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:

1. 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.

2. 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.

3. 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.

4. 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. ___X____ 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. ___X____ 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: DeVine Wine + Grill
Address: 15 Alafaya Woods Blvd, Suite 117
          Oviedo, FL 32765

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: Michael DiAlexander
Applicant's Address: 7660 University Blvd Winter Park, FL 32792
Applicant's Telephone: 954-448-4850    FAX: 407-679-6600
Applicant’s E-mail Address: mkconcepts954@gmail.com
Relationship to Owner: Owner
Owner's/Tenant's Name: Same as above
Owner's Address:

Owner's Telephone: FAX
Owner’s E-mail Address:

Signature of Owner:

3. Please check one of the following:

[ ] New construction.

[ ] Addition to a building or facility.

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Rule 61G20-4.001
effective 4/25/2013
[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.)

This project is for a tenant improvement of a one story tenant space (Suite 117) which contains a mezzanine. The ground floor has a total area of 3,031 SF with a 448 SF mezzanine.

The primary use will be a restaurant and the ground floor will contain completely accessible dining areas, bar area, and wine area, and existing restrooms. If waiver is granted the mezzanine, which is designated for storage, will change use to provide overflow seating.

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

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.

The cost of adding an elevator to the existing space will be disproportionate to the overall alternation costs. A waiver of FAC 201.1.1 is requested.

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

**Issue**

1: FAC 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.

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

This is an interior tenant improvement project; there isn’t sufficient height in the existing building to add an elevator without significant alterations to the existing roof structure and slab-on-grade.

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

[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.

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.
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.

As the project architect, I feel that due to the cost of adding an elevator to the existing space and the required modifications that would be required to the existing structure, this waiver shall be approved by the Florida Building Commission Accountability Board.

Signature

Francisco Alvarado
Printed Name

Phone number: 321-210-0255
(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 2nd day of July, 2014

Signature
Michael DiAlexander
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 MISDEMEANOR OF THE SECOND DEGREE PURSUANT TO SECTION 837.06 F.S. AND SECTION 775.083, F.S.
DEMONSTRATION NOTES

A. TEMPORARY LIGHT AND POWER

B. TEMPORARY WALLS AND / OR FLOORING

C. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

D. TEMPORARY WATER AND PREPARE WALL TO RECEIVE NEW FINISH

E. REMOVE AND RE-USE EXISTING MILLWORK

F. REMOVE EXISTING ROLL-UP DOORS AND RELATED CONSTRUCTION.

G. REMOVE EXISTING ROLL-UP DOOR TO RECEIVE NEW FINISH.

H. REMOVE EXISTING WALL MOUNTED FIRE EXTINGUISHERS.

I. REMOVE ALL EXISTING WALL COVERINGS, LOOSE PAINT OR PLASTER, PATCH EXISTING WALLS AS REQUIRED TO RECEIVE NEW WALL FINISHES AS SPECIFIED.

J. REMOVE ALL EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH.

K. REMOVE ALL EXISTING SODA/ICE MACHINE, COORDINATE WITH OWNER FOR STORAGE.

L. REMOVE AND DEMOLISH EXISTING FOOD DISPLAY, COORDINATE WITH OWNER FOR STORAGE.

M. REMOVE EXISTING GLASS DOOR REFRIGERATOR, COORDINATE WITH OWNER FOR STORAGE.

N. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

O. REMOVE AND DEMOLISH EXISTING MILLWORK

P. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

Q. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

R. REMOVE EXISTING GLASS DOOR REFRIGERATOR, COORDINATE WITH OWNER FOR STORAGE.

S. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

T. REMOVE AND DEMOLISH EXISTING MILLWORK

U. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

V. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

W. REMOVE EXISTING MILLWORK

X. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

Y. REMOVE AND DEMOLISH EXISTING MILLWORK

Z. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

AA. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

BB. REMOVE EXISTING MILLWORK

CC. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

DD. REMOVE AND DEMOLISH EXISTING MILLWORK

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FF. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

GG. REMOVE EXISTING MILLWORK

HH. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

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ZZ. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

A1. REMOVE EXISTING MILLWORK

B1. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

C1. REMOVE AND DEMOLISH EXISTING MILLWORK

D1. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

E1. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

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A2. REMOVE AND DEMOLISH EXISTING MILLWORK

B2. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

C2. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

D2. REMOVE EXISTING MILLWORK

E2. REMOVE EXISTING BAR MILLWORK AND ASSOCIATED PLUMBING. DE-ENERGIZE

F2. REMOVE AND DEMOLISH EXISTING MILLWORK

G2. REMOVE EXISTING PAINT AND PREPARE WALL TO RECEIVE NEW FINISH

H2. REMOVE EXISTING WAINSCOAT PANELING. PREP WALL TO RECEIVE NEW FINISH

I2. REMOVE EXISTING MILLWORK
NOT IN SCOPE

NEW FLOOR PLAN - LEVEL 1

NEW PARTITION

EXISTING PARTITION TO REMAIN

EXISTING FOYER PARTITION TO REMAIN

NEW FLOOR FINISHES NOT TO EXCEED 1/2" MAX. VERTICAL OFFSET.

7/2/2014 12:05:34 AM

1/8" = 1'-0"

NEW 36" EGRESS DOOR IN EXISTING STOREFRONT WITH HARDWARE HAVING THE

FIRE ALARM SYSTEM CONTRACTORS SHALL APPLY FOR AND OBTAIN A PERMIT

THE FIRE SPRINKLER CONTRACTOR SHALL SUBMIT FOR AND OBTAIN A PERMIT PRIOR TO

OWNER/CONTRACTOR TO TEST THE HOODS CAPTURE CONTAINMENT PERFORMANCE IN

FLAMMABLE AND COMBUSTIBLE MATERIALS IF USED DURING CONSTRUCTION SHALL BE

ALL MATERIAL AND WORKMANSHIP SHALL BE GUARANTEED FOR THE PERIOD OF (1) ONE

NO TOXIC OR COMBUSTIBLE MATERIALS TO BE USED ABOVE FINISH CEILING LINE.

GENERAL CONTRACTOR TO COORDINATE ALL INTERIOR BUILT-IN'S

PROVIDE MOISTURE RESISTANT TYPE GYPSUM BOARD AT ALL WET WALL.

ALL WOOD IN CONTACT WITH MASONRY TO BE PRESSURE TREATED.

GENERAL CONTRACTOR IS RESPONSIBLE FOR PATCHING CONCRETE SLAB AS REQUIRED TO

ACHIEVE A SMOOTH FINISH, FLUSH TRANSITION FOR NEW FLOORING.

GENERAL NOTES

1. MEANS OF EGRESS SHALL BE A MINIMUM OF 44" EVERYWHERE AND CONTINUOUSLY

2. DURING ITS SWING ANY DOOR IN A MEANS OF EGRESS SHALL LEAVE NOT LESS THAN ONE-

3. CORRIDOR S INVOLVEMENT INDEX TO PROVIDE POWER FOR MILLWORK LIGHTING, TYP.

4. MILWORK LIGHTING, TYP.

5. PROVIDE MOISTURE RESISTANT TYPE GYPSUM BOARD AT ALL WET WALL.

6. GENERAL CONTRACTOR SHALL PROVIDE ACCESS PANELS AS REQUIRED BY PLUMBING, AIR

7. ALL PENETRATIONS PASSING THROUGH FIRE RATED PARTITION ASSEMBLIES ARE TO BE

8. FIRE DOOR ASSEMBLIES TO PROVIDE FIREPROOF BEACON ATTACHMENT.

9. GENERAL CONTRACTOR IS RESPONSIBLE FOR PATCHING CONCRETE AS REQUIRED TO

10. NO TOXIC OR COMBUSTIBLE MATERIALS TO BE USED ABOVE FINISH CEILING LINE.

11. THE GENERAL CONTRACTOR TO COORDINATE ALL INTERIOR BUILT-IN'S

12. ALL NEW FLOOR FINISHES NOT TO EXCEED 1/2" MAX. VERTICAL OFFSET.

13. FLAMMABLE AND COMBUSTIBLE MATERIALS IF USED DURING CONSTRUCTION SHALL BE

14. ALL MATERIAL AND WORKMANSHIP SHALL BE GUARANTEED FOR THE PERIOD OF (1) ONE

15. OWNER/CONTRACTOR TO TEST THE HOODS CAPTURE CONTAINMENT PERFORMANCE IN

16. ALL DIMENSIONS ARE TO THE FACE OF STUD UNLESS OTHERWISE NOTED.

17. OWNER/CONTRACTOR TO TEST THE HOODS CAPTURE CONTAINMENT PERFORMANCE IN

18. THE FIRE SPRINKLER CONTRACTOR SHALL SUBMIT FOR AND OBTAIN A PERMIT PRIOR TO

19. CONTRACTOR SHALL VERIFY EXISTING ANSUL SYSTEM IS TIED INTO THE BUILDING'S FIRE

20. FIRE ALARM SYSTEM CONTRACTORS SHALL APPLY FOR AND OBTAIN A PERMIT

EXISTING MEN'S RESTROOM

EXISTING WOMEN'S RESTROOM

WINE AREA

DISSING AREA

BAR

COOLER

WALK-IN

POS

EXISTING

WINE AREA

WINE AREA

WINE SERVING MACHINE

PASS-THRU BACK BAR COOLER

DIRECT DRAW BEER DISPENSER

UNDERBAR REFRIGERATION:

HAND HINGE 30"x60" DOOR)

TRASH CAN

SODA BOX STORAGE

SODA GUN

DIRECT DRAW BEER DISPENSER

UNDERBAR ICE BIN

UNDERBAR ICE BIN

FOUR COMPARTMENT SINK (RELOCATED)

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