

**FLORIDA BUILDING COMMISSION
ACCESSIBILITY ADVISORY COUNCIL
CONFERENCE CALL/WEBINAR
WEB URL <https://global.gotomeeting.com/join/533378925>
AUDIO: DIAL-IN NUMBER 1 866-899-4679
CONFERENCE CODE: 533-378-925
March 26, 2020
3:00 P.M.**

ACCESSIBILITY ADVISORY COUNCIL PRESENT:

Joe Del Vecchio, Chairman
Darlene Laibl-Crowe
Allison Klein

Paul Martell
Paul Viksne
James Woolyhand

ACCESSIBILITY ADVISORY COUNCIL NOT PRESENT:

Beth Meyer

STAFF PRESENT:

Mo Madani
Justin Vogel
Marlita Peters
Jim Hammers

Thomas Campbell
Chris Howell
Chip Sellers

Welcome:

Time: 2:00 p.m.

Ms. Peters welcomed everyone to the meeting of the Accessibility Advisory Council.

Roll Call:

Ms. Peters performed roll call for the Accessibility Advisory Council. A quorum was determined with 6 members present on the call.

Agenda Approval:

Mr. Del Vecchio entered a motion to accept the agenda with the correction of the date listed for the Commission Report reading the year 2020 not 2019 as listed. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Approval of Minutes January 30, 2020:

Mr. Del Vecchio entered a motion to approve the minutes from January 30, 2020 as posted. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Commission's action on February 11, 2020 waiver applications:

Mr. Madani provided the actions taken by the Commission on the waivers recommended by the Council from the February 11, 2020, Commission meeting.

Accessibility Waivers:

New Control Room for Florida Caribbean Distillers Co. Lodge – Waiver 440 – 425 Recker Highway, Auburndale 33823 - Issue: Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends denial of the request for a waiver for vertical accessibility to the second floor based on the fact that the project in question is new construction.

Mr. Viksne entered a motion to deny the request for a waiver based on the fact that the project in question is new construction. Ms. Klein seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Accessibility Waivers (cont.):

Change of Use – Waiver 436 - 1323 West Avenue, Miami Beach 33139 - Issue: Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends granting the request for waiver for vertical accessibility to the second floor based on the grounds of technical infeasibility.

Anthony Leon was on the call representing Change of Use, and provided additional details the project for the Council.

Mr. Del Vecchio entered a motion to grant the request for a waiver based on the grounds of technical infeasibility. Ms. Laibl-Crowe seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Penguin Hotel – Waiver 447 - 1418 Ocean Drive, Miami Beach 33139 - Issue: Vertical accessibility to the raised 1/2 level of guestrooms.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends granting the request for waiver for vertical accessibility to the raised ½ level guestrooms based on the grounds of technical infeasibility.

Juan Alayo was on the call representing Penguin Hotel and stated he was present to answer questions from the Council.

Ms. Laibl-Crowe entered a motion to grant the request for a waiver based on the grounds of technical infeasibility. Mr. Del Vecchio seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Stay and Save Motel – Waiver 421 - 2430 NE 2nd Street, Ocala 34470 – Issue: Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends denial of the request for a waiver for vertical accessibility to the second floor based on the fact that the project in question is new construction.

John Donahue, Architect was present on the call representing the Stay and Save Motel and provided additional information for the Council.

Accessibility Waivers (cont.):

Stay and Save Motel – Waiver 421 - 2430 NE 2nd Street, Ocala 34470 (cont.)

Mr. Del Vecchio entered a motion to deny the request for a waiver based on the fact that the project in question is new construction. Ms. Klein seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Villa Cuatro – Waiver 448 - 334 Ocean Drive, Miami Beach 33139 – Issue: Vertical accessibility to the first and second floors.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends granting the request for waiver for vertical accessibility to the first and second floors based on the grounds of historical significance.

Emily Balter, Esq. was on the call representing Villa Cuatro and provided a detailed report on this building and was available for questions.

Mr. Del Vecchio entered a motion to grant the request for a waiver based on the grounds of historical significance. Ms. Laibl-Crowe seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Leola Construction – Waiver 435 - 11849 US Highway 41S, Gibsonton 33534 – Issue: Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends granting the request for waiver for vertical accessibility to the second floor based on the grounds of economic hardship and technical infeasibility.

Mr. Conley was present on the call representing Leola construction and stated he was available for questions.

Ms. Laibl-Crowe entered a motion to grant the request for a waiver based on the grounds of economic hardship and technical infeasibility. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 6 to 0.

New Athletic Field and Stadium - Community School of Naples – Waiver 446 - 13275 Livingston Road, Naples 34109 – Issue: Vertical accessibility to the press box.

Mr. Sellers presented the waiver request with staff analysis and advised that the staff recommends denial of the request for a waiver for vertical accessibility to the second floor based on the fact that the project in question is new construction.

Accessibility Waivers (cont.):

**New Athletic Field and Stadium - Community School of Naples – Waiver 446 - 13275
Livingston Road, Naples 34109 (cont.):**

Ryan Richards, AIA spoke on behalf of the New Athletic Field and Stadium, Community School of Naples.

Richard Yovanovich, Esq. representing the applicant provided supporting information.

Mr. Madani provided detail on the ADA requirements and the exemptions under the guidelines. He stated the Council can consider the additional information and decide to grant based on unnecessary and unreasonable economic hardship.

Mr. Vogel concurred.

Council Comments:

Ms. Klein questioned if this is a new construction for a private school where the cost is going to be over \$4,000,000.

Mr. Richards advised it is a private school and the cost will be over \$4,000,000.

Ms. Klein entered a motion to deny the request for a waiver based on the fact that the project in question is new construction. Mr. Del Vecchio seconded the motion.

Public Comment:

Mr. Richards asked for clarification and was concerned that they are being penalized because this unit is not a pre-engineered structure.

Mr. Yovanovich referenced another press box that was approved.

Accessibility Waivers (cont.):

**New Athletic Field and Stadium - Community School of Naples – Waiver 446 - 13275
Livingston Road, Naples 34109 (cont.):**

Mr. Martel asked what this space is to be used for.

Mr. Richards responded that it will house a score keeper, an announcer and occasionally a coach.

John Ellen, Chairman of the Board for Community School, provided detail about the school and reasons for the waiver.

Mr. Del Vecchio removed his second. The motion on the floor failed due to lack of a second.

Mr. Vogel stated that this request, as with all waivers, will be sent to the Commission for final determination. He also addressed the question on the economic hardship threshold and how in this case it does not apply.

Mr. Del Vecchio entered a motion to grant this waiver based on unnecessary and unreasonable economic hardship. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 6 to 0.

Final Roll Call:

Ms. Peters performed a final roll call and the 6 members were remaining on the line.

Public Comment:

Emily Balter, Esq. asked if the Commission meeting is still scheduled for April 7, 2020.

Mr. Vogel advised yes and it will be via teleconference.

Adjournment:

There being no further business before the Council, the meeting was adjourned at 4:01 p.m.