

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the 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: BEACHCOMBER HOTEL
Address: 1340 COLLINS AVENUE
MIAMI BEACH - FL 33139 US

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 JUAN PABLO D'ONOFRIO Name:

Applicant's 1340 COLLINS AVE - M. BEACH - FL Address:

Applicant's Telephone: 305 494 0230 FAX 305 534 3133

Applicant's JPDONOFRIO@NASSAUSITE.COM E-mail Address:

Relationship PRESIDENT to Owner:

Owner's Name BEACHCOMBER INVESTMENTS CORP

Owner's Address: 1340 COLLINS AVE - M. BEACH - FL 33139

Owner's Telephone: 305. 494-0230 FAX 305-534-3133

Owner's E-mail Address: JPDONOFRIO@NASSAUSITE.COM

Signature of Owner: 

Contact Person: JUAN PABLO D'ONOFRIO

Contact Person's Telephone: SAME E-mail Address: SAME

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.
- 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.)

HOTEL - 10,000 sq ft - 2 STORIES

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

\$ 348,000 (Three hundred and forty eight thousand)

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.

IN ORDER TO OBTAIN PERMIT APPROVAL FROM
THE CITY OF MIAMI BEACH BUILDING DEPARTMENT.

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

Issue

1: FIRST FLOOR VERTICAL ACCESSIBILITY
SECTIONS 11-4.3.1 & 11-4.3.2 (4)

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.

BELOW

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

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.

THE ONLY WAY IN WHICH VERTICAL ACCESSIBILITY TO THE FIRST FLOOR CAN BE ACCOMPLISHED WOULD BE BY INSTALLING A MECHANICAL LIFT. HOWEVER THIS WOULD NARROW THE EXISTING 4'6" WIDE CORRIDOR, BEYOND THE FIRE DEPARTMENT REQUIREMENTS FOR MINIMAL CLEARANCE. WIDENING THE CORRIDOR WOULD IRREPARABLY HARM THE VERY SIGNIFICANT PUBLIC INTERIOR SPACE OF THIS HISTORICALLY PRESERVED HOTEL. THE STAIRCASE IS ONE OF THE REQUIRED MEANS OF EGRESS FOR THE BUILDING'S FIRST FLOOR ROOMS, AND SHOULD HAVE A 36" MINIMUM CLEARANCE.

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. _____

b. _____

c. _____

10. Licensed Design Professional: Where a 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 LETTER FROM
DNA DESIGN & ARCHITECTURE

Signature

Printed Name

Phone Number _____

(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 be the best of my knowledge true and correct.

Dated this 18TH day of AUGUST, 20 12

Signature

JUAN PABLO DONOFRIO

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*.

Beachcomber Hotel

1340 Collins Avenue, Miami Beach FL 33139

August 23, 2012

Florida Building Commission & Accessibility Advisory Council
Office of Codes and Standards, Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-0250
ATT: Mary Kathryn Smith

Dear Madam,

I would like to introduce myself. My name is Juan Pablo D'Onofrio and I am the owner of the Beachcomber Hotel, located at 1340 Collins Avenue, Miami Beach. We are currently in the process of obtaining approval from our local authorities for an interior renovation project of our 29 room's Hotel.

By means of this letter I would like to explain the reasons behind our Accessibility Waiver presentation. The City of Miami Beach Building Inspectors, currently reviewing the project, request us to provide vertical accessibility to the rooms located on the Hotel's first floor corridor, which are currently accessible from the Lobby through a 6 steps stair case.

Unfortunately, our only alternative to provide vertical accessibility to the area would be to place an ADA stair lift. The existing corridor is 56" wide, the lift would narrow it to a 20" clearance, significantly diminishing the 36" clearance needed for these means of egress. Therefore a partial demolition of the corridor and the terrazzo stairs would be needed if a stair lift would be installed. By doing so, we would irreparably harm the very significant public interior space of this historically preserved hotel.

We have met with Ms Gladys Salas, Chief Accesibility Inspector – City of Miami Beach - Ms Sonia Machen, Fire Marshall – City of Miami Beach - regarding this problem. They both recommended that we opened this consultation process.

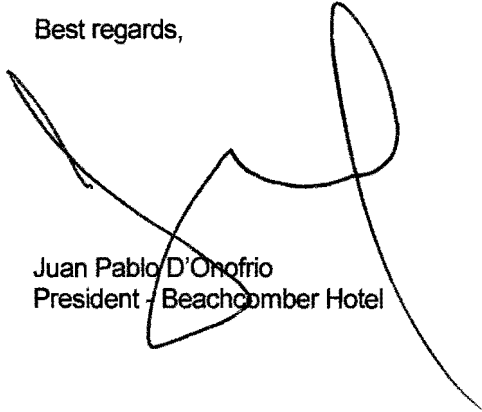
We are including for this purpose:

- A letter from Mr Thomas R. Mooney, Design and Preservation Manager, City of Miami Beach. Mr Mooney confirms the property's construction date, historic designation and describes why compliance with the Federal and State accessibility requirements will irreparably harm the historic significance of the property.
- A letter from our Architect, Mr Julien Bergier, from DN'A Design & Architecture with a description of all the efforts that the renovation will add to the existing historic building in order to bring the property into compliance with Federal and State accessibility requirements.
- Set of required plans showing:
 - o A1.00 Site Plan of the property
 - o A2.00 Ground Floor Demolition Plan detailing scope of the renovation and showing the areas of the Hotel which remodeling is not included in the process (N.I.C. areas)
 - o A3.00 Second Floor Demolition Plan detailing scope of the renovation.
 - o A4.00 Ground Floor Plan highlighting the area reached by the Waiver being requested

- A5.00 Second Floor Plan.
- 3 Pictures showing the location of said stairs within our lobby and it's terrazzo build up.

In the hope of reaching a satisfactory solution that will allow us to move forward with our very much needed renovation I remain at your entire disposition for any question or clarification regarding our project.

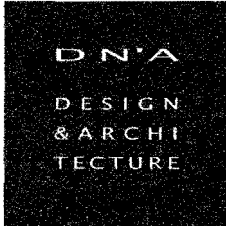
Best regards,

A handwritten signature in black ink, consisting of several loops and a long trailing line that extends downwards and to the right.

Juan Pablo D'Onofrio
President - Beachcomber Hotel

August 15th, 2012

Members of the Florida Building Commission & Accessibility Advisory Council
c/o Mary-Kathryn smith
Office of Codes and Standards, Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100



1333 South Miami Ave.
Suite 303
Miami, Florida 33130

T 305|350-2993
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W www.desarch.net

AA 26000769

Architecture
Planning
Interior Design

Re: 1340 Collins Avenue, Miami Beach: Application for Accessibility Waiver

Dear Mary-Kathryn and members of the Commission Council:

We are currently working on the interior renovation of the Beachcomber Hotel, a 29 room hotel located at 1340 Collins Avenue in Miami Beach. The existing hotel is a 2 story structure with no elevator. The lobby level is elevated 1'-8" above the street level. An existing ADA public bathroom is located on the North West corner of the lobby. The first floor is raised of another 3'-6" from the lobby level and houses 12 hotel rooms. This level is currently not ADA accessible. The second floor houses the 17 remaining rooms and is served by two existing stairs. There are currently no ADA rooms in the existing building.

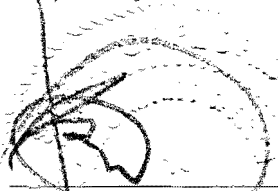
The current scope of work is an alteration Level 2 and includes the replacement of the existing plumbing fixtures in the bathrooms, the installation of new ceramic tile flooring and the replacement of the existing drywall. Four of the 29 rooms will have minor layout changes.

As far as the ADA compliance is concerned we are planning to replace the existing ADA lift on the north side of the building serving the lobby from the street level. We are proposing to convert two of the existing rooms of the first floor into ADA compliant rooms. We are also planning to convert one existing room into a Hearing Impaired room.

We would like to request a waiver pertaining to the vertical accessibility to the first floor units of the existing hotel. The only way in which vertical accessibility to the first floor can be accomplished would be by installing a mechanical lift. However this would narrow the existing 4'-6" wide corridor significantly. In order to comply with the fire department requirements for minimal clearance, the existing corridor would need to be enlarged such as the existing terrazzo stairs. Such an intervention would irreparably harm the very significant public interior space of the historically preserved subject hotel.

If you have any questions relative to that matter, or if you need additional information, please do not hesitate to contact us.

Respectfully,



Rodrigo Carrion
Architect of Record



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139. www.miamibeachfl.gov

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

August 1, 2012

Members of the Florida Building Commission & Accessibility Advisory Council
c/o Mary-Kathryn Smith
Office of Codes and Standards, Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

Re: 1340 Collins Avenue, Miami Beach: Application for Accessibility Waiver

Dear Mary-Kathryn and Members of the Commission and Council:

I am writing to you in support of the accessibility waiver application for the Historic Shepley Hotel at 1340 Collins Avenue. Constructed in 1938 and designed by noted period Architect Henry Hohausser, the subject structure is classified as "Contributing" in the Miami Beach Historic Properties Database and is located within the National Register Architectural District and the Ocean Drive/ Collins Avenue Local Historic District. The subject building is an excellent example of a small scale Art-Deco hotel, which was unique to its period. The subject hotel has a highly significant public interior space, inclusive of a well detailed historic lobby.

The subject structure retains an extraordinary degree of historic and architectural integrity and is representative of the rich diversity of architectural styles that have evolved within the City's Historic Districts. The current proposal to retain, preserve and restore this building is essential to the future understanding of the development of architecture in Miami Beach.

The subject structure is a qualified historic building under the federal ADA regulations, the ADA Accessibility Guidelines (ADAAG) and Chapter 11 of the Florida Building Code. The requested waivers pertaining to the vertical accessibility to the first floor units of the existing hotel are critical to the restoration plan for the building. The only manner in which vertical accessibility to the first floor can be accomplished would be by installing a mechanical lift. However, because of the narrow width of the existing corridor, a mechanical lift would require enlarging the terrazzo stairs and corridors. Such an intervention would irreparably harm the very significant public interior space of the subject hotel.

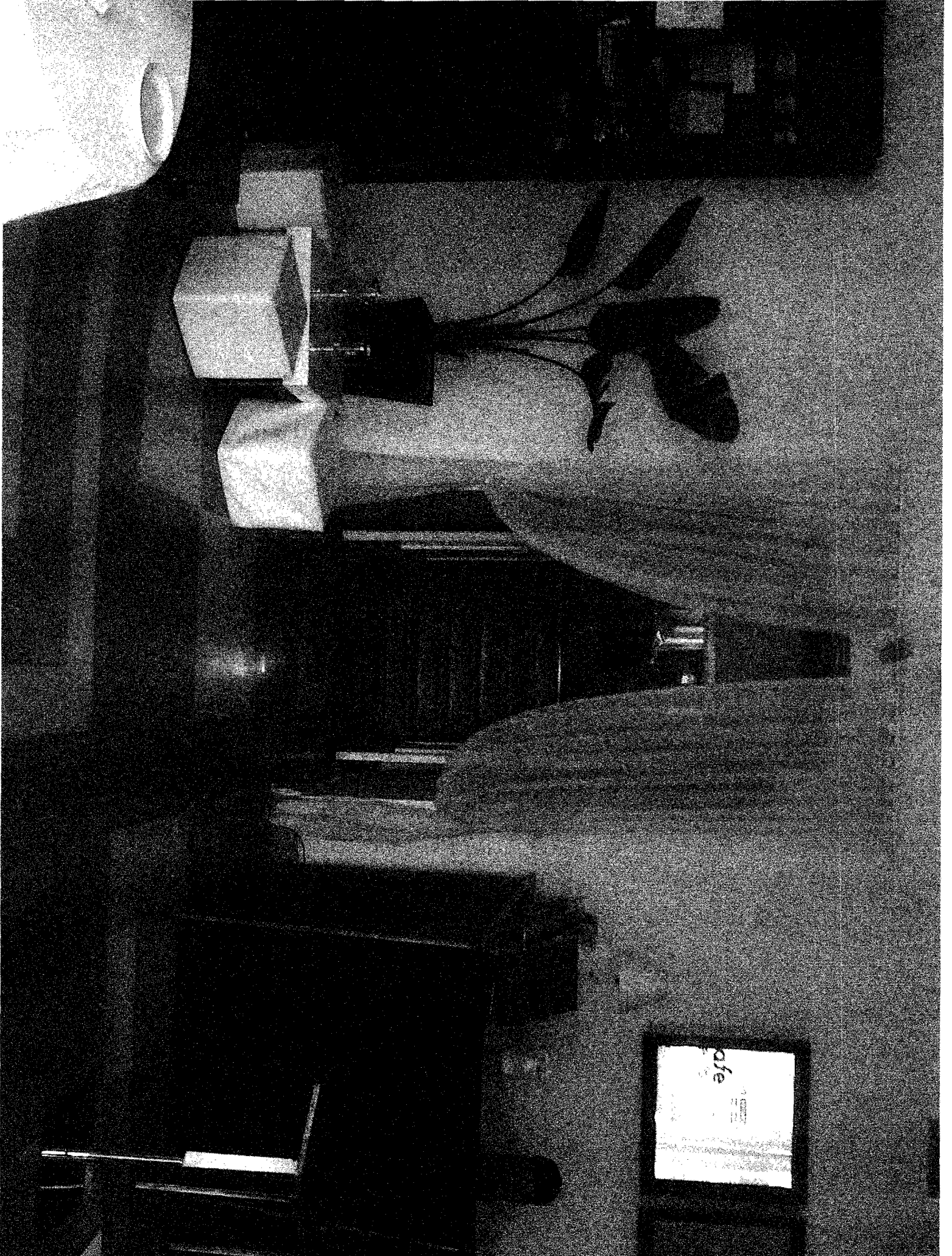
The Planning Department, on behalf of the Historic Preservation Board, strongly supports the subject waiver request. If you have any questions relative to the historic significance of the existing structure, or you need additional information, please do not hesitate to contact me.

Sincerely,

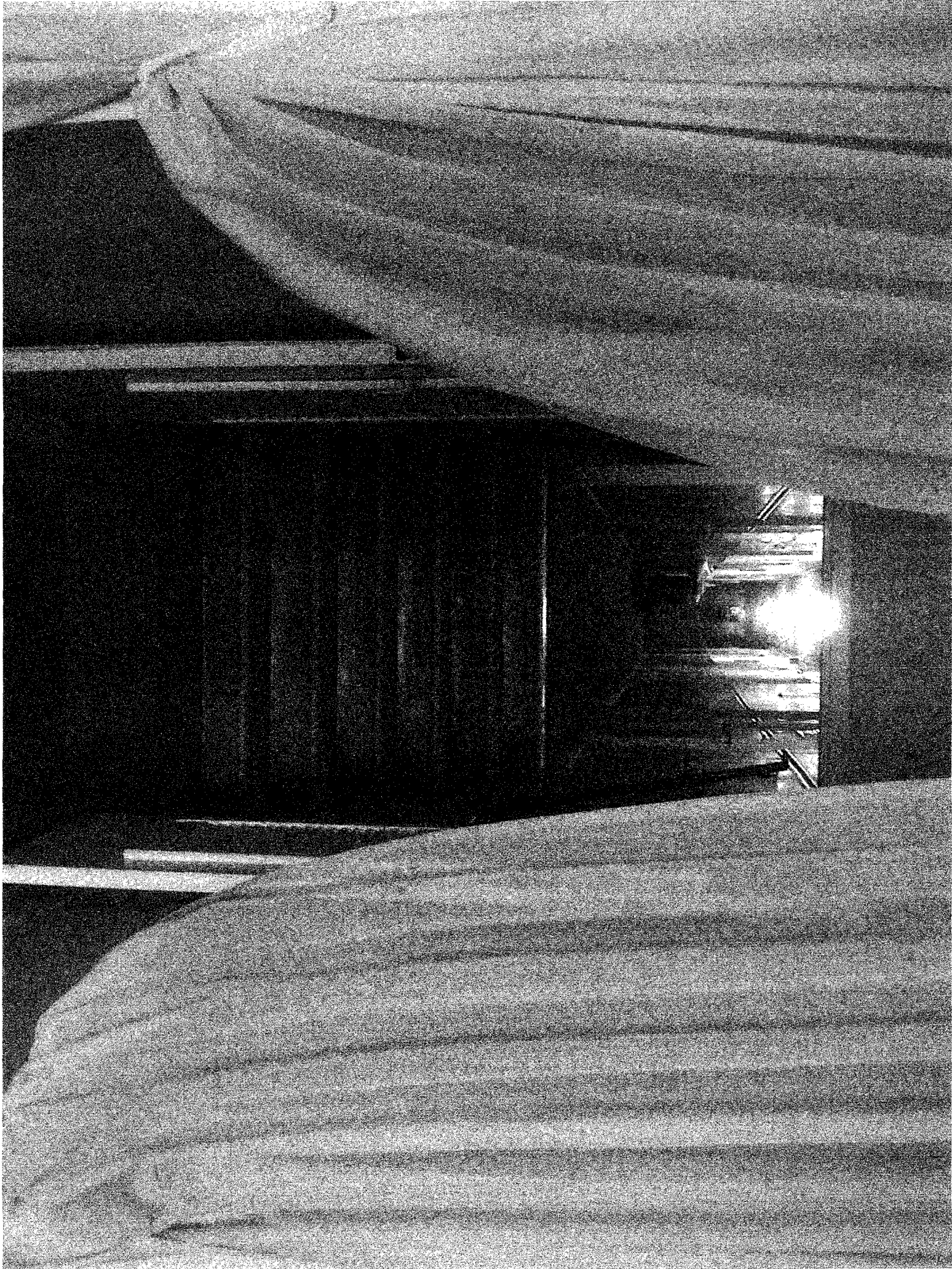
Thomas R. Mooney, AICP
Design & Preservation Manager

TRM:tm

F:\PLAN\5ALLIGEN_CORRIACCESSIBILITY WAIVERS\2012\TM-FBC 1340 COLLINS AVE.DOCX







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. Florida Statutes 553.509 Vertical Accessibility to all levels requirement. / 2010 FBC, Accessibility Code, 206.2.3 Multi-Story Buildings and Facilities.

b. _____

c. _____

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 The Project is in review by the Building Department its estimated cost is \$ 345,000.00 as per the documents submitted by the architect.

Comments/Recommendation We recommend that the waiver be granted based in the 2010 Accessibility Standards, Title III: 28 CFR part 26, subpart D Section 36.401(d) Elevator Exemption (2) in which an elevator is not required for buildings two stories in height. The building located at 1340 Collins Av, has less than three stories. Also, vertical accessibility to the split level can be achieved due to the historical nature of the building (See Letter from Thomas R Mooney) and due to Life Safety requirements of FBC 2012 Chapter 10.

Jurisdiction City of Miami Beach

Building Official or Designee **Gladys N. Salas, P.E., M.S.C.E, LEED AP, Chief Accessibility Inspector**

Signature

Gladys N. Salas, P.E., M.S.C.E, LEED AP, Chief Accessibility Inspector

Printed Name

B1004356

Certification Number

305-673-7000 Ext 6888 / 786-394-4087

Telephone/FAX

Address: 1700 Convention Center Dr, Miami Beach, Fl 33139.

**THE BEACHCOMBER HOTEL
INTERIOR RENOVATION**

1340 COLLINS AVE
MIAMI BEACH, FL. 33139

Client
Beachcomber Investments
Contractor
Michael Powell
(951) 532-0043
Architectural Registration
State of Florida
Rodrigo A Carrion
Registration no.: AR 91744

Revisions

No.	Issue	Date

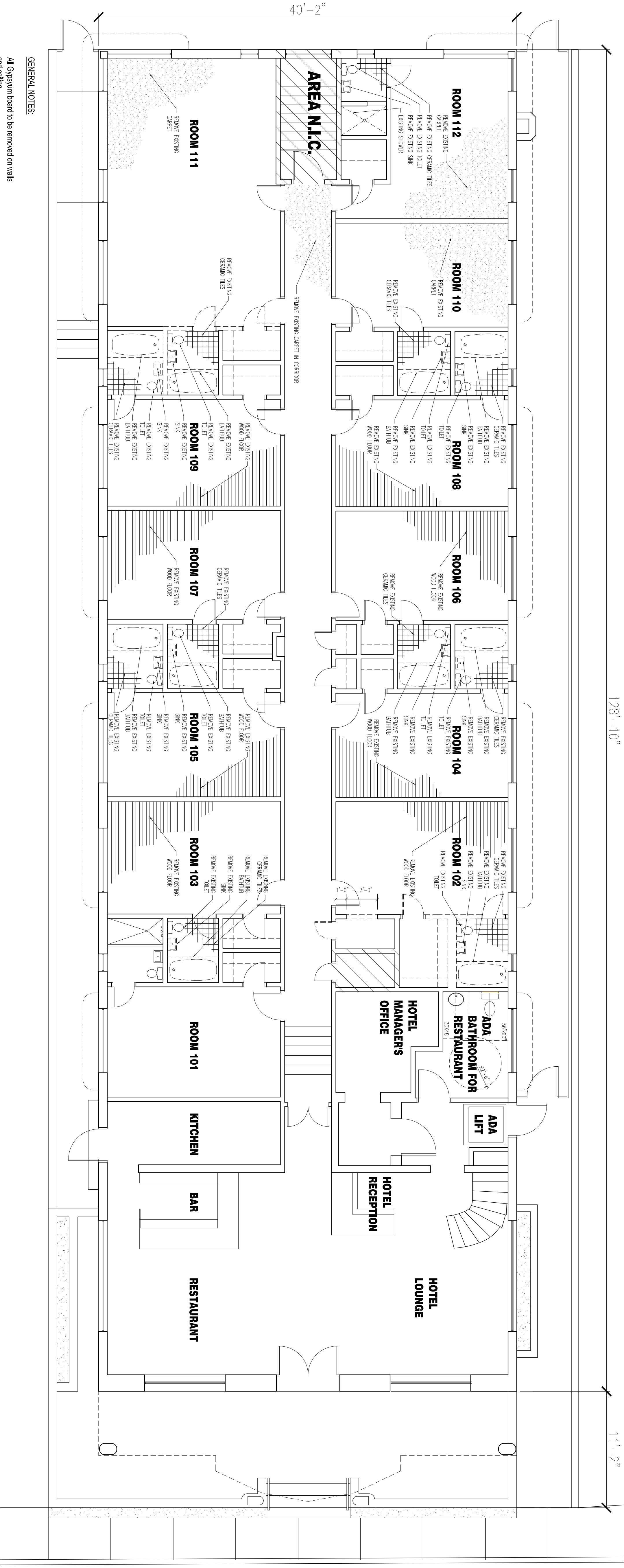
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Date 07/23/2012
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**GROUND FLOOR
DEMOLITION PLAN**

Sheet

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GENERAL NOTES:
All Gypsum board to be removed on walls and ceiling.
Existing wood frame to remain

1 GROUND FLOOR DEMOLITION PLAN
3/16"=1'-0"

LEGEND:

- EXISTING EXTERIOR WALL AND PARTITION TO REMAIN
- EXISTING PARTITION TO BE DEMOLISHED
- EXISTING PLUMBING FIXTURES TO BE DEMOLISHED
- EXISTING DOORS TO BE REMOVED
- HATCHED AREAS NOT IN CONTRACT

DEMOLITION NOTES:

- PART 1 - GENERAL**
1.1 SECTION REQUIREMENTS
A. Unless otherwise indicated, demolished materials become Contractor's property. Remove from Project site.
B. Items indicated to be removed and salvaged remain Owner's property. Remove, clean, and deliver to Owner's designated storage area.
C. Comply with EPA regulations and disposal regulations of authorities having jurisdiction.
D. Conduct demolition without disrupting Owner's use of the building.
PART 2 - PRODUCTS (Not Applicable)
PART 3 - EXECUTION
- 3.1 DEMOLITION**
A. Maintain and protect existing utilities to remain in service before proceeding with demolition, providing bypass connections to other parts of the building.
B. Localize, identify, shut off, disconnect, and cap off utility services to be demolished.
C. Employ a certified, licensed extender to treat building and to control rodents and vermin.
D. Conduct demolition operations and remove debris to prevent injury to people and damage to adjacent buildings and site improvements.
E. Provide and maintain shoring, bracing, or structural support to preserve building stability and prevent movement, settlement, or collapse if necessary.
F. Protect building structure or interior from weather and water leakage and damage.

- G. Protect remaining walls, ceilings, floors, and exposed finishes. Erod and maintain disproof partitions. Cover and protect remaining furniture, furnishings, and equipment.
H. Neatly cut openings and holes plumb, square, and true to dimensions required. Use cutting methods least likely to damage construction to remain or adjoining construction.
I. Promptly patch and repair holes and damaged surfaces of building caused by demolition. Restore exposed finishes of patched areas and extend finish restoration into remaining adjoining construction.
J. Promptly remove demolished materials from Owner's property and legally dispose of them. Do not burn demolished materials.
END OF SECTION

GENERAL NOTE:

No hazardous materials are expected in relation to the scope of services provided. If the general contractor discovers hazardous conditions, such as asbestos, the architect is to be contacted prior to disturbing the materials in question.

1333 South Miami Avenue
Suite 303
Miami, FL 33130

T 305.350-2993
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AA26900769
ALL DRAWING AND WRITTEN MATERIALS
HEREIN CONSTITUTE ORIGINAL WORK OF
THE ARCHITECT AND MAY ONLY BE
DUPLICATED WITH THEIR WRITTEN
CONSENT.

**THE BEACHCOMBER HOTEL
INTERIOR RENOVATION**

1340 COLLINS AVE
MIAMI BEACH, FL. 33139

Client
Beachcomber Investments
Contact:
Juan-Pablo Donofrio
(305) 532-0043
Architectural Registration
State of Florida
Rodrigo A Carillon
Registration no.: AR 91744

Revisions

No. Issue	Date

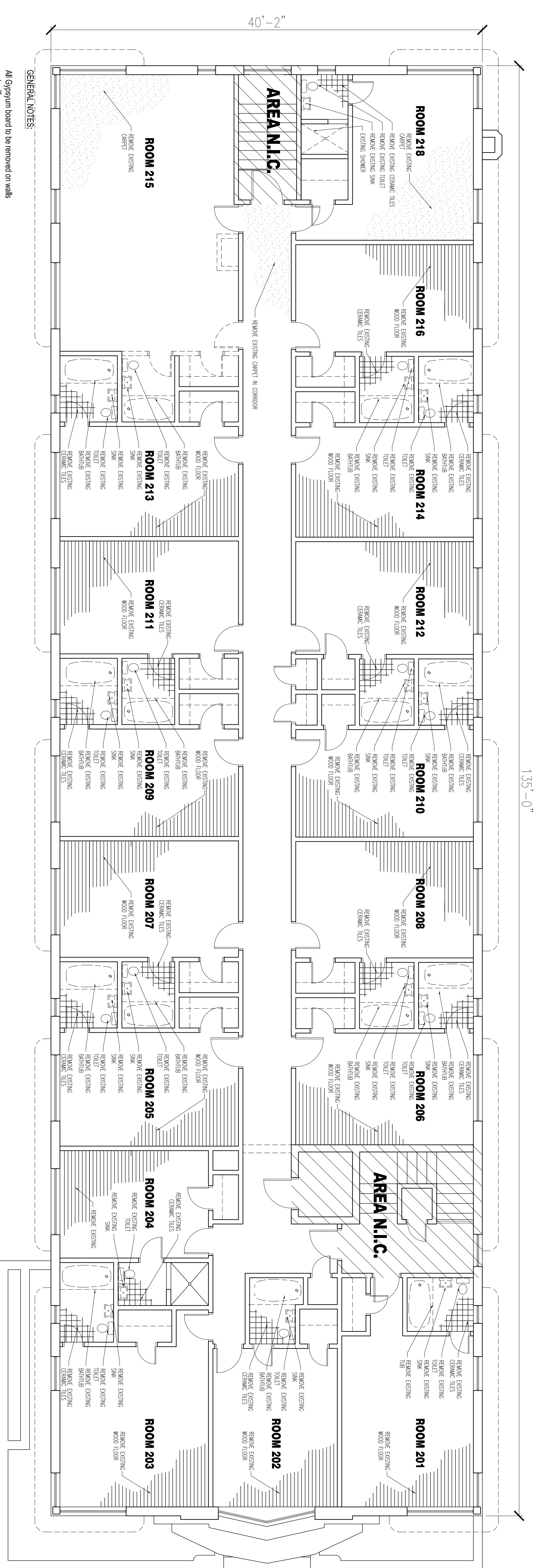
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**SECOND FLOOR
DEMOLITION PLAN**

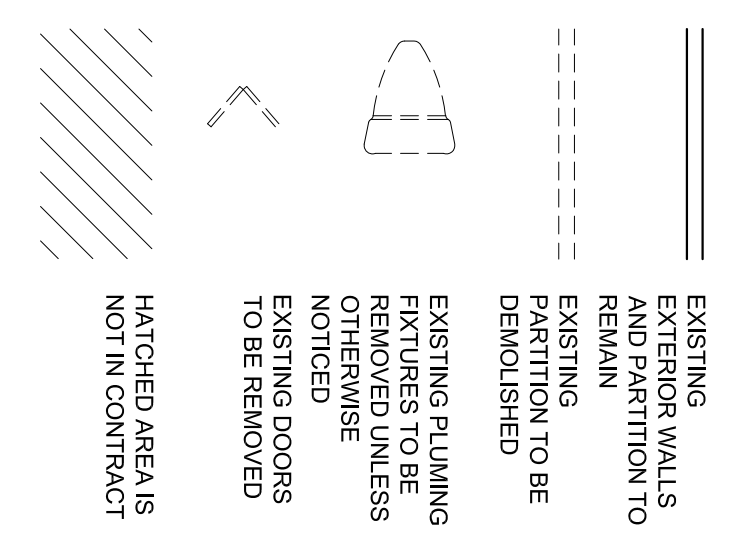
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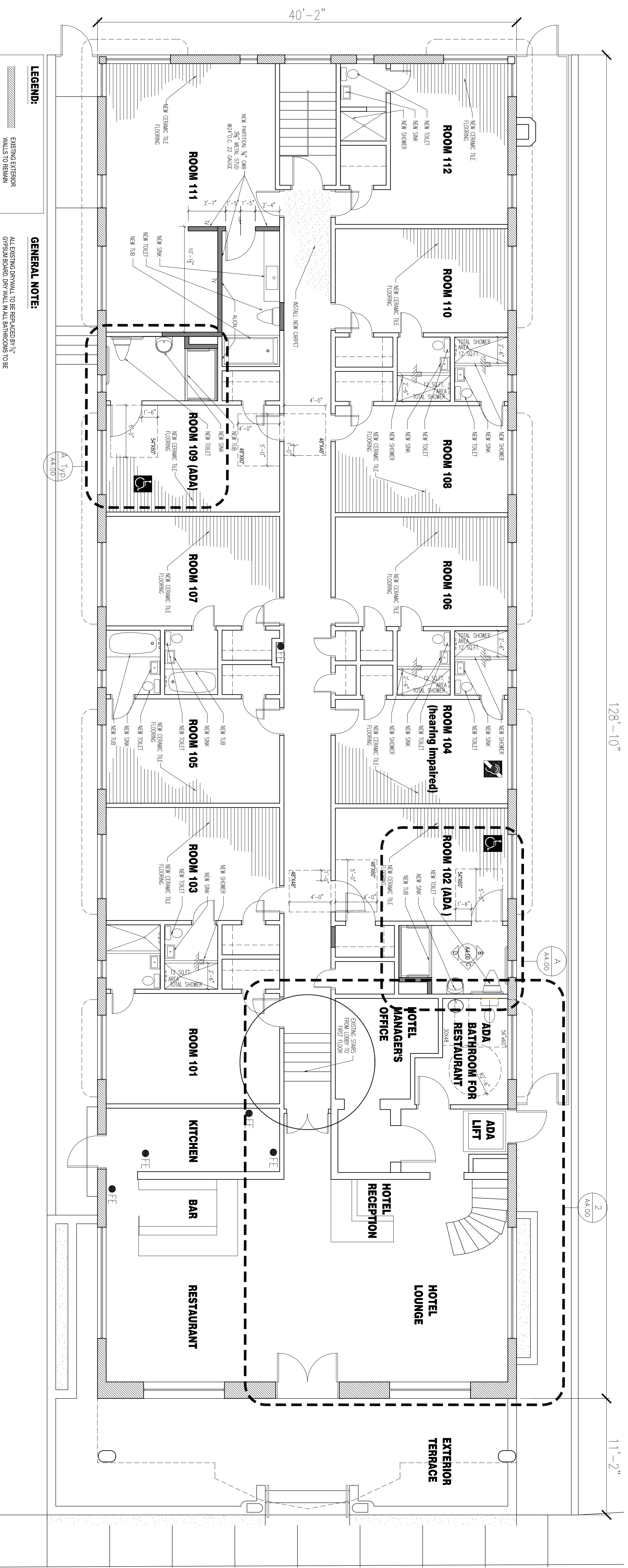
GENERAL NOTES:
All Gypsum board to be removed on walls
and ceiling.
Existing wood frame to remain

LEGEND:



1 SECOND FLOOR DEMOLITION PLAN

3/16"-1/4"



1 GROUND FLOOR PLAN

3/16"-1/8"

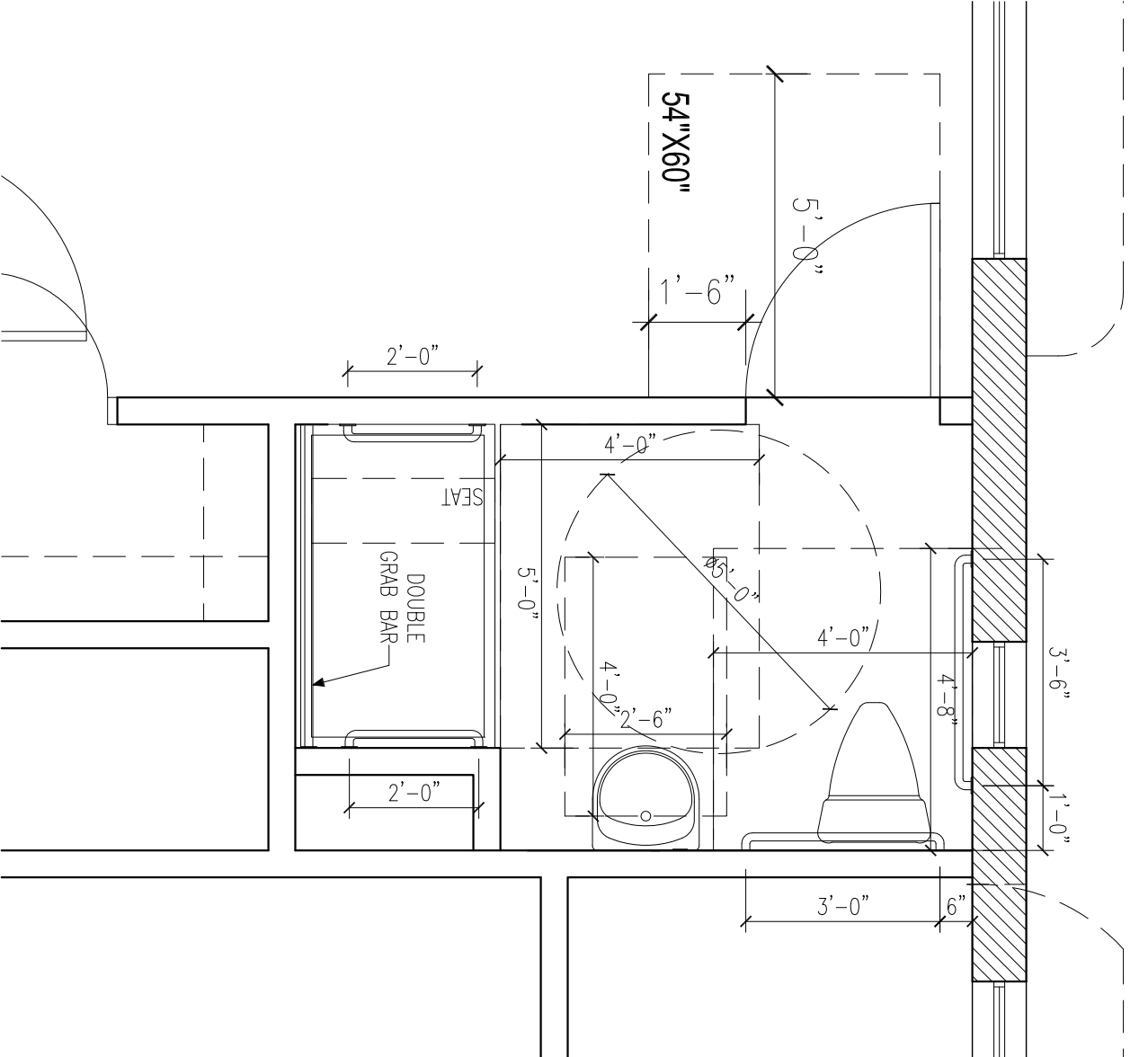
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- LEGEND:**
- (Hatched pattern) EXISTING EXTERIOR WALLS TO REMAIN
 - (Dashed line) EXISTING PARTITIONS TO REMAIN
 - (Thick line) NEW PARTITIONS, 1/2" CMU WITH 3/8" METAL STUD @ 2' O.C. 22 GAUGE
 - (Thin line) HATCHED AREAS NOT IN CONTRACT
 - (Circle with dot) EXISTING FIRE EXTINGUISHER TO REMAIN

GENERAL NOTE:

ALL EXISTING GYPSUM BOARD TO BE REPLACED BY 5/8" GYPSUM BOARD, DRILL WALL IN ALL BATHROOMS TO BE REPLACED BY CEMENTIOUS BOARD BRDNBOOK.

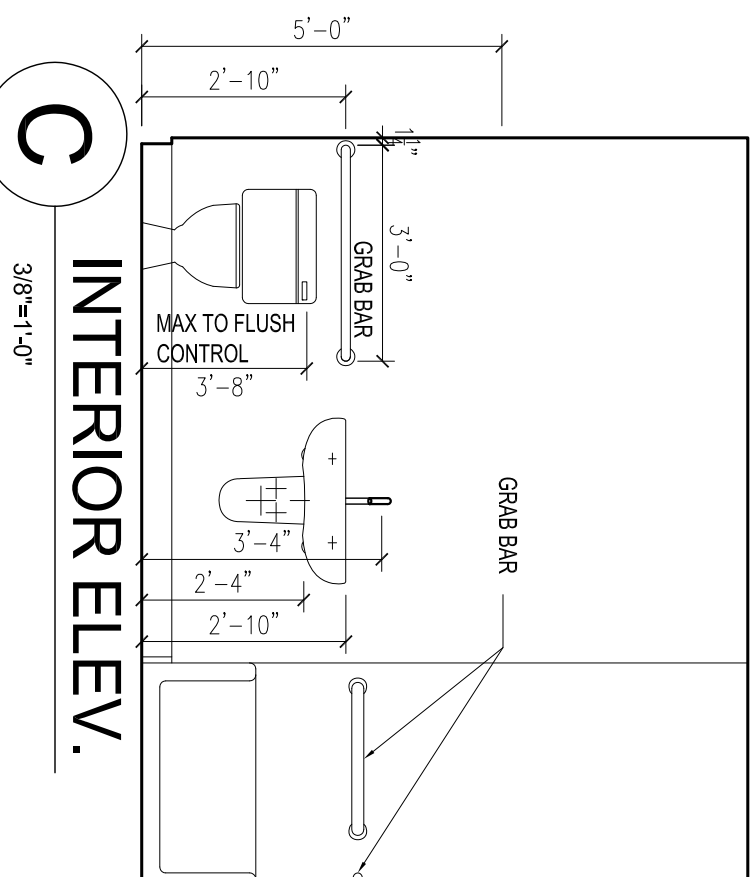
PLAN ENLARGEMENT & INTERIOR ELEVATIONS - ADA BATHROOM TYP.



A PLAN ENLARGEMENT - ADA TLTS

3/8"-1/4"

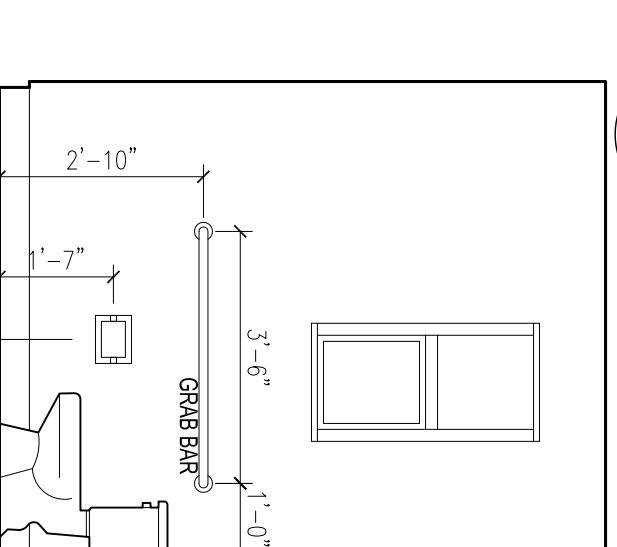
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C INTERIOR ELEV.

3/8"-1/4"

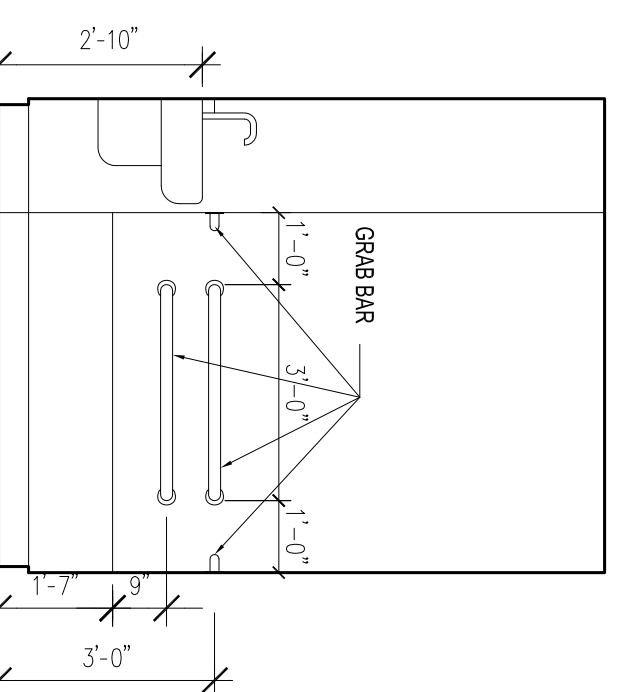
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B INTERIOR ELEV.

3/8"-1/4"

B

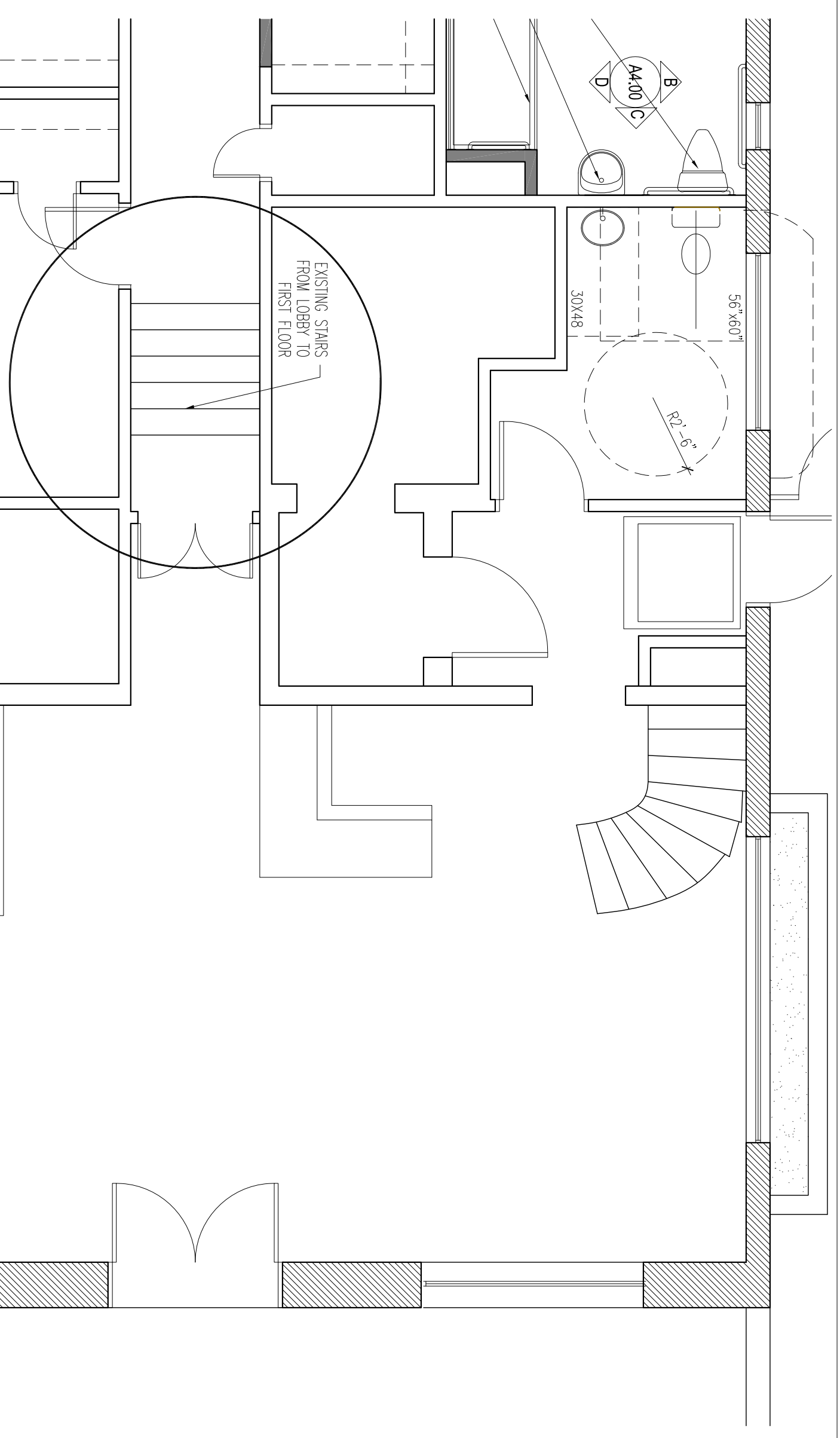


D INTERIOR ELEV.

3/8"-1/4"

D

PLAN ENLARGEMENT - LOBBY



2 GROUND FLOOR PLAN ENLARGEMENT

1/4"-1/8"

2

DN'A
DESIGN
& ARCHITECTURE

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MIAMI, FL 33130
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F 305|350-2524
W www.dnarchitect.com

AA26000769

ALL DRAWING AND WRITTEN MATERIALS HEREBY CONSTITUTE ORIGINAL WORK OF THE ARCHITECT AND SHALL REMAIN ONLY BE USED FOR THE PROJECT AND NOT BE REPRODUCED OR COPIED WITHOUT THE ARCHITECT'S CONSENT.

THE BEACHCOMBER HOTEL
INTERIOR RENOVATION
1340 COLLINS AVE
MIAMI BEACH, FL. 33139

Client: Beekedkomer Investments
Contact: Juan-Pablo D'Onofrio (305) 532-0043
Architectural Registration: State of Florida No. 11555
Registration no.: AR 91744

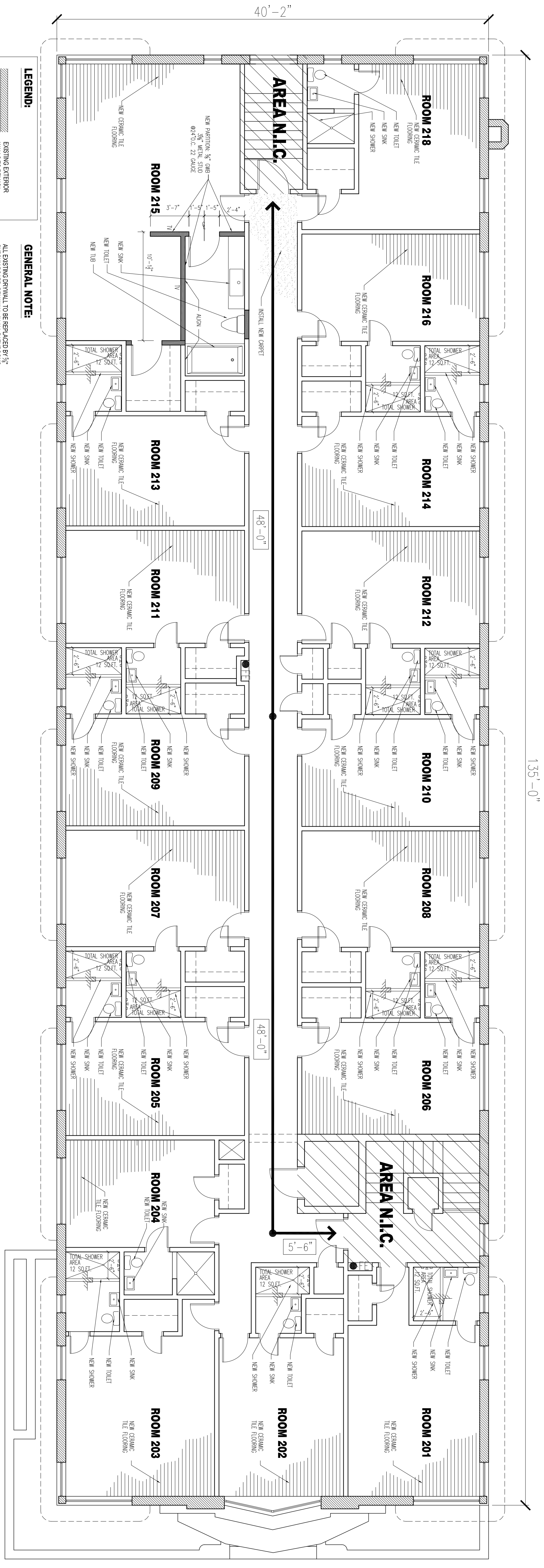
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Date: 07/23/2012
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GROUND FLOOR PLAN
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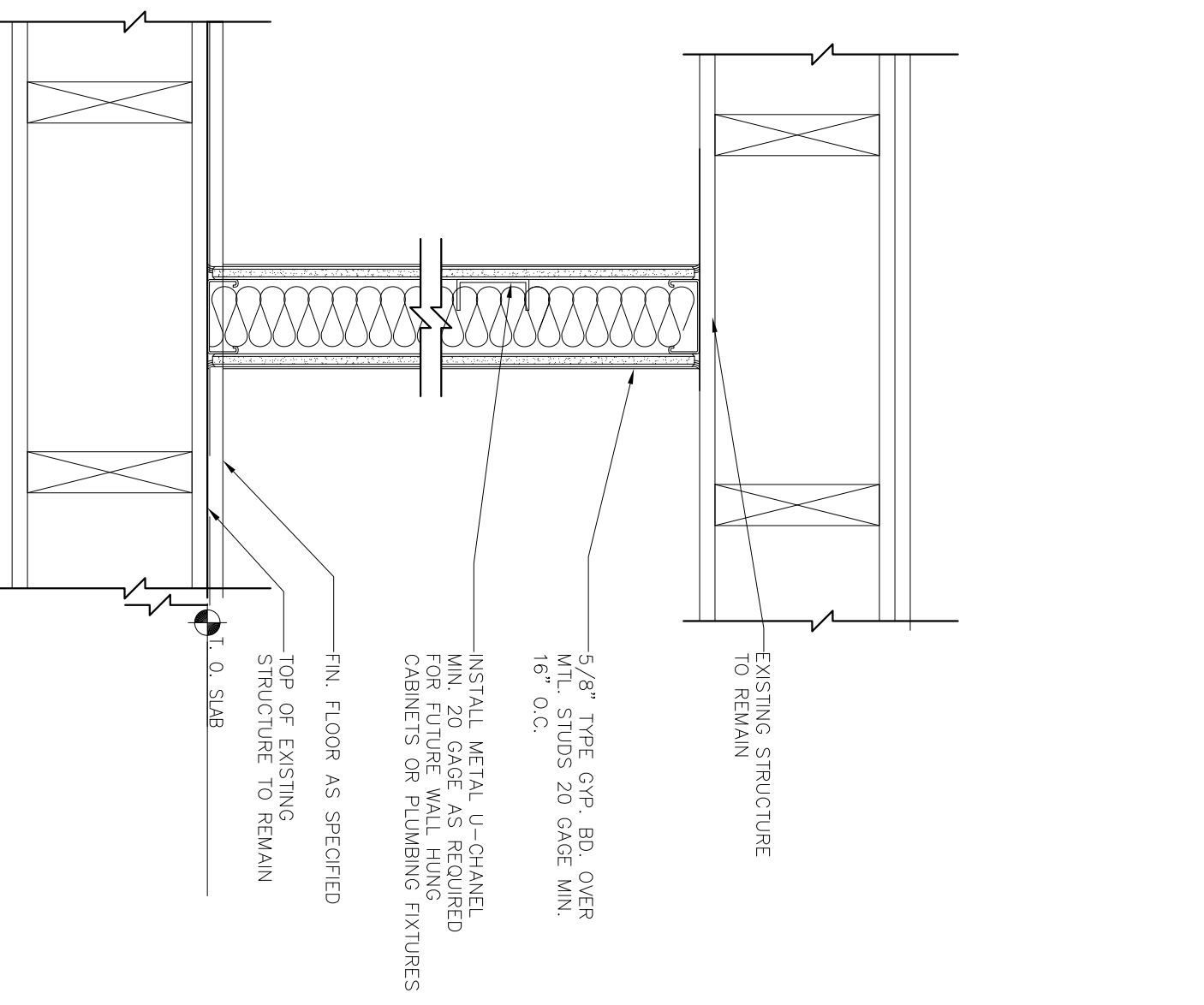
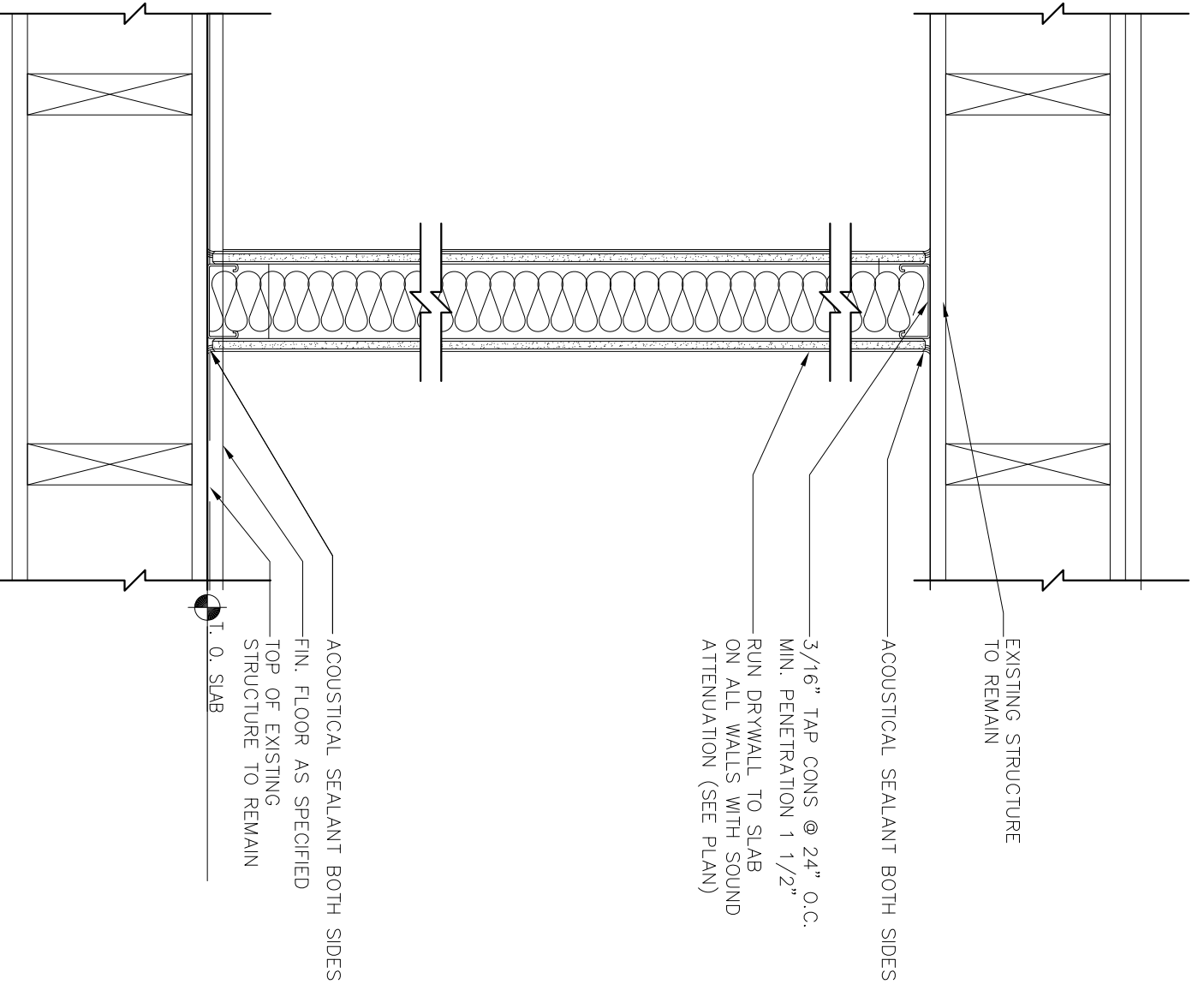
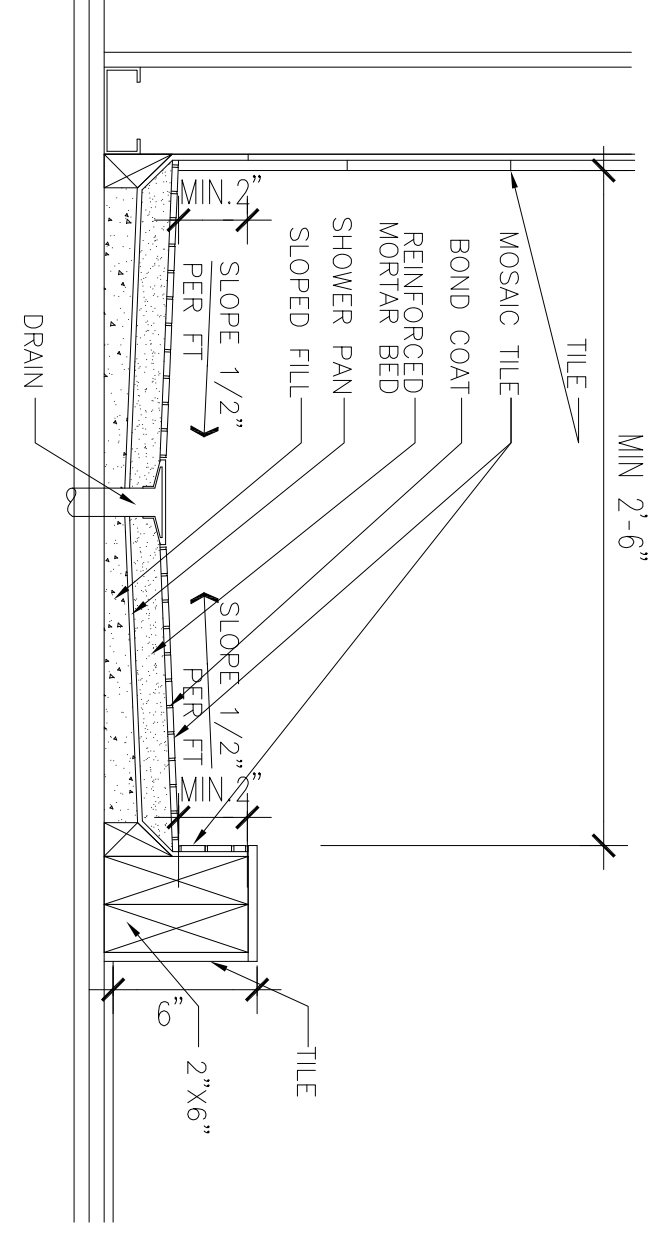
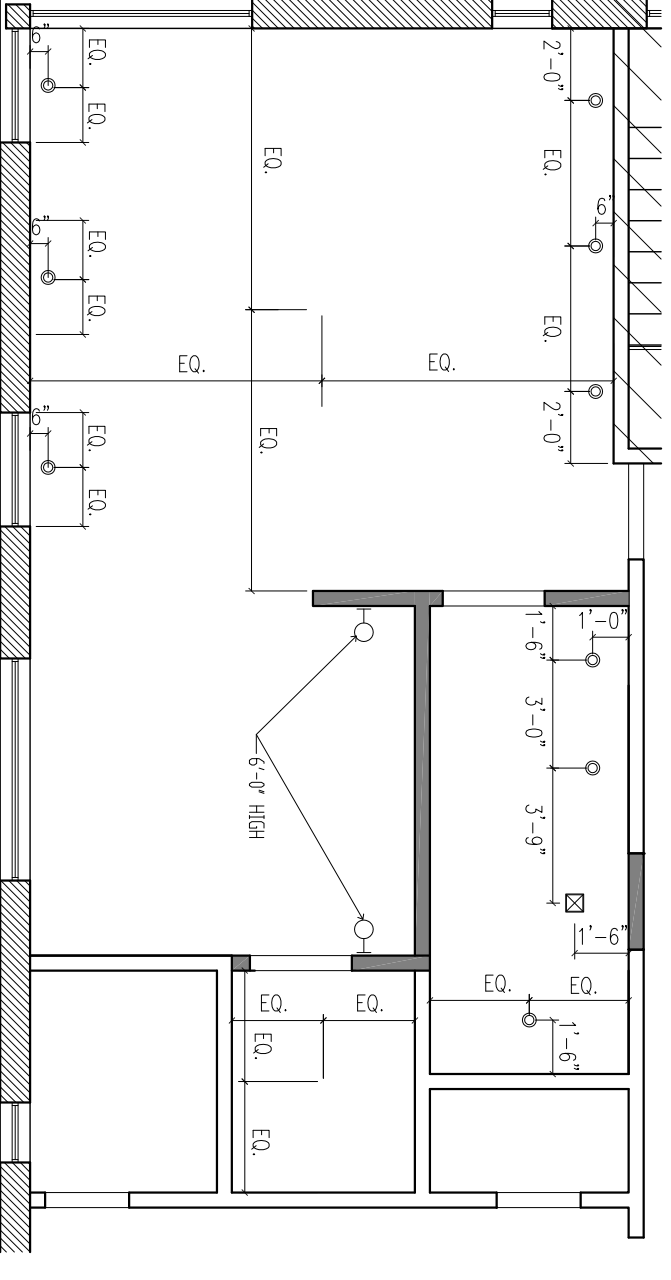
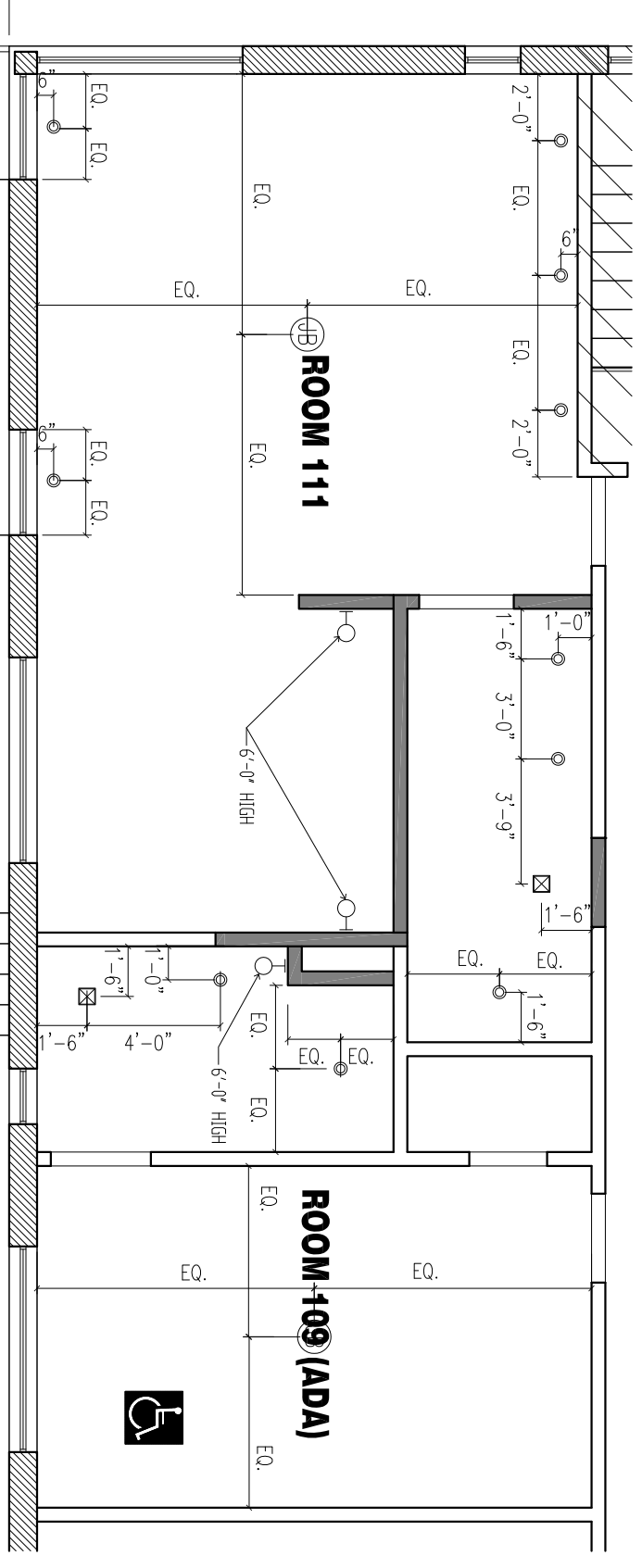
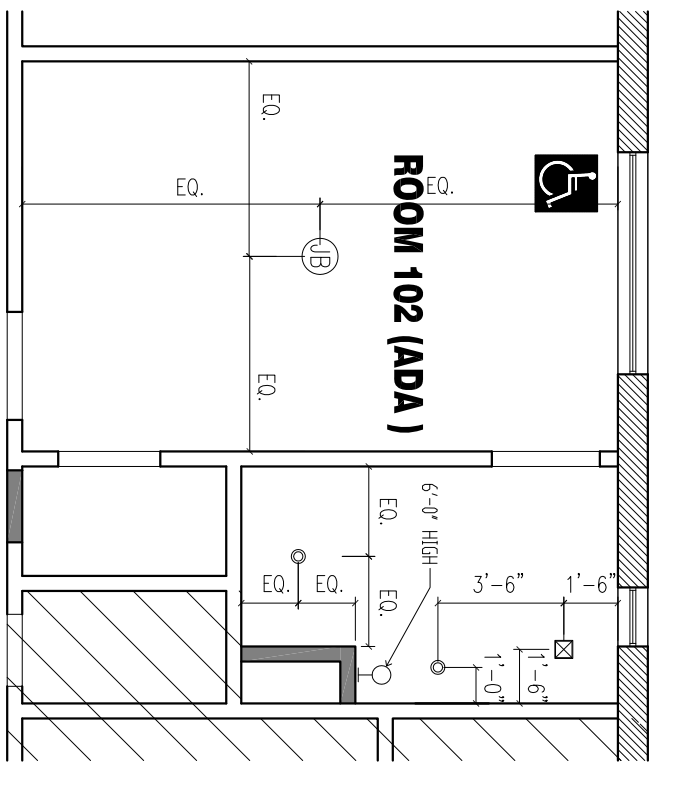
A4.00
100% CONTRACT DOCUMENTS

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Date	07/23/2012	
Job Number	01200400	
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LEGEND:
 - - - - - EXISTING EXTERIOR WALLS TO REMAIN
 - - - - - EXISTING PARTITIONS TO REMAIN
 - - - - - NEW PARTITIONS, 3/4" GIB WITH 3/8" METAL STUD @ 24" O.C. 22 GAUGE
 - - - - - HATCHED AREAS NOT IN CONTRACT
 ● FE EXISTING FIRE EXTINGUISHER TO REMAIN

GENERAL NOTE:
 ALL EXISTING PARTIAL WALLS TO BE REPAIRED BY 3/4" GYPSUM BOARD DRY WALL IN ALL BATHROOMS. DRYWALL TO BE REPAIRED BY CEMENTIOUS BOARD ON KITCHEN.



GENERAL NOTE: PARTITIONS SHALL BE OF CEMENTIOUS BOARD OR DURROCK ON ALL UNITS BATHROOM. ANY NEW FINISH MATERIAL BELOW BASE FLOOR ELEVATION 8.00 FT N.O.D. SHALL BE FLOOD RESISTANT AS PRESCRIBED BY FEMA TB. 2-08

GENERAL NOTE: USE AT ALL WALL HANG CABINETS, PLUMBING FIXTURES, AND GRAB BARS