



August 17, 2020

To: Florida DBPR
Florida Building Commission
2601 Blair Stone Road
Tallahassee Florida 32399

Re: Redgrave & Rosenthal Office Building
14881 Hagen Ranch Road
Delray Beach, FL 33446

To the Members of the Accessibility Advisory Council and the Florida Building Commission:

Please be advised that, as the architect for this project, I concur with the responses made by the accessibility consultant, Larry M. Schneider AIA, who has been hired by the owner to assist in this waiver process as it relates to the responses to the following items in the application Waiver# 479-R0:

Item 8 - Construction Status

Item 9 - Requirements to be Waived

Item 10 - Grounds for the Waiver

That the requirement to be waived is the requirement from Florida State Statute 553.509 which states that this part and the Americans with Disabilities Act Standards for Accessible Design do not relieve the owner of any building, structure, or facility governed by this part from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the standards require an elevator to be installed in such building, structure, or facility, except as noted within that section and pursuant to Florida State Statutes 553.509 and 553.512 which states under section 553.509(c) that pursuant to that exemption - Occupiable spaces and rooms that are not open to the public and that house no more than five persons are not required to provide vertical accessibility and this alteration falls directly under this allowed exemption. Therefore, based upon this allowed exemption, to the extent a waiver is required, one shall be granted.

Furthermore, under section 553.512 that if an applicant for a waiver demonstrates economic hardship in accordance with 28 CFR 36.403(f)(1), a waiver shall be granted. Furthermore, section 202.4.1 and 202.4.2 of the Florida Accessibility Code for Building Construction clarifies the requirements as it relates to the requirements for disproportionate costs as well as the federal regulations under Part III of the Americans with Disabilities Act, Public Law 101-336, 28 CFR Part 36 - Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities section 36.403(f)(1)(f) Disproportionality.

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We thank you for your time and consideration of this application.

Sincerely,

Randall E. Stofft, AIA
President
Randall Stofft Architects

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