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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.

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

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

The cost to provide vertical accessibility to the level that contains the tenant space being altered is disproportionate to the cost of the alteration to the tenant space.

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[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.

Please see attached estimates
9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

a. Cost estimate number 1, Construction One: $68,851.01

b. Cost estimate number 2, Suncoast Construction Group, Inc.: $73,390

c. ____________________________________________________________
10. **Licensed Design Professional**: Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

The project is a tenant build-out in a space located on a partially raised area of the lobby level of the building. The alteration is wholly contained within the leaseline for the tenant space and does not cross into the landlord-controlled common area. The construction hard cost for this tenant improvement is approximately $65,000.00.

If a lift were to be provided in the lobby to provide vertical accessibility, it would take a significant amount of work in the middle of a highly finished lobby resulting in the amounts in the provided cost estimates.

It is my opinion that the cost of providing a lift is disproportionate to the cost of the tenant build-out which is why we are applying for this waiver.

Signature

Printed Name

Phone number: 305-265-0757

(SEAL)
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 15 day of February, 2007

Signature

Robert S. Fine

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.
REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. 

b. 

c. 

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

[ ] Yes [ ] No Cost of Construction 

Comments/Recommendation 

Jurisdiction 

Building Official or Designee 

Signature 

Printed Name 

Certification Number 

Telephone/FAX 

Address: 


KEYED NOTES:
1. NEW CONCRETE LANDING AND RAMP TO CORRECT 4" CHANGE OF LEVEL
   (1/2" CHANGE OF LEVEL MAX)
GENERAL NOTES:
1. NEW ADA COMPLIANT LIFT BY NATIONAL WHEELCHAIR OR EQUAL. PROVIDE POWER AS PER MANUFACTURER'S SPECS.
2. PROVIDE METAL STUD AND GWB SHROUD CLADDED WITH STONE TILE TO MATCH EXISTING LOBBY.
3. NEW METAL STUD AND GWB PARTITION CLADDED WITH STONE TILE TO MATCH EXISTING LOBBY.
   NEW GLASS PARTITION/RAILING TO MATCH EXISTING.
   NEW GLASS PARTITION/RAILING TO MATCH REMOVED.
4. NEW 6" 20 GA. 16" O.C METAL STUD PLATFORM W/ 5/8" PLYWOOD SUBSTRATE & NEW CARPET TO MATCH EXISTING BUILDING STANDARD.
   (SHADED AREA DEPICTS EXTENT OF NEW PLATFORM)
5. NEW 42" METAL SAFEGUARD TO MATCH ADJACENT (TO COMPLY W/ 4" SPHERE AND 50 LF/LB LOAD).
SUITE 100-ADA LIFT

SCALE: N.T.S.

GENERAL NOTES:
1. THIS DRAWING IS FOR SCHEMATIC PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION.
2. FURNITURE SHOWN IS N.I.C. UNLESS NOTED OTHERWISE.
3. SIZES OF ROOMS ARE APPROXIMATE & ACTUAL SIZE MAY VARY WHEN VERIFIED IN FIELD.
4. TENANT IS RESPONSIBLE FOR APPROVING LAYOUT SHOWN & FOR PROVIDING ARCHITECT WITH POWER, VOICE & DATA LOCATIONS / REQUIREMENTS.
5. THIS PLAN MAY REFLECT EXISTING CONDITIONS SUPPLIED TO CONCEPT STUDIOS BY OTHERS. CONCEPT STUDIOS IS NOT RESPONSIBLE FOR AS-BUILT CONDITIONS THAT HAVE NOT BEEN VERIFIED BY THIS OFFICE.

SCHEMATIC WALL LEGEND

EXISTING WALL TO REMAIN

DEMO EXISTING PARTITION

DEMO EXISTING DOOR

GENERAL NOTES:
1. DEMO EXISTING METAL RAILING & GWB CURB
2. DEMO EXISTING GLASS PARTITION AND CURB
3. DEMO EXISTING CARPET ON LANDING

Concept Studios

6161 Blue Lagoon Dr., Suite 170 • Miami, Florida 33126

Architecture • Tel: 305-285-0757 • Fax: 305-285-8011
Submitted To:
Mr. Brian De Wolfe
999 Ponce, LLC.
999 Ponce De Leon Blvd.
Miami, Florida 33155

Job Location:
999 Ponce De Leon Blvd.
Main Lobby
ADA Lift

We appreciate this opportunity to quote you a price for the ADA lift work at main lobby area, located at 999 Ponce de Leon Miami, FL 33155.

PROJECT DESCRIPTION:

- Perform all work as specified in Key, Demolition, and Space plans faxed on 02/13/07 titled “Suite 100-ADA Lift” drawn by Concept Studios.
- Permit to be invoiced at cost

NOTES:
- All work to be done during regular working hours

EXCLUSIONS:
- Anything not specified in proposal above

For the sum of $68,851.00 this proposal includes all labor and materials as above specified.

If you have any questions or concerns, please feel free to contact us at any time, at (305) 828-2222

Thank you.

Enisio Santos
Construction One Inc.
Estimator

Accepted by,

Signature: ___________________________ Date: ___________________________

Please Print Name: ___________________________ Title: ___________________________
# Breakdown

**Submitted to:**
Mr. Brian De Wolfe  
999 Ponce, LLC.  
999 Ponce De Leon Blvd.  
Coral Gables, Florida 33155

**Job Location:**
999 Ponce De Leon Blvd.  
Main Lobby  
ADA Lift

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Eniso Santos  
Construction One Inc.  
Estimator  
Tuesday, February 13, 2007
Suncoast Construction Group, Inc.

General Contractors
(305) 448-7977 Office
(305) 448-4227 Facsimile
CGC# 060570

To: Gable City Towers
999 Ponce De Leon
Coral Gables, Fl.

Date: 2/14/2007
Re: ADA

Proposal / Contract # 2007-222

Suncoast Construction Group, Inc. for and in consideration of the price herein given, proposed to furnish the labor and or materials hereinafter describe to perform the above mentioned project.

SCOPE OF WORK

1. Demo $ 2,345.00
2. Drywall $ 4,850.00
3. Electrical $ 5,300.00
4. Flooring $ 6,000.00
5. Paint $ 1,200.00
6. Railing $ 2,660.00
7. Glass $ 1,800.00
8. Lift $ 23,550.00
9. Platform $ 4,850.00
10. General Conditions $ 7,400.00
11. Cleaning $ 500.00
12. Trash $ 500.00
13. Overhead and Profit $ 12,435.00

Total Cost of Project $ 73,390.00