



June 26, 2019

Chair and Members of the Florida Building Commission
Chair and Members of the Accessibility Advisory Council
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399

Re: The Surf Club, 9101 Collins Avenue, Surfside, Florida: Application for Waiver of Accessibility Requirements.

Dear respective Chairs and Members of the Florida Building Commission and its Accessibility Advisory Counsel:

The Surf Club respectfully requests that you consider and grant it a waiver from the requirement to provide vertical accessibility to the Hemingway Office, a 2nd story space that can only be accessed by Surf Club guests and members of the public by way of a stair in the historic stair tower on the Surf Club property.

The Surf Club is a historic resort that was constructed in Surfside, Florida, in or about 1930. The Surf Club was designated as a local historic landmark by the Miami-Dade County Historic Preservation Board on May 19, 2010. Miami-Dade County was designated as a Certified Local Government under the National Historic Preservation Act in 1987 by the (Florida) State Historic Preservation Officer. A copy of the Resolution designating the Surf Club as an historic landmark is provided in the waiver application.

The Hemingway Office is a small, 2nd story space of approximately 1100 square feet. It does not communicate with any other 2nd story spaces and therefore the only means of access from the accessible ground floor level is by means of a stair in the historic stair tower. The Hemingway Office space is undergoing an alteration to become a small public lounge-type space. Because the alteration triggers path of travel requirements under the ADA, it triggers the requirement to provide vertical accessibility under the Florida Accessibility Code even though the Hemingway Office would otherwise be exempt from having vertical accessibility under the federal ADA. This means, however, that if you grant the requested waiver, the resulting project will not be in violation of the ADA.,

In designing this project, we explored a number of means of providing vertical accessibility. In each case they proved to be either technically infeasible or would *threaten or destroy the historic significance* of the Surf Club. It is important to note that from the accessible ground floor's elevation to the Hemingway Office's floor elevation is +18'-0". From the accessible ground floor level to the observation level in the stair tower the elevation is +30'-3". Because of this length of travel, neither a wheelchair lift nor a limited use-limited access elevator (i.e., LULA) is allowable. Only a full-size accessible elevator may be used to provide vertical accessibility.

We first explored inserting an elevator inside the stair tower, circumscribed by the quarter-turn stair. Not only did we find that an elevator would not fit in the space enscribed by the stair, but that a LULA would not fit either. Even if an elevator or LULA would fit, the use of such would transform the architectural stair tower with its graceful rotating and winding stair into what would essentially be a commercial building's fire egress stair. The Surf Club's major historic architectural feature would have been destroyed. While the actual installation of an elevator or LULA is technically infeasible, if they were not so infeasible, then such installation would certainly *threaten or destroy the historic significance* of the Surf Club.

We then explored designing an elevator hoistway on the interior of the Hemingway Office going down through the floor to land in the historic "Peacock Alley", an east-west circulation axis and series of public spaces created by two lobbies connected by an arcaded loggia. In this exercise, the elevator's shaft figuratively "crashed" through the floor landing in what is arguably the second most, or most, architecturally significant element in the Surf Club. The large block out of space for the elevator disrupts the flow of space and visual lines and details that are rare reminders of the bygone era the Surf Club was constructed in. Because the observation level in the stair tower does not have vertical accessibility, the elevator's hoistway would then have to continue upward through the roof of the Hemingway Office competing visually with the historic stair tower. In my opinion this design option would clearly *threaten or destroy the historic significance* of the Surf Club.

Finally, we considered constructing an exterior elevator tower. The new tower would have to be constructed adjacent to the existing historic tower in order to provide accessibility to the observation level. At the Hemingway Office level the elevator tower would have to have an opening punched into the exterior wall of the Hemingway Office in order to provide an accessible route. This design option would result in constructing a new tower of approximately the same height as the historic stair tower and of not much smaller width and depth. The elegant proportions of the historic stair tower, the most important architectural marker on the Surf Club site would be all but destroyed. None of the (original) tower's significance would remain. And with a loss of such architectural significance, the overall historic significance of the Surf Club would undoubtedly be lost.

Because providing vertical accessibility to the Hemingway Office is technically infeasible to accomplish in a manner that will not *threaten or destroy the historic*

significance of the Surf Club, on behalf of the Surf Club and myself, I respectfully request that the Council recommend, and the Commission grant the requested waiver.

Respectfully submitted,

Seal