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For: Members of the Florida Building Commission & Accessibility Advisory Council  
c/o Mary-Kathryn Smith  
Office of Codes and Standards, Florida Department of Community Affairs  
2555 Shumard Oaks Boulevard  
Tallahassee, FL 32399-2100

**RE: Cavalier Hotel, 1320 Ocean Drive, Miami Beach: Application for Accessibility Waiver**

Dear Mary-Kathryn and members of the Commission Council,

We are currently working on the interior renovation of the historic Cavalier Hotel which was originally built in 1936. The project consists of interior renovation to the entire 46 guest rooms situated on the upper three levels of this existing four story Art Deco hotel located at 1320 Ocean Drive in the Local Historic District of south Miami Beach. The interior renovation includes the replacement of the existing plumbing fixtures in the bathrooms, installation of new flooring and the replacement of the existing drywall. This structure is a qualified historic building under the federal ADA regulations, the ADA Accessibility Guidelines (ADAAG) and chapter 11 (11-4.1.7) of the Florida Building Code. Currently, this project is in plan review at the City of Miami Beach.

As is typical in many "South Beach" historic structures, the lowest guest room floor is raised several stair risers above the main lobby level and is not ADA accessible. Also typical of historic structures located on Miami Beach, is that the elevator in the building provides access to the upper guest room floors but not the raised first floor and in this case neither to the basement. There are currently no ADA rooms in the existing building; however, we are proposing to convert two of the rooms, one on the second and the other on the third floor, into ADA compliant rooms. One of these two rooms will be equipped with both mobility and communication features, the other with just mobility features and three additional guest rooms dispersed throughout the second and third floors of the hotel will be equipped with communication features. Although there is no ADA accessibility to the first floor guest rooms nor to the public restrooms located on the basement floor, there is an existing side ramp located on the outside of the north end of the building providing access from the sidewalk into the lobby where

a person with disabilities or impairments may sit and dine. The width of the side ramp measures at 34 inches from handrail to handrail.

In our effort to renovate the 46 guest rooms located on the first through third floors of the Cavalier Hotel, the City of Miami Beach will issue a conditional building permit provided we seek and obtain a waiver. On this basis, we respectfully request that the Florida Building Commission and its Accessibility Advisory Council grant us a waiver from the requirement of Florida Statute section 553.509 that states that every level of a building must be wheelchair accessible.

There are a few constraints that are currently preventing us from the installation of a new compliant elevator to meet vertical accessibilities of this 1936 hotel. The main constraint is from the Historic Preservation Board of Miami Beach, which does not permit us to alter the structure of any historic building. When ready for use, the historic elevator door and vintage metal gate must be opened by hand; the door swings open towards the user and the vintage metal gate must be closed to arrive to the destined floor level. This door and metal gate are historical elements that may not be modified. When the metal gate is flushed open to one side the elevator opening measures 31 inches. The existing elevator cab is accessible by wheelchair users at a tight fit and does accommodate other disabled or impaired users but it is undersized in accordance with FACBC. The cab measures 42 inches in length by 44 inches in width (depth). As per General Elevator Company, the estimated cost for the elevator alone is \$140,426.00 and Kone, Inc. provided us with a budget of \$210,000.00. The labor involved in the installation of a new compliant elevator would include the removal of the existing historic elevator, the reconstruction of the elevator pit's infrastructure and the reconstruction of the associated necessary circulation area which would cost (approximately) an additional \$80,000.00 - \$90,000.00. In doing so, not only would we be altering the structure of this historic building but the cost would be a substantial increase in overall expenditure of hotel improvements.

The only matter in which vertical accessibility to the first floor and basement can be accomplished would be by installing a mechanical lift. The stairs from the lobby to the first level guest rooms is 60 inches wide. The minimum clear width for a required means of egress is 44 inches. A platform lift can be no less than 30 inches in width. The width of the platform lift interferes with the means of egress. Therefore, a lift cannot be approved. The stair from the lobby to the basement is narrower than the stair to the first floor guest rooms at 3 feet and 10 inches wide. The stair is located between two walls, one of which is the rear wall of the elevator shaft. Because of the same "encroachment of a required means of egress" issue, providing vertical accessibility to the basement is also technically infeasible.

Regrettably, some situations arise in historic buildings that do not allow us the opportunity to create access to all levels as in a newer structure. Please consider our hardship as you review this application. For the reasons above, I respectfully request that this waiver be granted.

Thank you in advance for your time and consideration in this matter. If further documentation is required please do not hesitate to contact me at my office.

Respectfully,

  
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Jose A. Ferradaz RA lic # 7416