

BLOCKS PIZZA DELI

Issue: Slope of ramp to front door of a business.

Analysis: The applicant is requesting a waiver from providing a ramp with a slope no greater than 1:12 from the public sidewalk to the front door entrance of a pizza parlor. The building is undergoing a \$25,000 alteration. There is insufficient room to perform the necessary grade work that would make the ramp compliant since there is an 11 inch elevation difference between the sidewalk and the doorway. The existing building configuration could support the position that performing architectural barrier removal at the entrance is not readily achievable. However, the entrance could be made more, but not fully, accessible by installing grab bars and an automatic door opener.

Project Progress:

The project is completed.

Items to be Waived:

A determination that architectural barrier removal is not readily achievable, as specified by Section 101.2, F. B. C.

101.2 Effect of Removal of Barriers in Existing Facilities: Removal of architectural barriers, pursuant to 28 CFR s. 36.304, from buildings, structures or facilities shall comply with this code's requirements for alterations unless compliance would render the removal not readily achievable.

**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: BLOCKS PIZZA DELI

Address: 1447 WASHINGTON AVENUE
MIAMI BEACH, FLORIDA 33139

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: EUGENIO VITTONI

Applicant's Address: 1500 BAY ROAD, MIAMI BEACH

Applicant's Telephone: 786-280-8423 FAX: _____

Applicant's E-mail Address: EUGENIO.VITTONI@BLOCKSPIZZA.COM

Relationship to Owner: ~~OWNER~~ TENANT

Owner's/Tenant's Name: ZORI HAYON

Owner's Address: P.O. BOX 19-1678, MIAMI BEACH

Owner's Telephone: 786-877-7773 FAX _____

Owner's E-mail Address: ZORI291@GMAIL.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.)

BUILDING DIVIDED IN 3. ON THE RIGHT A RESTAURANT, IN THE CENTER A NIGHT CLUB WITH 2 FLOORS AND ON THE LEFT US, A 900 SQF PIZZA RESTAURANT ON ONE FLOOR

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

\$ 25.000

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.

OUR ENTRANCE DOOR HAS A RAMP THAT THE MIAMI BEACH BUILDING DEPARTMENT CONSIDERS TOO STEEP TO COMPLY WITH ADA REGULATIONS AND REQUESTED US TO ASK FOR A WAIVER TO YOUR COMMISSION

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: FLORIDA STATUTE 553.509 VERTICAL ACC TO ALL
LEVELS REQUIREMENT / 2010 FBG, ACCESSIBILITY 201.1.1

Issue

2: BARRIER AT COMMON OR EMERGENCY ENTRANCE AND
EXIT. FBG ACC 202.3.3 PS 553.508

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.

THE DIFFERENCE IN LEVEL AT THE ENTRANCE IS 11" HIGHER
THAN THE SIDEWALK AND HY SPACE IS ONLY 900 SQF

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

THE WHOLE PREMISES SHOULD BE LOWERED OR THE SIDEWALK
SHOULD BE RAISED

☒ 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.

~~UNDERSTANDING THE FLOOR~~ TWO QUOTES AND PHOTOGRAPHS ATTACHED.
REWORKING THE FLOOR INCLUDING A RAMP THAT GOES ALL THE WAY
INSIDE UNTIL THE COUNTER, AUTOMATIC DOOR & RAILINGS.

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. \$ 14,724.00 AFM CONSTRUCTION

b. \$ 19,890.00 ALL HOME ENTERPRISES

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.

NOT APPLICABLE

Signature

Printed Name

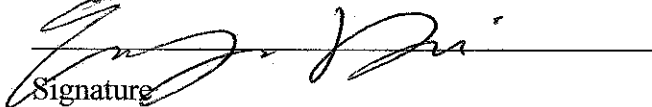
Phone number _____

(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 13TH day of MAY, 2013


Signature

EUGENIO VITTONI

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.

**CONSTRUCTION CO.**

State Licensed & Insured
CBC037806

ESTIMATE

5/10/13
#3228-B1

TO: Eugenio Vittoni
Blocks Pizza and Deli
1447 Washington Ave.
Miami Beach, FL 33140

JOBSITE: Blocks Pizza and Deli
1447 Washington Ave.
Miami Beach, FL 33140

SCOPE OF WORK: Provide labor, materials, equipment and supervision to complete the following scope of work.
Remove existing entry ramp, door and frame, interior floor, as required and replace with new wheelchair ramp, automatic electric entry door, finish flooring, railings as necessary to conform to all applicable ADA and City of Miami Beach Building Department requirements for handicap access. Itemized cost breakdown listed below.

1. Demolition, concrete cutting and hauling.	\$1,820.00
2. Form and place concrete for new ramp.	2,050.00
3. New finish flooring as required on new ramp.	975.00
4. Railings both sides of new ramp, int. and exterior.	1,200.00
5. New automatic electric entry door, installed.	3,975.00
6. Drawings, permit fees, permit processing.	<u>2,250.00</u>
COST	12,270.00
OVERHEAD & PROFIT 20%	<u>2,454.00</u>
TOTAL	14,724.00

TOTAL COST FOR THIS SCOPE OF WORK AS LISTED **\$14,724.00**

Thank you for the opportunity to be of service.

ALL HOME ENTERPRISES, INC.

ALL TYPES OF CONSTRUCTION: FROM FOUNDATION TO FINISH

Date: 05/17/2013

ESTIMATE

Estimate # 1268

Name / Address
Eugenio Vittoni Blocks Pizza & Deli 1447 Washington Avenue Miami Beach, Florida 33140

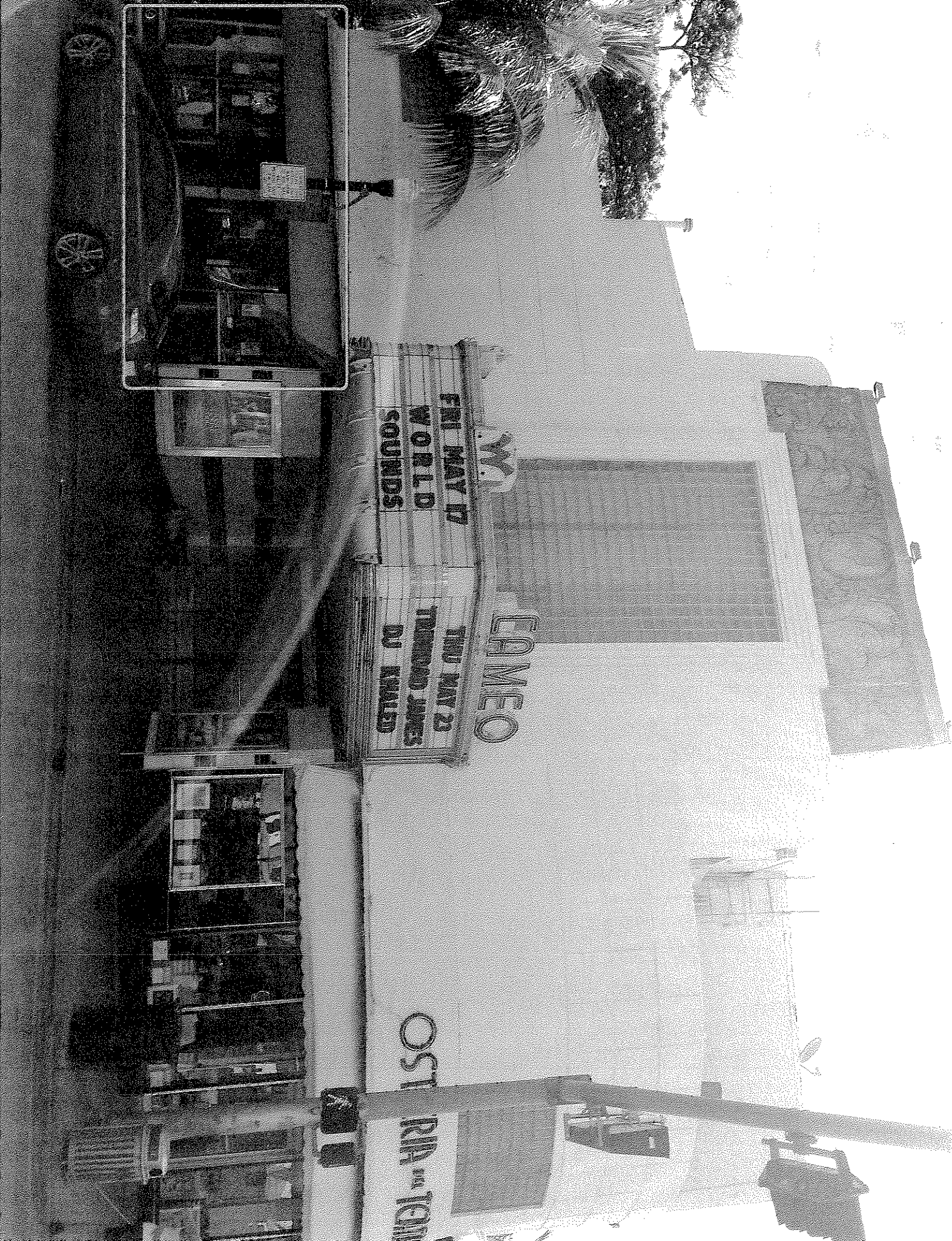
Job Address
Blocks Pizza & Deli 1447 Washington Avenue Miami Beach, FL 33140

Project	Office	Cellular	Fax	Home
		305-282-7758		

Item	Description	Total
Scope of Work	Modify existing Ramp to form to all applicable ADA and City of Miami Beach Building Department requirements for handicap access.	
Plans & Permits	Costs of Plans, Processing and Building Department Permits (Building, etc.), Impact Fee, and Survey.	3,000.00
General Conditio...	Removal of all debris.	600.00
Demo	Demo, cut concrete as required for new ADA Ramp.	2,500.00
Form	Form and install steel for new ADA Ramp .	850.00
Concrete	Place and finish new concrete.	1,500.00
Flooring	Provide new finish flooring as required for ramp. (Allowance of \$2000.00 included in Estimate for flooring).	2,000.00
Railings	Provide and install hand railings at both sides of ramp (As per ADA specs).	1,850.00
Doors	Provide and install new automatic electric entry door.	4,275.00
	Cost	16,575.00
Profit	Profit and Overhead	3,315.00
Thank you for your business!		Total \$19,890.00

18521 SW 92 AVENUE * CUTLER BAY, FLORIDA 33157 * (305) 254-4080 * (305) 254-4606 FAX

(305)216-5193 CELL * JROBB6080@BELLSOUTH.NET * LICENSE CRC1329803

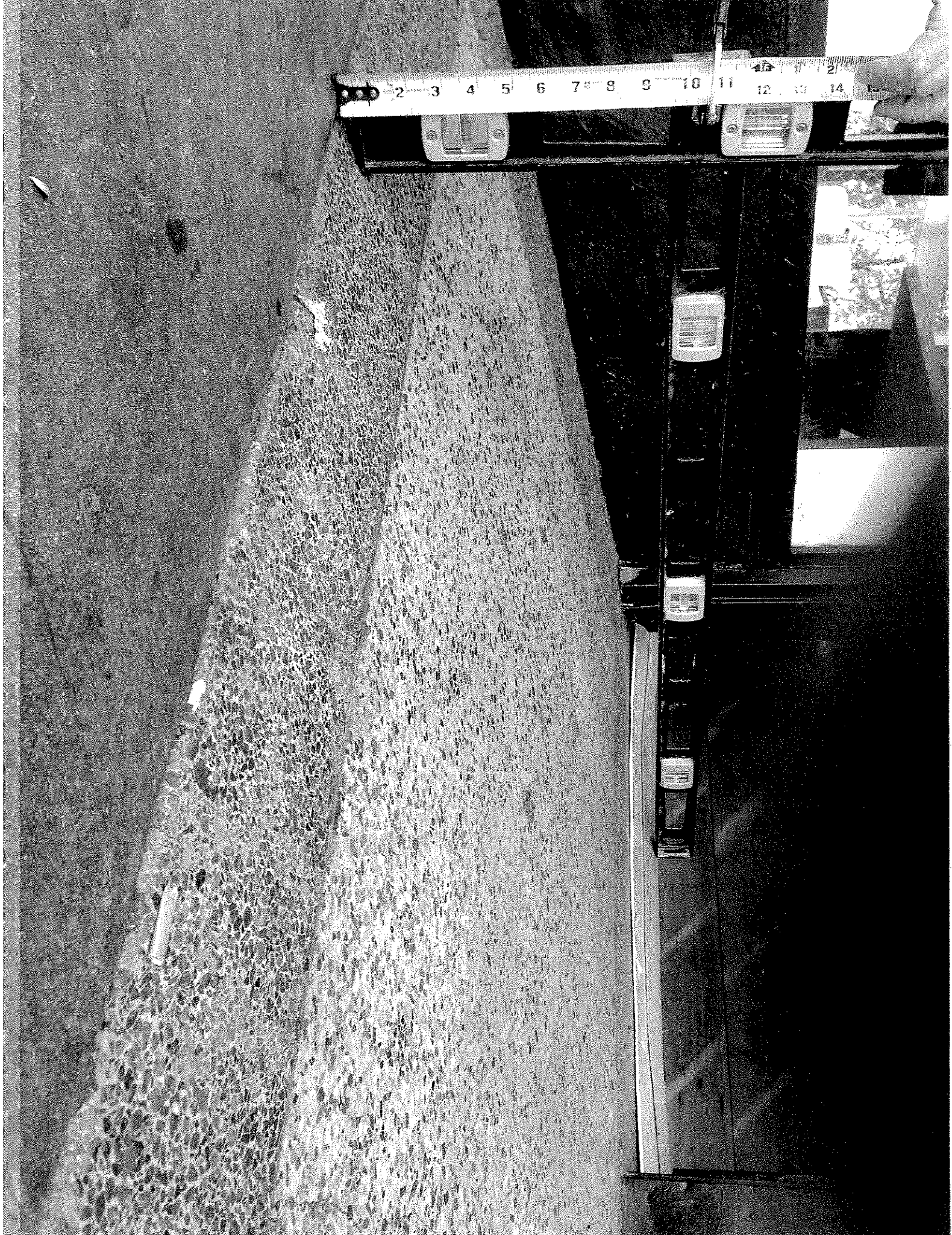


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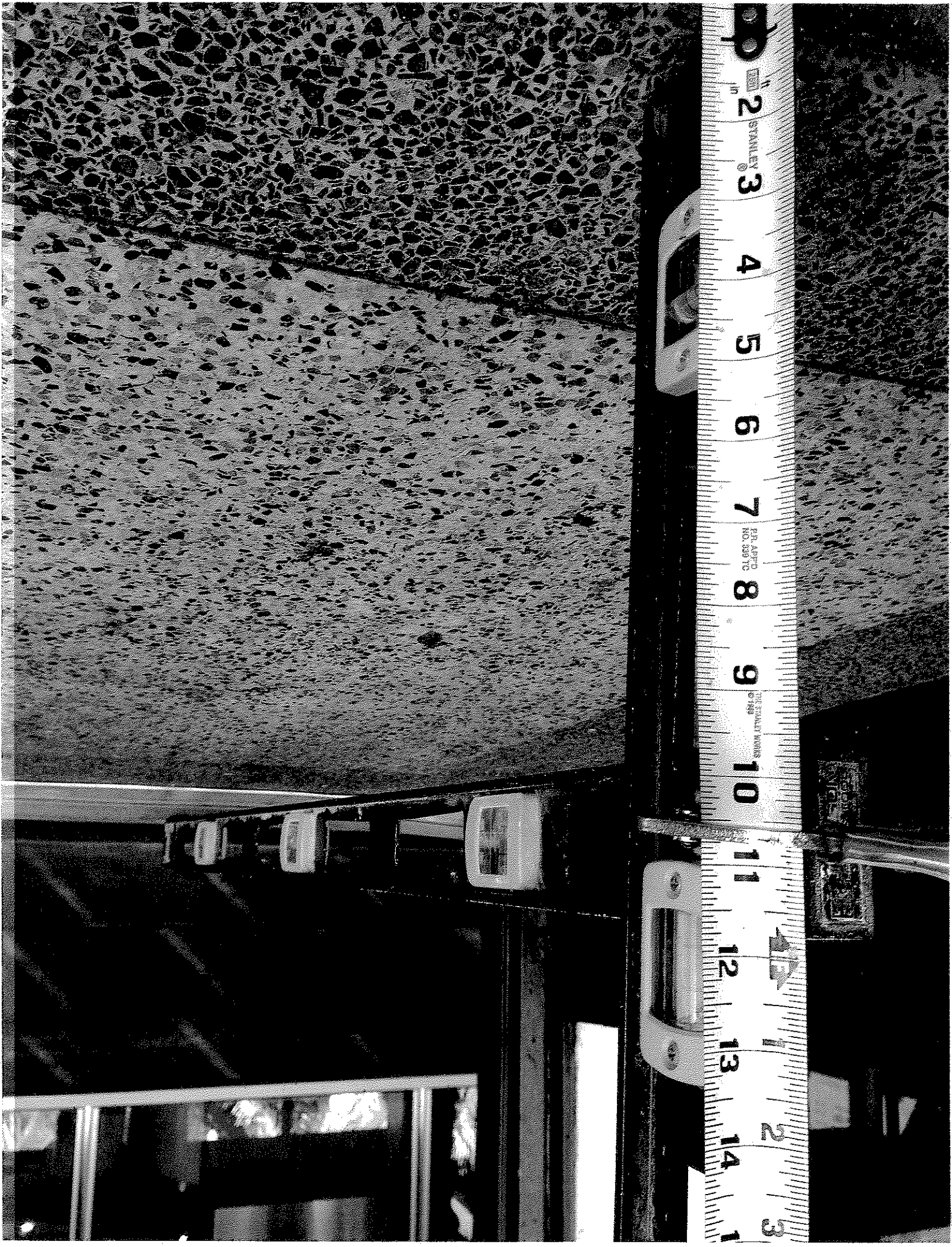
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H. A. ADPTD.
NO. 5381C

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