MAX LEVEL’S ROCK AND ROLL ACADEMY

Issue: Vertical accessibility to the second floor.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to the second floor of an office/warehouse to be used for music lessons, practice sessions and performances. The space is 3,708 square feet and the project will cost $35,372 to complete. Practice rooms will be located on both floors with all performances on the accessible first level. According to the applicant, the facility is intended for after school and weekend enrichment programs to encourage young people to learn to play instruments and perform. Bids of $10,954-27,500 for different types of lifts were submitted.

Project Progress:

The project is under construction.

Items to be Waived:

Vertical accessibility to the second floor, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

1. Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
2. Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
3. Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

Waiver Criteria: There is no specific guidance for a waiver of this requirement in the code. The Commission’s current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.
REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, 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: Max Level's Rock & Roll Academy LLC

Address: 5570 Florida Mining Blvd, Suite 106
          Jacksonville, FL 32257

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: Walter W. Oakden, Jr.

Applicant's Address: 1800 The Greens Way #404, Jax Beach, FL 32250

Applicant's Telephone: 561-870-3331  FAX: 904-771-3971

Applicant's E-mail Address: wo@maxlevelacademy.com

Relationship to Owner: Self/Same

Owner's Name:

Owner's Address:

Owner's Telephone:  FAX

Owner's E-mail Address:

Signature of Owner:

Contact Person: Walter W. Oakden, Jr.

Contact Person's Telephone: 561-870-3331  E-mail Address: wo@maxlevelacademy.com
This application is available in alternate formats upon request.
Form No. 2001-01
3. Please check one of the following:

[ ] New construction.

[ ] Addition to a building or facility.

[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.)

2 story build out inside 3708 s/f office/warehouse unit in an industrial park complex. For use as a music lesson, practice, and performance facility.

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

Thirty Five Thousand Three Hundred Seventy Two Dollars ($35,372.00)

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.

ADA requirements were not fully compliant in drawings. Service Plan Provider did not flag these, and building permit was issued. Later city review flagged item after renovations were underway. Facility cannot get a Certificate of Occupancy without ADA compliance.
7. Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: 11-4.1.6 Accessible Building Alterations - specifically 2nd floor access

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.

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

[ ] 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.
Disproportionate cost as per 11-4.6 (2)

Please refer to Numbers 9 & 10 below

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. Trust-T-Lift Commercial Vertical Wheelchair Lift: $10,954.00
      Item Cost Only, No Shipping, No Construction/Installation Included

   b. AmeriGlide Commercial Vertical Lift: $12,048.00
      Includes Shipping, No Construction/Installation Included

   c. Garaventa Inclined Platform Wheelchair Lift: $27,500.00
      Includes Shipping And Complete Installation

10. Licensed Design Professional: Where a licensed design professional 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.

Please See Attached Page
10. Licensed Design Professional: Where a licensed design professional 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.

PURPOSE OF FACILITY: This is a Rock n Roll Academy in which students come to learn how to play and perform. Upstairs and downstairs have practice rooms, ands the downstairs also has a large assembly space for small groups to practice.

It is being built as a renovation of a leased space in an industrial park. The intention is to provide opportunities for aspiring young musicians (as well as older ones) to come and develop skills on a variety of instruments as well as learning to perform in front of others.

Working with a limited budget the owner has done his best to keep construction costs to a minimum and provide max use of the space – providing a wholesome after school and weekend facility for the benefit of aspiring students.

The first floor has complete ADA compliance, and has practice rooms as well as the main feature – the performance space. The second floor is simply more practice rooms and the owners private office.

REASON FOR WAIVER: Disproportionate cost. To install an ADA lift to the second floor would exceed the limit mandated in 11-4.6 (2) “Alterations made to provide an accessible path of travel to altered areas shall be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.”

Christopher Baxter, Architect AR 91902

Signature

Phone number 904 687 8482

(SEAL)
CERTIFICATION OF APPLICANT:

I hereby swear or affirm 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 25th day of June, 2008

Signature

WALTER W. CHIOJDEE JR.
Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.
REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. **NEW TENANT**: ORIINING WAS APPROVED BY A PRIVATE PROVIDER PLAN REVIEWER. OUR QUALITY ASSURANCE REVIEW DISCOVERED THE ERROR.

b. **THE SECOND FLOOR WILL BE OPEN TO THE PUBLIC, REQUIRING VERTICAL ACCESSIBILITY. THE QUOTES PROVIDED DEMONSTRATE**

c. **DISPROPORTIONATE COST.**

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

[ ] Yes [ ] No Cost of Construction 807,177 (20,000 dollars) THIS BUILD OUT FOR A PREVIOUS TENANT WAS EXEMPT FROM VERTICAL ACCESSIBILITY (LS NOT OPEN TO PUBLIC) RECOMMEND APPROVAL BASED ON DISPROPORTIONATE COST

Jurisdiction CITY OF JACKSONVILLE, DUVAL COUNTY

Building Official or Designee Signature [Signature]

Printed Name JAMES R SCHOCK PE, CBO

Certification Number BU-842 PX 122-2 PE 2372 BN 3867

Telephone/FAX 904-855-8508

Address: 214 N HAGAN ST JACkSONVILLE FL. 32202
6/19/2008

Max Level Rock & Roll Academy
5570 Florida Mining Blvd, #106
Jacksonville, FL 32257
Attn: Walt Oakden

Re: Florida Mining Blvd, #106
Build-Out Costs

1) Construction Materials (Framing, Drywall, Tape, Mud, Etc) - $9,472.00
2) Framing Labor - $4,800.00
3) Drywall Labor - $2,500.00
4) Misc. Labor - $2,600.00
5) Plumbing / Concrete / Demo - $5,600.00
6) Mechanical - $500.00
7) Electrical - $6,400.00

Total Construction Costs: $31,872.00

Owner To Complete Finishes And Fire Sprinkler System

Darren M. Watson
President
Updated Trust-T-Lift Wheelchair Lift.
To Update an item, change the quantity or options and click update.
Click delete to remove an item from the cart.

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<td>Trust-T-Lift Wheelchair Lift</td>
<td>Model&lt;br&gt;Circle Residential Lifts Up To 52 Inch's $3860.&lt;br&gt;High Tower - Add Lifting Height $3860.&lt;br&gt;Commercial 52&quot; Inch Fully Loaded No Option Below Required $7760.&lt;br&gt;Portable 52 Inch Lift $5216.&lt;br&gt;Lifting Height&lt;br&gt;Circle 28 INCH LIFTING HEIGHT No Charge&lt;br&gt;Circle 52 INCH LIFTING HEIGHT No Charge&lt;br&gt;Circle 72 INCH LIFTING HEIGHT $715.&lt;br&gt;Circle 96 INCH LIFTING HEIGHT $2286.&lt;br&gt;Circle 120 INCH LIFTING HEIGHT $2860.&lt;br&gt;Circle 144 INCH LIFTING HEIGHT $3572.</td>
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Secure Shopping Cart System

Control Wall Extension
- None
- Control Wall Extension $300.

Floor Options
- Standard
- Expanded Metal
  No Charge
- Solid Floor & Safety Plate That Detects If Something Is Under Lift $457.

Adjacent Access
- Straight Through Access No Charge
- Adjacent 90 Degree Access $215.

Electronic Interloc
- None
- Upper Interloc Only $430.
- Lower Interloc Only $430.
- Upper And Lower Interloc $860.

Auto Fold Retractable Ramp
- Standard 8" Inches No Charge
- Extra Wide 18" Ramp $100.

Handrail
- Standard Handrail No Charge
- Solid Handrail $172.

Carriage Gate
- None
- 42" Inch High
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Plus sales tax where applicable.

- Or Use -

Send Your Order (With Security)

Google Checkout

Fast checkout through Google

Empty Shopping Cart

Click Here To Continue Shopping

Shopping cart powered by Cart32

https://www.cart32.com/planetmobility/cart32.exe/PLANETMOBILITY-edititem  

6/25/2008
From: Jeanne Martin <jeanne@accessibilitylifts.com>
To: amymcmahonbussit@aol.com <amymcmahonbussit@aol.com>
Cc: stasia@accessibilitylifts.com <stasia@accessibilitylifts.com>
Subject: Max Level accessibility lift
Date: Wed, 25 Jun 2008 9:36 am
Attachments: Sheraton_World_Edited.doc (471K), City_of_Cleanwater.doc (441K)


Amy,

Above is the link to the Design and Planning Guide, which is great to print out for your presentation to your client.

Once you can give me the number of risers and the exact lifting height, I can get very specific with pricing and dimensions. For now, I've gone with approximately 144” of vertical travel and about 20 risers and it comes out about $27,500. To NOT USE a side load platform, we need about 10' of landing space at the bottom of the stairs. If you only have about 6' then we have to use a side load, which is an $800 upcharge. Other than that, everything you need to meet ADA and FBC is standard equipment...wrap around arms, fold down seat, platform lock, call sends, etc. The platform stops at the nose of the uppermost riser so clearance is easier at the top.

We do about 100 lifts each year and have been specializing in accessibility equipment for 20 years. I'm sending hard copy of photos, brochure, etc in the mail to you today.

Call us if you need anything else.

Jeanne Martin, President
Accessibility Lifts, Inc.
Top 25 Women Owned Business
ASME Part 18 Platform Lift Committee
AEMI Board Member

http://webmail.aol.com/37434/aol/en-us-Mail/PrintMessage.aspx

6/25/2008
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Jun 25, 2008

http://www.universal-accessibility.com/shoppingCart.html
City of Clearwater, Florida

General Services Facility

Inclined Platform Lift to 2nd Floor Warehouse Offices
DRAWING INDEX

FREE SAFETY EXIT ROUTES AND EXIT LIGHTS

5570 FL MINING BLVD., UNIT 106; JACKSONVILLE, FL 32257
ROCK & ROLL ACADEMY
MAX LEVEL'S