

**Department of Business and Professional Regulation**  
**FLORIDA BUILDING COMMISSION**  
**1940 North Monroe Street**  
**Tallahassee, Florida 32399-0772**  
**Form FBC 2012-01**  
**Request for Waiver**

**NOTICE TO WAIVER APPLICANTS**

Please make certain you comply with the following:

- ✦ The person submitting the waiver request application as the Applicant **MUST** sign the application. Should you fail to do so, your application will be returned.
- ✦ If a licensed design professional (architect or engineer) has designed the project, his or her comments **MUST** be included as a part of this application.
- ✦ Be as explicit as possible. The more information provided to the Florida Building Commission, the more informed its decisions can be. If you are claiming financial hardship, please specify why and to what degree. Two estimates substantiating a claim for disproportionate cost must be included.
- ✦ Petitioners are strongly advised to participate in the Council's conference call, webinar or onsite meeting for application review. Sometimes pertinent facts are inadvertently omitted, or information provided/presented in the Request for Waiver application is not clear. Your participation in the meetings to answer questions will enhance the possibility of the waiver being approved, since the Council and the Commission will receive the most complete information – from you. When we receive the completed application, we will send you a notice of the time, date, and place for both the Council and the Commission meetings.

Enclosed is a **List of Required Information** and the **Request for Waiver** application.

If you have any questions or would like additional information, please call the Codes and Standards Section at (850) 487-1824.

**Please mail** this application to the Department of Business and Professional Regulation at the address above. **Include a copy of the application, photos where appropriate and drawings or plans on a CD in PDF format. NOTE: Please do not send files in CAD format**

**but rather provide the files in pdf format.**

This application is available in alternate formats upon request.

**LIST OF REQUIRED INFORMATION:**

1.  Drawings that will clearly present your project and that identify the issue(s) that relate to the waiver you are requesting. As a minimum, the following drawings must be submitted:
  - a. Project site plan if pertinent to the application
  - b. 24" x 36" minimum size drawings
  - c. Building/project sections (if necessary to assist in understanding the waiver request)
  - d. Enlarged floor plan(s) of the area in question
2. \_\_\_\_\_ When substantial financial cost of compliance is alleged, supporting cost estimates with quotes from at least two vendors or contractors and catalog information.
3. \_\_\_\_\_ If you feel photographs and/or renderings are necessary for your presentation, provide legible color copies of the photographs and/or renderings on the CD with the application and plans in jpeg, tif or pdf format.
4.  Please submit one hard copy of this application and attachments to the Florida Building Commission, Department of Business and Professional Regulation.

**General Information:**

- a. **Verbal Descriptions:** Presentations may be to sight or hearing impaired persons; visual presentations should consider adequate verbal and text descriptions of charts and pictures.

Your application will be reviewed by the Accessibility Advisory Council. You will have the opportunity to answer questions and/or make a short presentation **not to exceed 15 minutes**. The Council will provide recommendations to the Florida Building Commission. The Commission will review the application: where you will have another opportunity to answer questions and /or give a short presentation **not to exceed 15 minutes**. The Commission will consider all information and the Council's recommendation before voting on the waiver.

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
OF CHAPTER 553, PART II, 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: ZED Holdings Warehouse

Address: 3564 Plover Ave

Naples, FL 34117

**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: Stephen Bender

Applicant's Address: 3775 7th Ave N.W. Naples, FL 34120

Applicant's Telephone: 239-580-9794 FAX: 239-455-2483

Applicant's E-mail Address: sbender@benderconstruction.com


Relationship to Owner: - Same

Owner's/Tenant's Name: Stephen Bender

Owner's Address: 3775 7th Ave N.W. Naples, FL 34120

Owner's Telephone: 239-580-9794 FAX 239-455-2483

Owner's E-mail Address: sbender@benderconstruction.com

Signature of Owner: 

**3. Please check one of the following:**

New construction.  
FBC 2012-01  
Request for Waiver

Rule 61G20-4.001  
effective 4/25/2013

- Addition to a building or facility.
- 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.)

21,600 SF TOTAL, Combination warehouse/storage, mercantile, office and manufacturing space. 15,000 SF Warehouse/Storage, 900 SF Mercantile, 4200 SF office and 1200 SF Manufacturing. warehouse, mercantile and manufacturing are all on the 2<sup>nd</sup> floor. Office space is split 2500 SF Downstairs and 1700 SF upstairs

5. **Project Construction Cost (Provide cost for new construction, the addition, or the alteration):**

\$ 1,100,000

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

Under Design  Under Construction\*

In Plan Review  Completed\*

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

There are 4 offices upstairs to be occupied by 4 persons. All facilities provided upstairs are provided by an accessible route downstairs. There-  
The requirements for Vertical Accessibility are requested to be waived.

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

**Issue**

FBC 2012-01  
Request for Waiver

Rule 61G20-4.001  
effective 4/25/2013

1: 201.1.1

**Issue**

2:

**Issue**

3:

**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.

We believe this project is exempt from the Vertical Accessibility requirement because we meet the exception set forth in 201.1.1 (3) The space is not open to the public and it is only occupied by 4 persons.

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

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.

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. We have not received estimates for Vertical Accessibility because we believe we are exempt per 201.1.1 (3).

b. \_\_\_\_\_

c. \_\_\_\_\_

10. **Licensed Design Professional:** Where a licensed design 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 WAIVER IS NECESSARY BECAUSE, PER 2012 FL ACC. CODE, 201.1.1 (EXCEPTION 3), THE 2ND FLOOR IS NOT OPEN TO THE PUBLIC AND WILL ONLY HOUSE 4 PEOPLE.

Signature

Printed Name



APR 30 2014

J.C. KOSINSKI

Phone number 239-777-1445

(SEAL)

**CERTIFICATION OF APPLICANT:**

I hereby declare 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 30 day of April, 2014

*AS7*

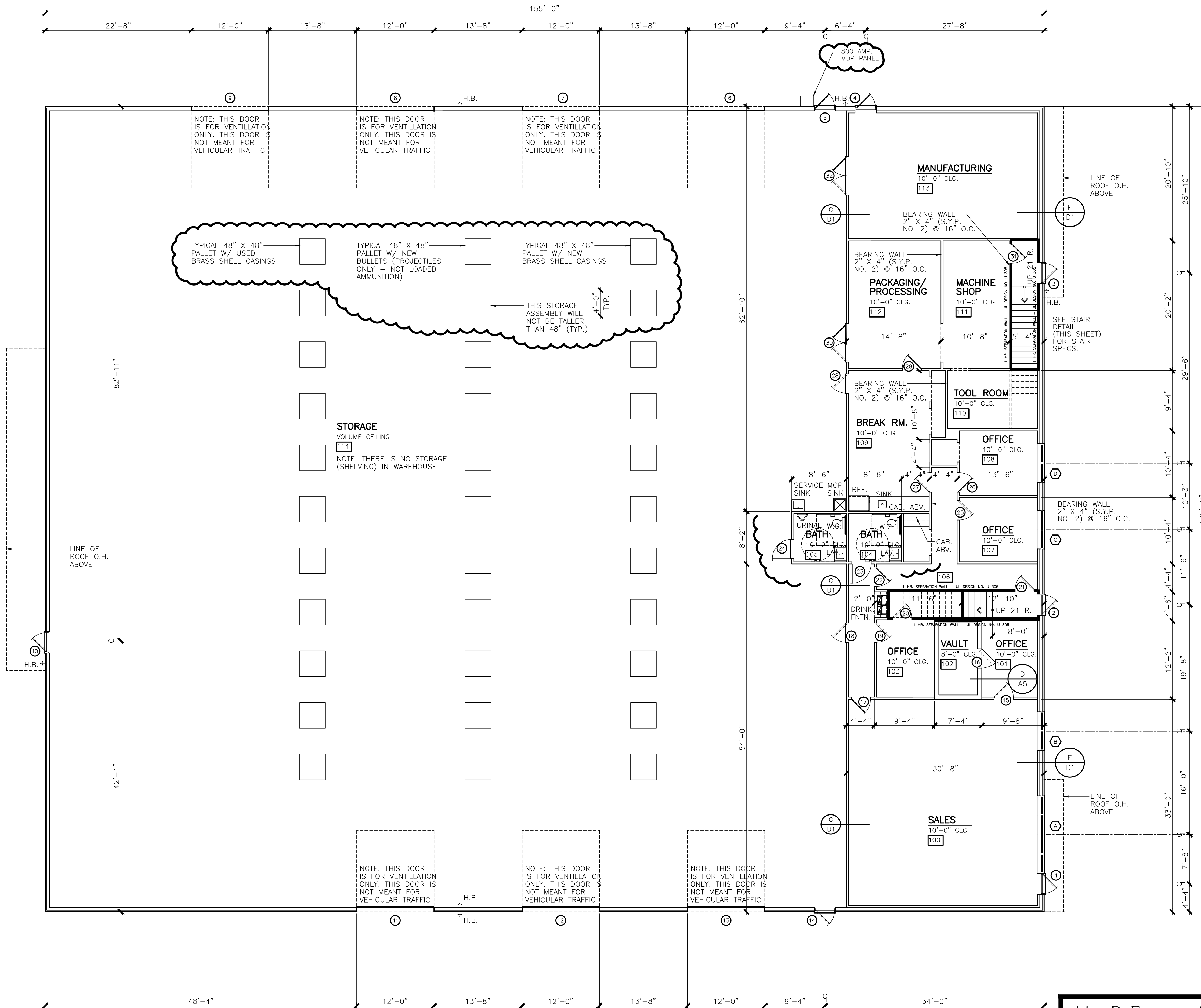
Signature

*Stephen M. Bender*

Printed Name

I understand that if I falsify, misrepresent, or omit any material information on this document, the Commission may revoke any order and will notify the building official of the permitting jurisdiction.

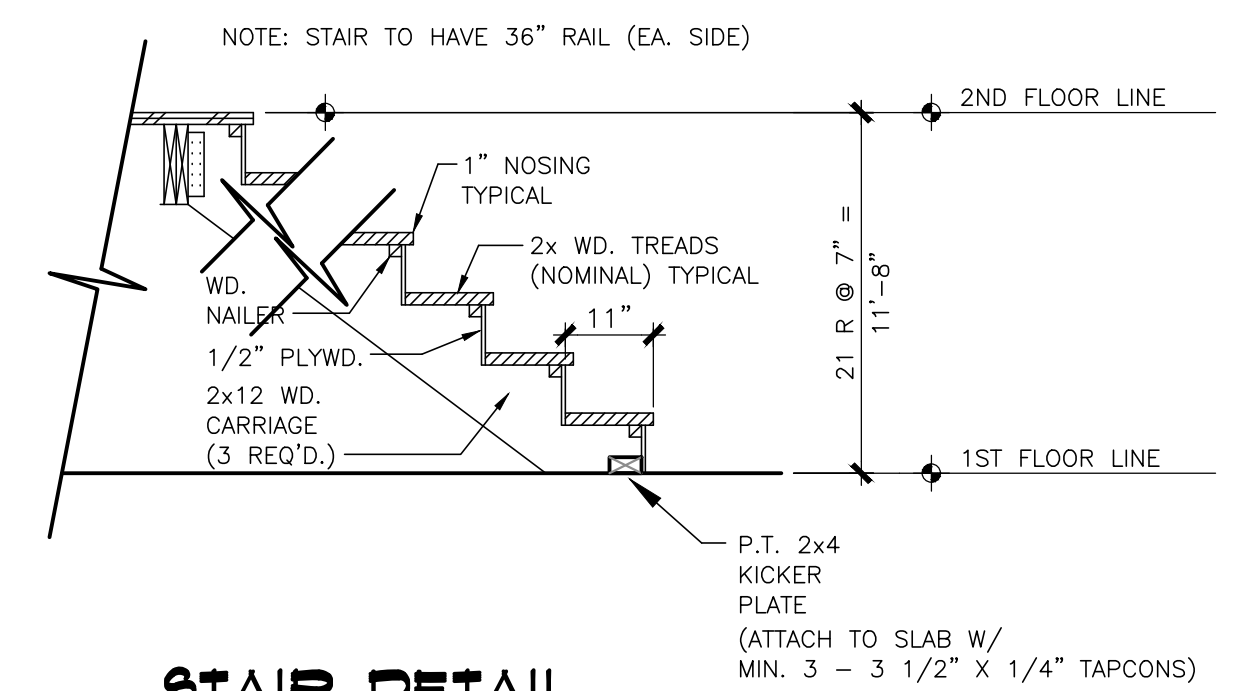
KNOWINGLY MAKING A FALSE STATEMENT IN WRITING WITH THE INTENT TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF HIS OFFICIAL DUTY IS A MISDEAMEANOR OF THE SECOND DEGREE PURSUANT TO SECTION 837.06 F.S. AND SECTION 775.083, F.S.



| JOB DATA   |                         |
|--|-------------------------|
| ULTIMATE DESIGN WIND SPEED:  | 170                     |
| NOMINAL DESIGN WIND SPEED:   | 132                     |
| RISK CATEGORY:   | 2                       |
| IMPORTANCE FACTOR:   | 1.0                     |
| BUILDING OCCUPANCY CLASSIFICATION:   | BUSINESS                |
| BUILDING CONSTRUCTION TYPE:  | 3B                      |
| EXPOSURE CATEGORY:   | B                       |
| OPENING PROTECTION:  | IMPACT GLASS            |
| INTERNAL PRESSURE COEFFICIENTS:  | +0.18, -0.18 (ENCLOSED) |
| FLOOR LIVE LOAD: 1/360 LIVE, 1/240 DEAD  |                         |
| ROOF LIVE LOAD: 1/360 LIVE, 1/240 DEAD (SUPPORTING PLASTER CEILING)  |                         |
| THE STRUCTURAL COMPONENTS OF THIS PLAN ARE IN COMPLIANCE WITH THE 2010 FLORIDA BUILDING CODE, WIND LOAD COMPLIANCE AND ITS RESISTANCE TO GRAVITY AND DESIGN PRESSURES GENERATED BY A WIND VELOCITY OF 170 M.P.H. |                         |

| PROPERTY DATA |             |
|---------------|-------------|
| STRAP NUMBER: | 71255534835 |
| FOLD NUMBER:  | 8179002285  |
| FLOOD ZONE:   | AE 12       |

| NOTES                  |   |
|------------------------|---|
| <b>OCCUPANCY</b>       | OCCUPANCY LOAD PER TABLE 1004.1.1<br>MERCANTILE GROUP M (SALES AREA)<br>1012/30 = 34 PEOPLE<br><br>BUSINESS GROUP B<br>1600 (FIRST FLOOR) / 100 = 16 PEOPLE<br>1771 (SECOND FLOOR) / 100 = 18 PEOPLE<br>STORAGE (LOW HAZARD STORAGE - GROUP S2)<br>15472/300 = 52 PEOPLE<br>FACTORY INDUSTRIAL F2 LOW HAZARD<br>1290/100 = 13 PEOPLE<br>133 TOTAL PEOPLE  |
| <b>PLUMBING</b>        | PER TABLE 403.1 OF THE FLORIDA BUILDING CODE (2010 ED.) USING A BUILDING OCCUPANCY (MOST STRINGENT)<br>WATER CLOSETS: MALE AND FEMALE (ONE REQ. FOR EACH - 47 PEOPLE)<br>LAVATORIES: MALE AND FEMALE (ONE REQ. EACH - 47 PEOPLE)<br><br>A DRINKING FOUNTAIN WILL BE REQUIRED. PLEASE SEE THIS SHEET AND PLUMBING LAYOUT FOR LOCATION AND SPECIFICS.<br><br>A 40 GAL. WATER HEATER WILL BE INSTALLED IN THE EAST ATTIC.<br><br>A SERVICE SINK IS REQUIRED FOR THE STORAGE OCCUPANCY. PLEASE SEE THIS SHEET AND THE PLUMBING LAYOUT FOR LOCATION AND SPECIFICS. |
| <b>MECHANICAL</b>      | PLEASE SEE SHEETS M1, M2 AND M3 FOR MECHANICAL LAYOUTS AND DETAILS.   |
| <b>ELECTRICAL</b>      | PLEASE SEE SHEETS E1, E2, AND E3 FOR ELECTRICAL LAYOUTS AND RISER DIAGRAM, PANEL SCHEDULES AND LOAD CALCULATIONS.   |
| <b>ALARM/SPRINKLER</b> | IT IS UNDERSTOOD THAT THE NEW SPRINKLER/ALARM LAYOUT WILL BE DESIGNED BY ANOTHER PARTY AND WILL REQUIRE A SEPARATE PERMIT. IT IS ALSO ACKNOWLEDGED THAT ANY UNDERGROUND PIPING WILL REQUIRE A SEPARATE PERMIT.  |



**STAIR DETAIL**

SCALE: 1/2" = 1'-0"

**STAIR NOTES:**  
HANDRAILS WITH A CIRCULAR CROSS SECTION SHALL HAVE AN OUTSIDE DIAMETER OF AT LEAST 1.25" OR NOT GREATER THAN 2" OR SHALL PROVIDE EQUIVALENT GRASPABILITY.  
HANDRAIL GRIPPING SURFACES SHALL BE CONTINUOUS, WITHOUT INTERRUPTION FROM NEWEL POST OR OTHER OBSTRUCTIONS.  
HANDRAILS SHALL RETURN TO A WALL, GUARD OR THE WALKING SURFACE OR SHALL BE CONTINUOUS TO THE HANDRAIL OF AN ADJACENT STAIR FLIGHT. WHERE HANDRAILS ARE NOT CONTINUOUS BETWEEN FLIGHTS, THE HANDRAILS SHALL EXTEND HORIZONTALLY 12" BEYOND THE TOP RISER AND CONTINUE TO SLOPE FOR THE DEPTH OF ONE TREAD BEYOND THE BOTTOM RISER.  
CLEAR SPACE BETWEEN A HANDRAIL AND A WALL OR OTHER SURFACE SHALL BE A MINIMUM OF 1.5".

| AREA TABULATION                   |          |
|-----------------------------------|----------|
| AIR CONDITIONED SPACE:            |          |
| FIRST FLOOR:                      | 3902 sf  |
| SECOND FLOOR:                     | 1771 sf  |
| TOTAL AIR CONDITIONED SPACE:      | 5673 sf  |
| NON-A.C. ATTIC SPACE (WEST SIDE): | 1063 sf  |
| NON-A.C. ATTIC SPACE (EAST SIDE): | 864 sf   |
| STORAGE:                          | 15472 sf |
| TOTAL AREA:                       | 21145 sf |

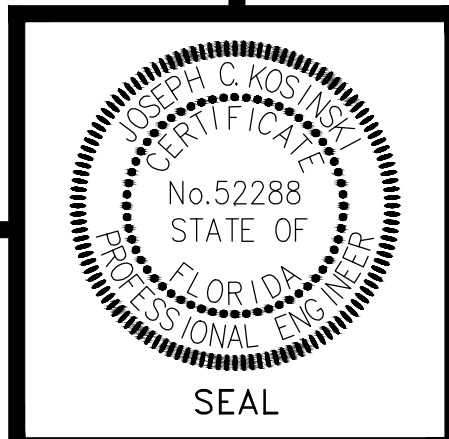
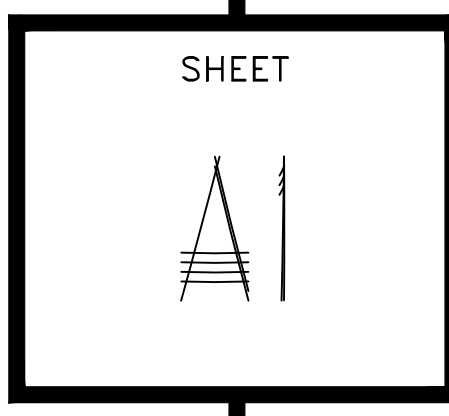
Alan D. Esparza, Architect  
P.O. Box 110493  
Naples, FL 34108  
Florida License no. AR92992  
239.322.9852  
swflarch@gmail.com

**PROPOSED FIRST FLOOR LAYOUT**  
SCALE: 1/8" = 1'-0"

DESIGNER **ROBERT A. RICCIARDELLI**  
DESIGNER, LLC  
2397771445

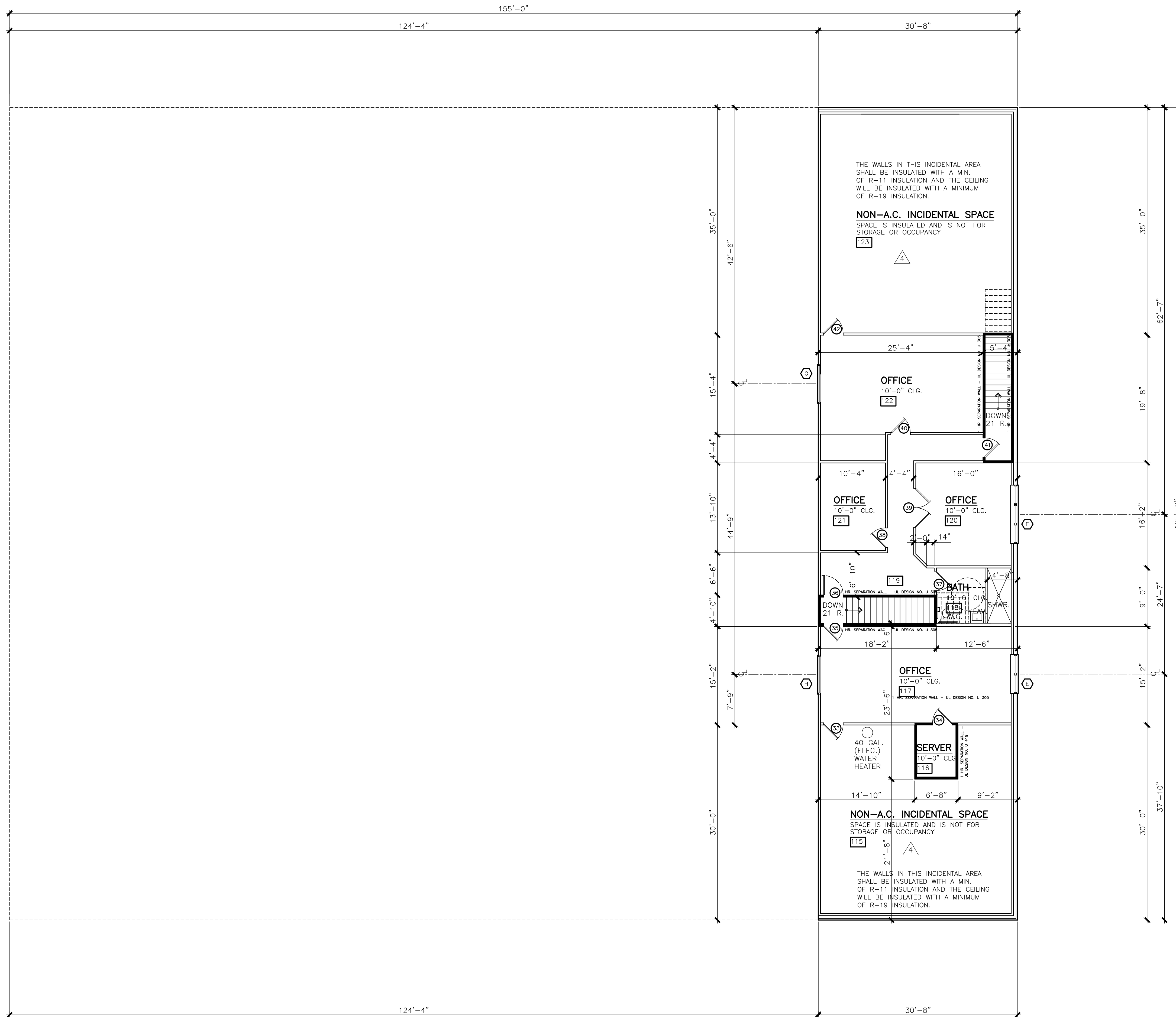
A PROPOSED METAL BUILDING FOR:  
**ZED HOLDINGS, LLC**  
3564 PLOVER AVENUE, NAPLES, FLORIDA  
ENGINEER OF RECORD **J.C. Kosinski Engineering, Inc.**  
135 Gulfview Drive, Fort Myers Beach, Florida  
PROFESSIONAL ENGINEER LICENSE NUMBER 52288

|              |        |
|--------------|--------|
| CHECKED      | DATE   |
| JCK          | 6-8-13 |
| DRAWN        | RR     |
| SCALE        | JOB    |
| 1/8" = 1'-0" | 13-112 |



SEAL





**PROPOSED SECOND FLOOR LAYOUT**

SCALE: 1/8" = 1'-0"

**JOB DATA**

|                                    |   |
|------------------------------------|---|
| ULTIMATE DESIGN WIND SPEED:        | 170   |
| NOMINAL DESIGN WIND SPEED:         | 132   |
| RISK CATEGORY:                     | 2   |
| IMPORTANCE FACTOR:                 | 1.0   |
| BUILDING OCCUPANCY CLASSIFICATION: | BUSINESS  |
| BUILDING CONSTRUCTION TYPE:        | 3B  |
| EXPOSURE CATEGORY:                 | B   |
| OPENING PROTECTION:                | IMPACT GLASS  |
| INTERNAL PRESSURE COEFFICIENTS:    | +0.18, -0.18 (ENCLOSED)                             |
| FLOOR LIVE LOAD:                   | 1/360 LIVE, 1/240 DEAD                              |
| ROOF LIVE LOAD:                    | 1/360 LIVE, 1/240 DEAD (SUPPORTING PLASTER CEILING) |

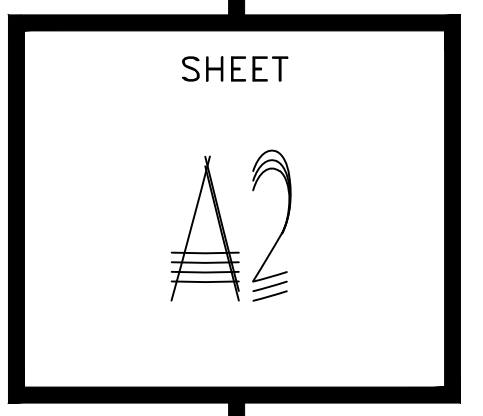
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**PROPERTY DATA**

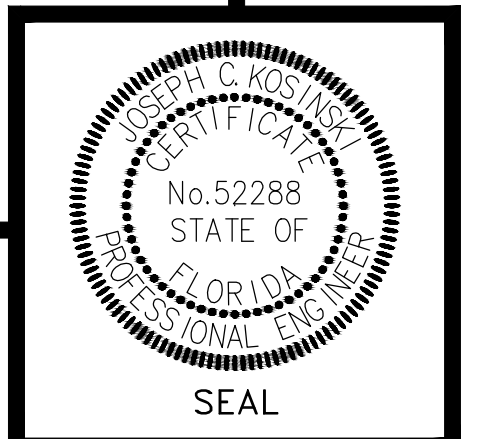
|               |             |
|---------------|-------------|
| STRIP NUMBER: | 71255334835 |
| FOLD NUMBER:  | 8179002285  |
| FLOOD ZONE:   | AE 12       |

**A PROPOSED METAL BUILDING FOR:**  
**ZED HOLDINGS, LLC**  
 3564 PLOVER AVENUE, NAPLES, FLORIDA  
**ENGINEER OF RECORD** 2398722179  
**J.C. Kosinski Engineering, Inc.**  
 135 Gulfview Drive, Fort Myers Beach, Florida  
 PROFESSIONAL ENGINEER LICENSE NUMBER 52288  
**DESIGNER** ROBERT A. RICCIARDELLI  
 DESIGNER, LLC  
 ROBERT A. RICCIARDELLI, PRESIDENT  
 STATE CERTIFIED RESIDENTIAL CONTRACTOR CRC07704  
 2397771445

|              |         |
|--------------|---------|
| CHECKED      | DATE    |
| JCK          | 4-20-14 |
| DRAWN        | RR      |
| SCALE        | JOB     |
| 1/8" = 1'-0" | 13-112  |



Alan D. Esparza, Architect  
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 Naples, FL 34108  
 Florida License no. AR92992  
 239.322.9852  
 swflarch@gmail.com



SEAL

SEAL

| JOB DATA   |                         |
|--|-------------------------|
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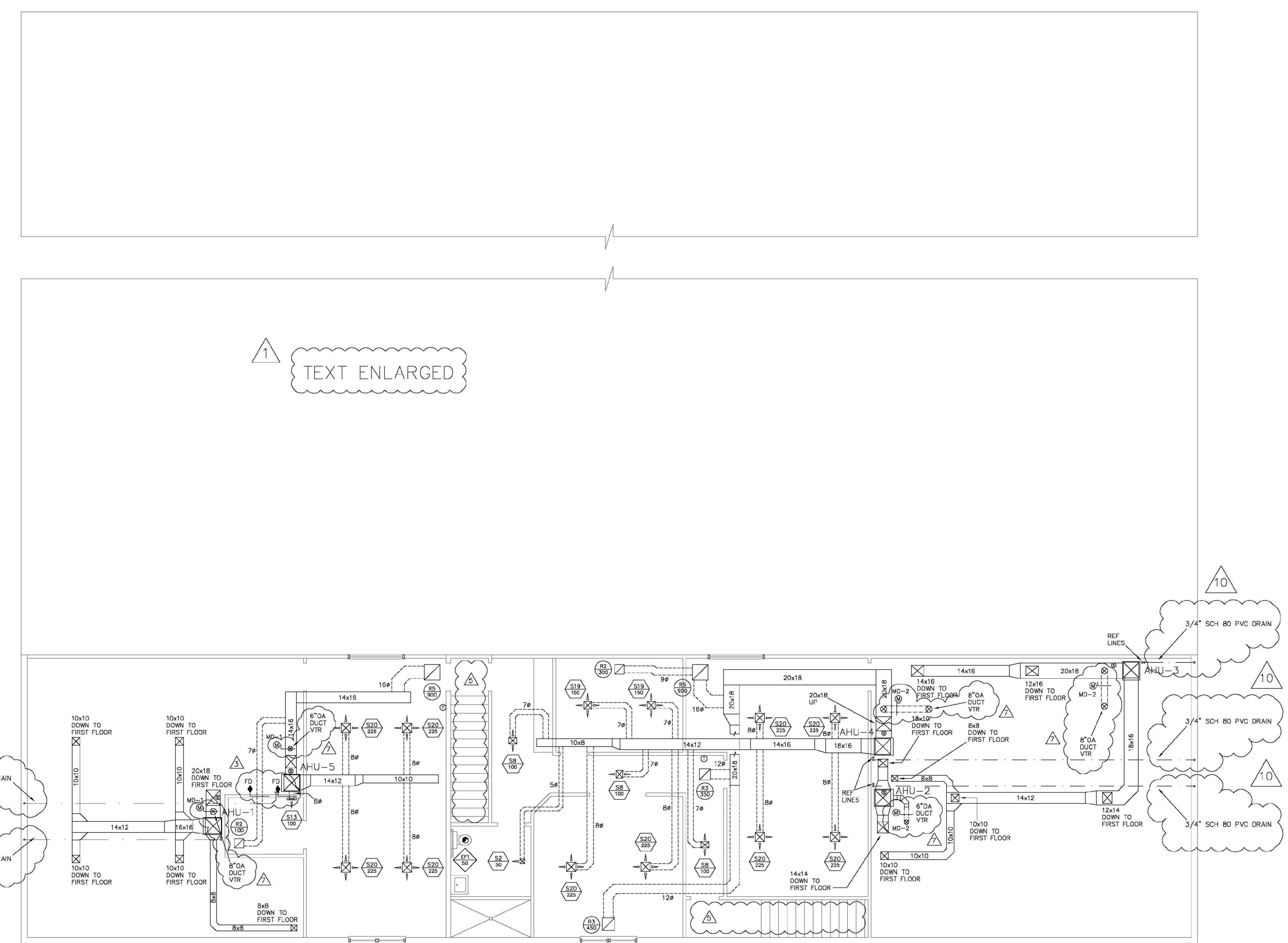
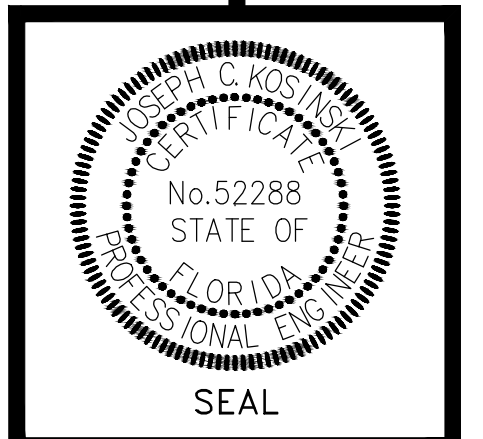
| PROPERTY DATA |             |
|---------------|-------------|
| STRAP NUMBER  | 71255334835 |
| FOLD NUMBER   | 8173002285  |
| FLOOD ZONE    | AE 12       |

DESIGNER **ROBERT A. RICCIARDELLI**  
DESIGNER, LLC  
2397771445

A PROPOSED METAL BUILDING FOR:  
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ENGINEER OF RECORD **J.C. Kosinski Engineering, Inc.**  
135 Gulfview Drive, Fort Myers Beach, Florida  
PROFESSIONAL ENGINEER LICENSE NUMBER 52288

|              |         |
|--------------|---------|
| CHECKED      | DATE    |
| JCK          | 4-19-14 |
| DRAWN        | RR      |
| SCALE        | JOB     |
| 1/8" = 1'-0" | 13-112  |

SHEET  
**M2**



Alan D. Esparza, Architect  
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swflarch@gmail.com



**ResCalc**  
of Southwest Florida, Inc.  
616 96th Avenue North  
Naples, Florida 34108  
Phone: 239.596.4575  
www.rescalc.com

**PROPOSED SECOND FLOOR MECHANICAL PLAN**  
SCALE: 1/8" = 1'-0"