

This application is available in alternate formats upon request.

**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: Kappa Delta Sorority House

Address: 555 West Jefferson Street, Tallahassee, FL 32301

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: Jeri Hunter

Applicant's Address: 117 Meadow Wood Court, Tallahassee, FL

Applicant's Telephone: 850-402-8342 FAX: 850-894-2229

Applicant's E-mail Address: hunter.jeri@ccbfg.com

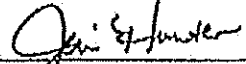
Relationship to Owner: House Corporation Treasurer

Owner's Name: Kappa Alpha Chapter Kappa Delta Sorority House Corporation

Owner's Address: 555 West Jefferson Street, Tallahassee, FL 32301

Owner's Telephone: 850-402-8342 FAX: 850-894-2229

Owner's E-mail Address: hunter.jeri@ccbfg.com

Signature of Owner: 

Contact Person: Jeri Hunter

Contact Person's Telephone: 850-402-8342 E-mail Address: hunter.jeri@ccbfg.com

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.)

18,536 GSF- 3 Floors
Sorority House with Kitchen, Dining Room, Bedrooms, Living Room, TV Room, Chapter Room, etc. All levels are accessible.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$22,107 See Attachment 5A

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.

The Dining Area and the remainder of the house is ADA Compliant. The Owner wants to build a stage for Rush, that occurs once a year. The remainder of the time this area will remain part of the Dining Area.

See Attachment 6A

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

Issue

1: 201.1.1 Vertical Accessibility Section 553.501- 553.513. F.S. and the ADA Standards for Accessible Design do not 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 standards require an elevator to be installed in such buildings, structures, or facility.

Issue

2: 202.4.1 Disproportionate Cost. Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 2-0% of the cost of the alteration to the primary function area. Costs that may be counted as expenditures required to provide an accessible path of travel may include: (i) costs associated with providing an accessible entrance and an accessible route to the altered area; (ii) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; (iii) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); (iv) costs associated with relocating an inaccessible drinking fountain.

Issue

3: 202.4.2 Accessible Features in the Event of Disproportionality. When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: (i) an accessible entrance; (ii) an accessible route to the altered area; (iii) at least one accessible restroom for each sex or a single unisex restroom; (iv) accessible telephones; (v) accessible drinking fountains; and (vi) when possible, additional accessible elements such as parking, storage, and alarms.

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.

See Attachment A

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

The cost of providing a lift to make this stage accessible is excessive and well above the threshold of 20% of the total cost of the alterations. The area is accessible from the existing exit door that will be made accessible with the stage addition. There is an accessible route on the exterior of the building to this exit door from the H.C. parking space, if a disabled person needs/wants to be on the stage.

[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.

Please see attached cost estimates from Sperry & Associates (at \$22,107) and Childers Construction Company (at \$23,683).

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. Sperry & Associates- Attachment "A"

b. Childers Construction Company- Attachment "B"

c. _____

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.

This accessibility waiver request pertains to the disproportionate cost associated with achieving vertical accessibility for a stage that is used once per year during sorority rush. The Kappa Delta Sorority has expended \$161,765 making their house handicap accessible. Florida Statutes states that an owner is only required to expend no greater than 20% of the total cost of construction on making the facility accessible. With the proposed stage, the construction cost devoted to accessibility is 22.89%. It is unfair for this Commission to continue to deny this waiver.

The footprint of the building has been expanded to its maximum. Space within the dining facility is at a premium. When the entire sorority has a gathering, every table in the Dining Hall is taken. There is no room for a 4 foot by 19 foot accessible ramp.

This is the fourth application for this waiver. I hope that you will consider this request favorably.

Richard R. Barnett

Richard R. Barnett

Signature 6 NOV 2014

Printed Name

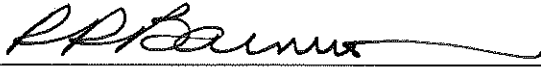
Phone number 850-224-6301

(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 5th day of November, 2014



Signature

Richard R. Barnett
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.

RB
11-04-14

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 Accessibility Code - Building Construction 2010, Section 201.1.1 - Vertical Accessibility and Florida Statutes 553.501-553.513

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

[X] Yes Two building permits issued in 2011: TBB11 0743 - Cost of improvement = \$250,000 and TBB11 0955 = \$750,000. *Based upon documentation provided by architect of record 11/04/14 the total Phase I/Phase II project cost was \$687,724

Comments: Previous alterations and addition included construction and installation of a 3 story vertical shaft, elevator and elevator lobby. At this time the proposed altered area can be made accessible from a new accessible parking space.

Jurisdiction: City of Tallahassee

Building Official or Designee [Signature]
Signature

RB 11/04/14

Maria Rodriguez
Printed Name

Robert S. Tredik

BU 951
Certification Number

Bu 230

850-891-7067
Telephone/FAX

850-891-7071

maria.rodriguez@talgov.com
Email Address

bob.tredik@talgov.com

Address: (mailing address): 300 S. Adams St., B-28, Tallahassee, FL, 32301

Attachment 5A, 6A & 8A

5 A. Project Construction Cost:

The cost of the stage modification is \$22,107. The cost of the ADA lift added to the stage is \$10,003. The total cost of addition/renovation construction done to the house over the last four years is \$687,724. The cost of ADA improvements done to the house over the last four years is \$161,765. This translates to 22.89% devoted to ADA upgrades.

Note that the building permits that were applied for over four years ago were: \$250,000 for Phase I - Demolition and \$750,000 for Phase II - Addition/Renovation. The Contractor intentionally inflated these anticipated costs for permitting purposes because the project was being done "design/build" and, at the time, the final costs were unknown. The final construction cost for Phases I and II was \$687,724.

6 A. Project Status:

The current Kappa Delta House is totally ADA compliant since the renovation work done several years ago was completed. This project added new construction to a house wing that was added in the 1960's to the original house that was built in the early 1950's. A major part of this work was making the entire building ADA and Life Safety compliant. The work included a new three stop elevator, ADA restrooms and ramps to make all portions of the building accessible. This work was separated into two phases: Phase I was demolition and Phase II was the addition and renovation of the existing building. The Phase I building permit was applied for and issued for \$250,000 and Phase II was applied for and permitted for \$750,000. The actual total cost of both phases was \$687,724. The cost of the ADA upgrades in this work were \$161,765 which translates to 23.52% of the construction cost devoted to ADA improvements prior to this waiver request.

The Sorority finished these two phases only because the Contractor (the husband of one of the building committee), Sperry Construction, allowed the sorority to pay for a part of the work over time with funds obtained from room rentals. This month the sorority made their final payment on this work.

The Sorority desired to have a stage for rush skits as a part of the original work. Because of the funding problems in Phase II they were not able to accomplish this upgrade to the building as a part of the original project. It is important to understand that the dining room addition creates a large space that is divided by columns. For a spectator to properly view the skits it is necessary to elevate the performance platform (stage) for proper viewing. This area of the dining room is the furthest from the kitchen and thus the least desirable for dining seating. There are times, during special meals when the dining room is full and this area is used for its intended dining purpose, but for most meals it is unused. The stage is only used for rush skits, which, at present, are once a year in the fall.

In June 2013 we applied for a variance for the stage. We produced drawings with and without the lift. We had two contractors price the work. Using the lowest prices we compared the cost of the stage without a lift at \$22,107 and the stage with a lift at $\$22,107 + \$10,003 = \$32,110$ producing a ratio of total cost for ADA compliance of 68.85%. We applied for this variance thinking that this was a new project and that the 20% rule only applied to this work.

In August 2013 we were told that the Variance Board rejected our application because we failed to include the cost of the Phase I and II work in our cost comparison and that this additional construction cost would bring the total project cost under the 20% rule with the lift included. We were also informed that the exit door from the proposed stage needed to have ADA hardware for accessibility from the outside and the accessible route from the handicap parking space to the stage/exit access needed to be described.

In April 2014 we again applied for the stage variance including the Phase I and II construction cost with ADA improvements in addition to the stage without the lift. All of the suggested ADA requirements were included in this application. The total construction cost for this work with the original Phase I and II improvements and the proposed stage without the lift was \$706,724. The ADA improvements were still \$161,765 which translates to a ratio of 22.89% of the construction cost. Because this percentage exceeds the 20% rule the variance should have been approved. We also showed the accessible route and included the hardware upgrade to the exit door.

On 21 June 2014 we were informed that our variance request was again denied because our application was "unclear."

On 27 June 2014 we reapplied for the same waiver. In August, the Board rejected this waiver application with no explanation.

8A. Reason for Waiver Request:

The cost of providing a lift to make the stage accessible and provide ADA accessibility to the exit door and the HC parking space is excessive and exceeds the 20% threshold for required accessibility in a renovation project. The actual ratio of total construction cost to ADA upgrades is 22.89%. The Applicant will make the exit door accessible with new hardware and provide an accessible route from the handicap parking space in this work.



- Planning
- Design
- Construction Services

Leading by Design

June 25, 2014

Kappa Delta Dining Room Stage Modifications

Sperry & Associates, Inc. proposes to provide labor and materials for the Kappa Delta Dining Room Stage Modifications as follows:

Base Proposal:

- \$500 allowance for permitting
- On site supervision
- Project Management
- Dally removal of debris to jobsite dumpster, fees associated with hauling construction debris to landfill
- Job site toilet
- Final cleaning of construction area prior to turning space over to owner
- Furnish and install fire retardant framing for stage
- New wall mounted handrail
- New floor mounted guardrail in closet
- Demo existing handrail and post as shown
- New (3) part base moulding around stage
- New vinyl plank flooring for stage and stairs
- Vinyl nosing for stairs
- (1) new 3060 door to match existing doors
- New metal stud framing and finished drywall around closet wall
- Paint new wood work and drywall.
- Extend duct work per the plan.

Total Base Proposal: \$22,107

Add Alternate Proposal:

- \$500 allowance for drywall patching
- Furnish and install a Harmar 4' residential vertical platform lift
- Provide dedicated receptacle for vertical platform lift

Total Add Alternate Proposal: ADD \$ 10,003

Sperry Associates, Inc.

KAPPA DELTA
ADA COST ANALYSIS

4/27/2014

			A	B	C		
	DESCRIPTION OF WORK	TOTAL COST	ELEVATOR & SHAFT	ADA RESTROOMS	HC PARKING & ACCESS	TOTAL ADA UPGRADE COSTS	
	DEMOLITION	29,907	1,000	2,000		3,000	
	SITWORK	18,276	3,000		1,500	4,500	
	CONCRETE	34,832	3,580		6,000	9,580	
	CMU & BRICK	70,224	33,881			33,881	
	STRUCTURAL STEEL	20,243				0	
	CARPENTRY	68,364	15,000	5,000		20,000	
	INTERIOR DOORS	7,516		1,000		1,000	
	INSULATION	3,258	800	250		1,050	
	SHINGLES	9,548	2,000			2,000	
	GUTTERS & DOWNSPOUTS	2,500	500			500	
	EXTERIOR DOORS & WINDOWS	59,136	7,750		3,500	11,250	
	HARDWARE	1,597		100		100	
	DRYWALL & CEILINGS	32,941	6,000	2,500		8,500	
	CERAMIC TILE	10,327		3,000		3,000	
	FLOORING	29,353	1,500			1,500	
	PAINTING	16,647	2,960	950		3,910	
	TOILET ACCESSORIES	5,187		500		500	
	ELEVATOR	38,994	38,994			38,994	
	PLUMBING	49,750	2,500	5,000		7,500	
	HVAC	68,860	2,500	500		3,000	
	ELECTRIC	110,263	8,000			8,000	
	PROPOSED STAGE	19,000					
	TOTAL COST	706,724	129,965	20,800	11,000	161,765	
	TOTAL ADA UPGRADE COSTS	161,765					
	ADA COSTS AS % OF TOTAL COST	23%					

ADA Upgrades for Kappa Delta Sorority

- A) Furnish a three story elevator, shaft and equipment room**
- 1) Demolition consisting of the removal of the existing brick veneer, siding and roof overhang. Exterior wall demolition at each landing for access to the existing building.**
 - 2) Site work consisting of the excavation for the elevator pit and installation of a French drain system.**
 - 3) Concrete work including placement of the footings for the shaft walls, the concrete elevator pit floor, the foundations and slab for the elevator equipment room, and the ground floor landing and access sidewalks.**
 - 4) CMU shaft walls full height and equipment room walls on the ground floor, including dampproofing.**
 - 5) Brick veneer full height for the equipment room and shaft.**
 - 6) Carpentry consisting of floor system framing and decking, exterior wall system framing at the landing of each floor. Roof system framing and sheathing at the equipment room and top of the elevator penthouse and landings.**
 - 7) Insulation at the roofs of the shaft and equipment room as well as the exterior walls at the landings.**
 - 8) Underlayment and shingles for the equipment room and elevator penthouse.**
 - 9) Gutters and downspouts at the penthouse and equipment room.**
 - 10) Access doors at each landing and the exterior at the ground floor, along with exterior access door at the equipment room.**
 - 11) Aluminum clad double hung windows at each landing.**
 - 12) Furring, framing and drywall for each landing at the walls and ceilings.**
 - 13) Flooring at each landing.**
 - 14) Finish painting at each landing as well as the exterior fascia and soffits for the shaft and equipment room.**
 - 15) Installation of a complete three stop elevator.**
 - 16) Sump pump and storm sewer piping for the elevator pit.**
 - 17) Heating and cooling for each landing.**
 - 18) Electric including a separate electric panel and all circuits required for the elevator equipment. Power and lighting for each landing.**

B) Provide two ADA accessible restrooms

- 1) Demolition of the existing restrooms including removal of the existing plumbing and piping, electric and lighting, wall framing and finishes.
- 2) Install new wood framing for the walls of the accessible restrooms.
- 3) Provide two new restroom doors with hardware.
- 4) Sound insulation.
- 5) Drywall for the walls and ceilings.
- 6) New ceramic tile flooring and base.
- 7) Finish painting.
- 8) ADA grab bars and new toilet accessories.
- 9) Install new ADA plumbing fixtures and related piping
- 10) Provide restroom venting.
- 11) New electric lighting and power.

C) Provide Handicap parking and access

- 1) Site work consisting of the removal of the existing asphalt and base, grading of the surrounding site for proper drainage and sub grade preparation.
- 2) Reinforced concrete paving for the parking area, ramp and access sidewalk.
- 3) ADA striping and signage.
- 4) Demolition of the existing exterior wall system for the new accessible exterior door.
- 5) Installation of the new accessible exterior door with panic device.



To: Mr. Rick Barnett

Barnett Fronczak Barlowe Architects

225 So. Adams Street

Tallahassee, FL 82301

REF: Kappa Delta Stage Modifications

Rick:

Childers Construction Company proposes to construct the Stage Addition and Modifications at the Kappa Delta Sorority House in accordance with your plans dated 25 April 2013. Our proposal includes all labor, material and equipment.

BASE BID: \$23,683.00

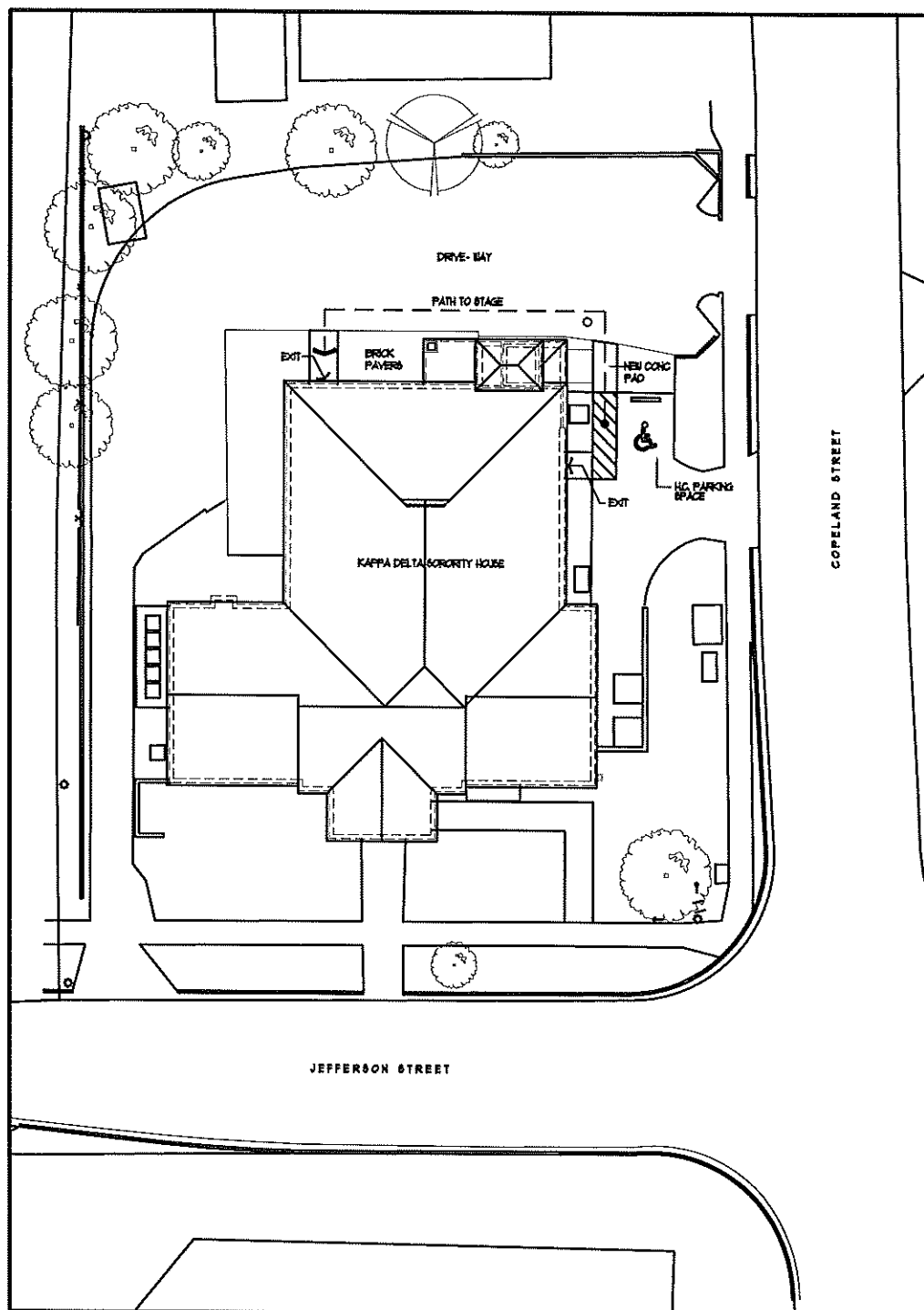
ADD ALTERNATE #1: Add vertical platform lift, (including electrical). ADD \$10,800.00

Thank you for this opportunity to offer our proposal.

A handwritten signature in black ink, appearing to read "Sam Childers", written over a horizontal line.

Sam Childers

Childers Construction Company



**BARNETT
FRONCZAK
BARLOWE
ARCHITECTS**

14130
PROJECT CODE

16 MAY 2014
DATE

REVISED

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△	△
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**Kappa Delta Sorority House
Ground Floor - Dining Room
Stage Modifications**

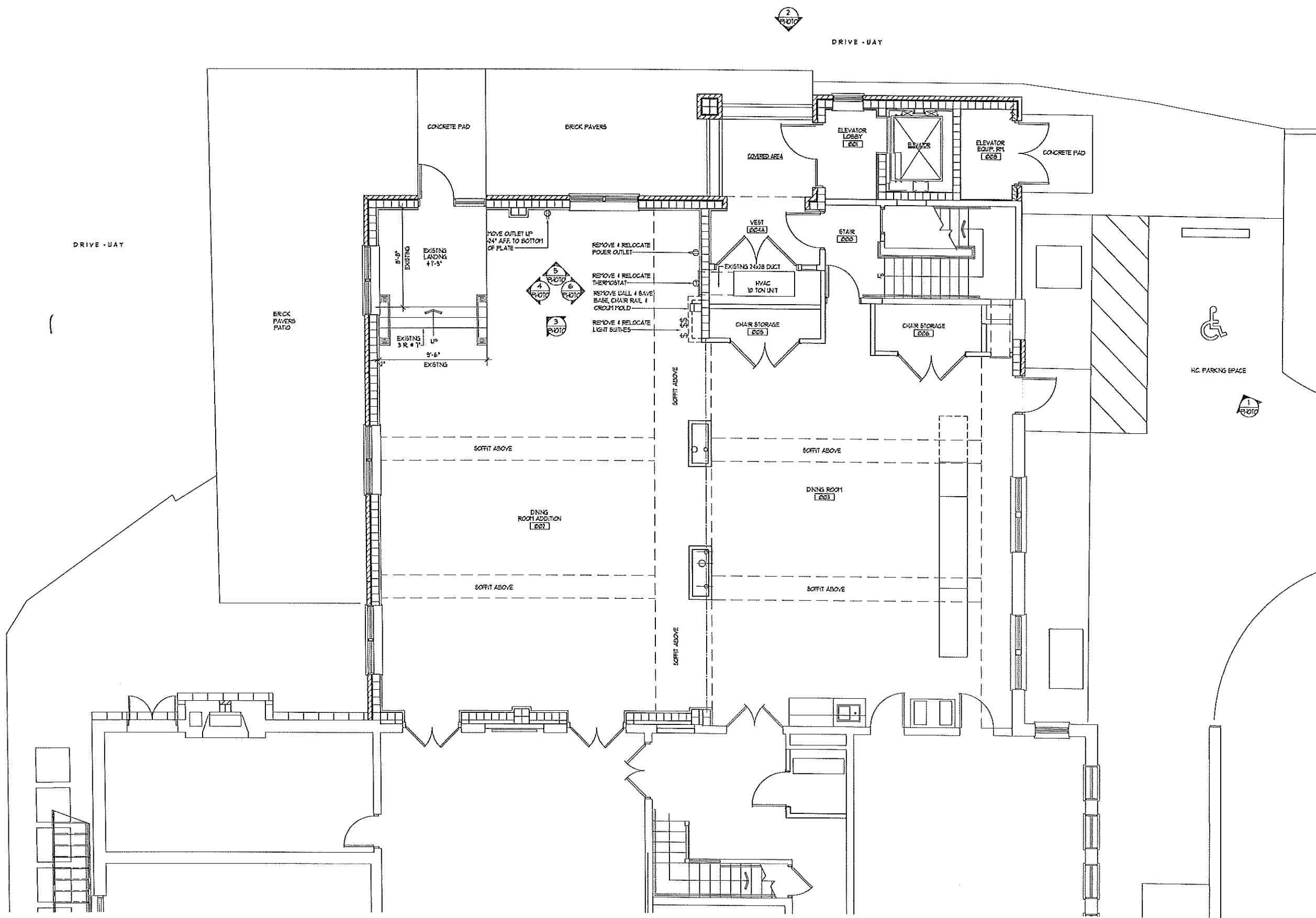
Tallahassee Florida

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225 SOUTH ADAMS ST., TALLAHASSEE, FLORIDA 32301
PHONE 850 224-6301 FAX 850 561-6978

1 ARCHITECTURAL SITE PLAN
A0 SCALE 1/8"=1'-0"





**BARNETT
FRONCZAK
BARLOWE
ARCHITECTS**

14133
PROJECT CODE

16 MAY 2014
DATE

REVISED

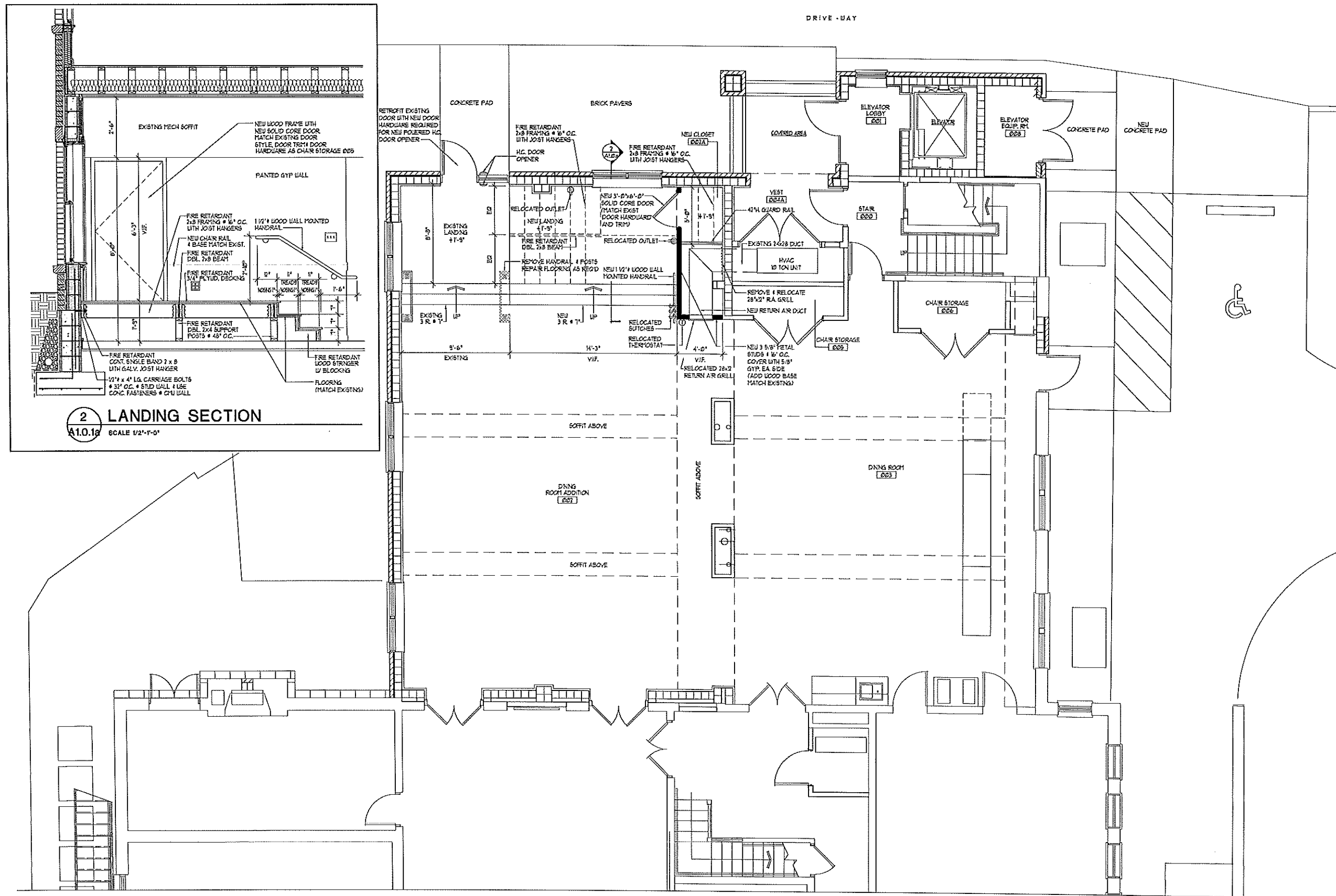
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**Keppa Delta Sorority House
Ground Floor - Dining Room
Stage Modifications**

Tallahassee Florida

1 ENLARGED GROUND FLOOR PLAN (Existing)
EX1.01 SCALE 1/4"=1'-0"

EX1.01



2 LANDING SECTION
A1.0.1a SCALE 1/2"=1'-0"

1 ENLARGED GROUND FLOOR PLAN (without H.C. Lift)
A1.0.1b SCALE 1/4"=1'-0"



14139
PROJECT CODE

16 MAY 2014
DATE

REVISED

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Kappa Delta Sorority House
Ground Floor - Dining Room
Stage Modifications

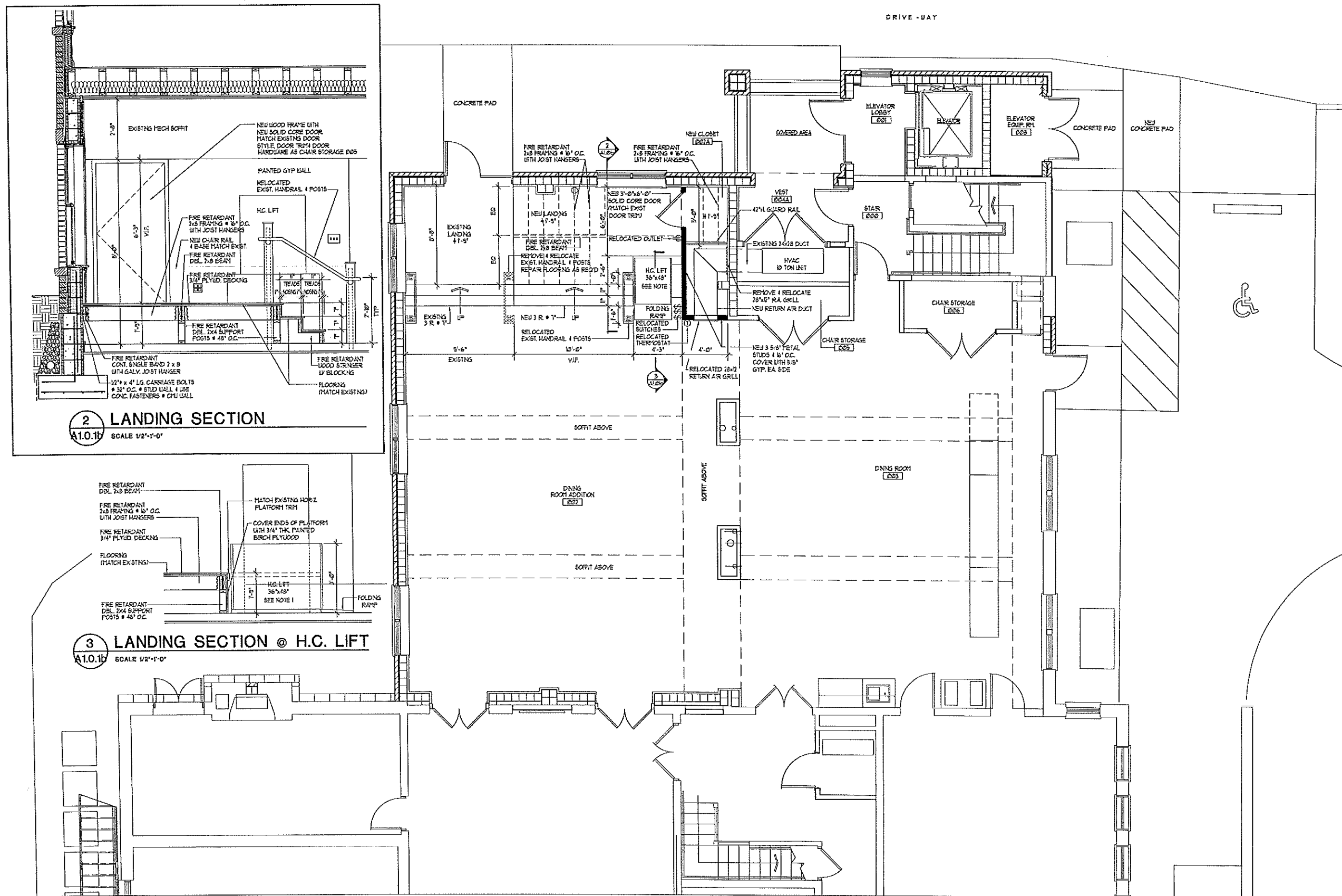
Tallahassee Florida

A1.01a

225 SOUTH ADAMS ST., TALLAHASSEE, FLORIDA 32301
PHONE 850 224-6301 FAX 850 551-6978

NOTES

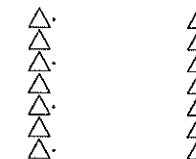
1 HANDICAP WHEEL CHAIR LIFT, BASIS OF DESIGN:
HARPAR 4 RESIDENTIAL VERTICAL PLATFORM LIFT.
MODEL RPL-460 WITH STANDARD PLATFORM SIZE (36"x48")
AND FOLDING RAMP.



14130
PROJECT CODE

18 JUNE 2013
DATE

REVISED



Kappa Delta Sorority House
Ground Floor - Dining Room
Stage Modifications

Tallahassee Florida

A1.01b

225 SOUTH ADAMS ST., TALLAHASSEE, FLORIDA 32301
PHONE 850 224-6301 FAX 850 561-6978

1 ENLARGED GROUND FLOOR PLAN (with H.C. Lift)

A1.0.1b SCALE 1/4"=1'-0"

3 LANDING SECTION @ H.C. LIFT

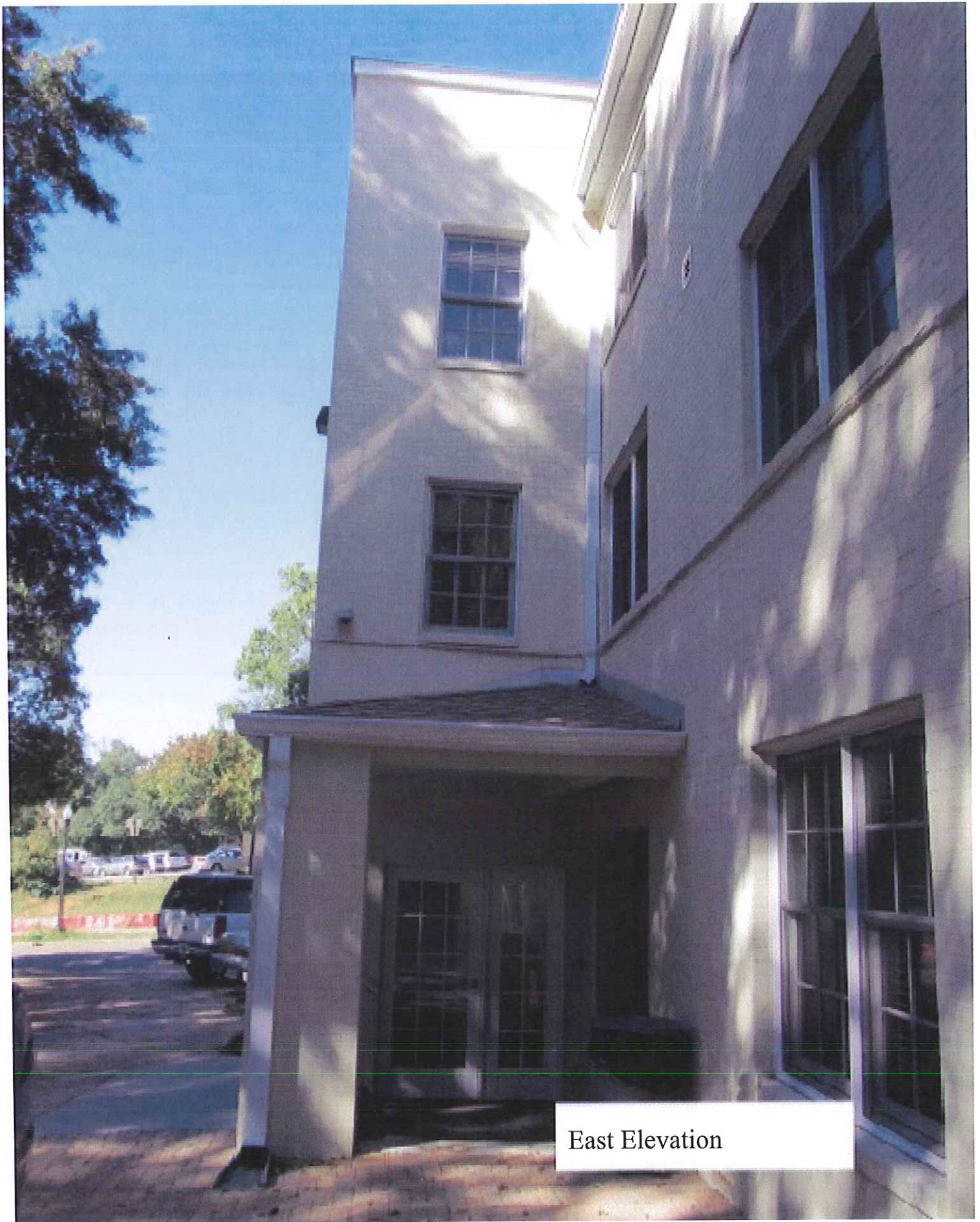
A1.0.1b SCALE 1/2"=1'-0"

2 LANDING SECTION

A1.0.1b SCALE 1/2"=1'-0"



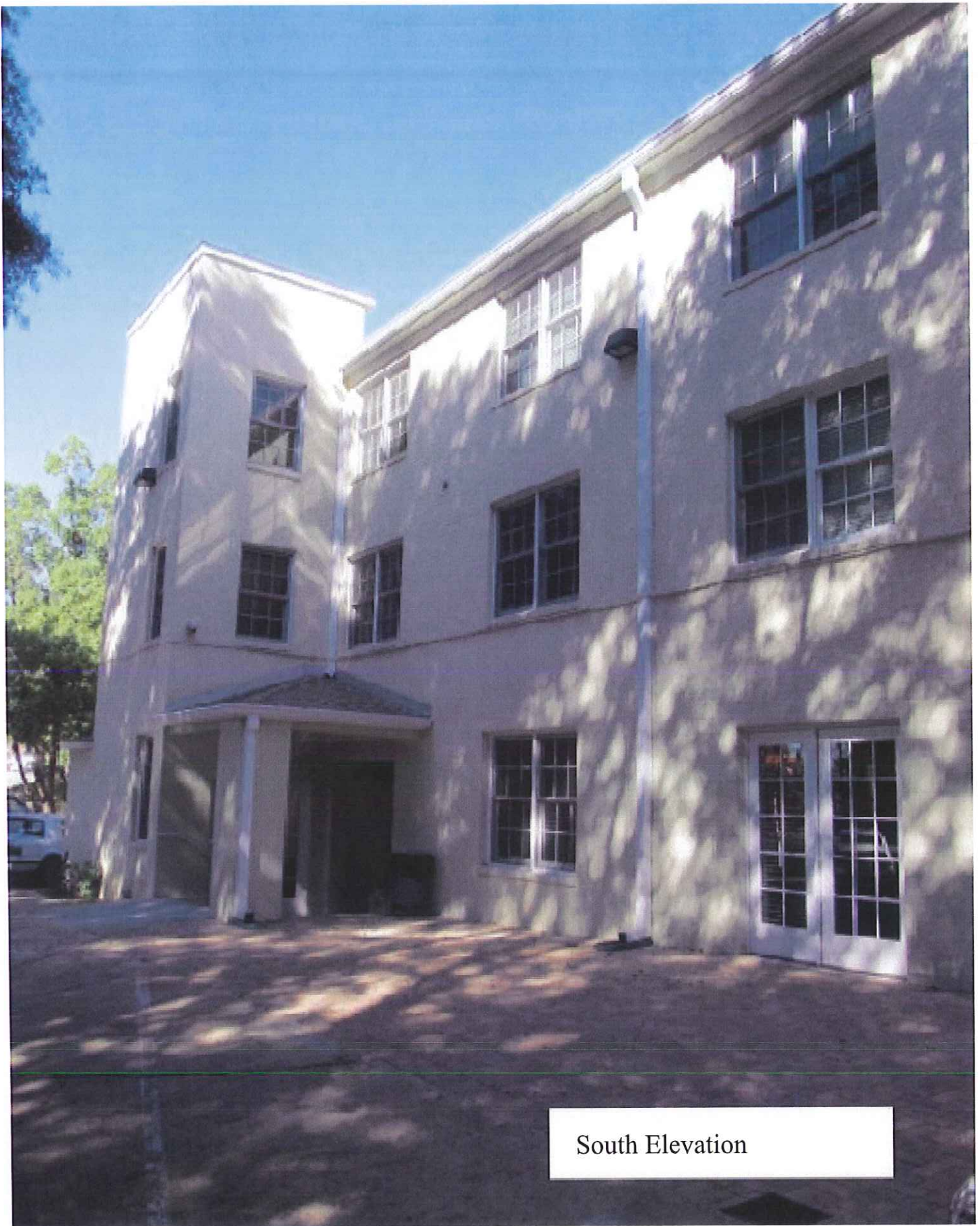
South Elevation



East Elevation



Basement Entry to Elevator Lobby



South Elevation



H.C. Entry to Basement



H.C. Parking



H. C. Ramp- North Elevation



H.C. Ramp Looking West

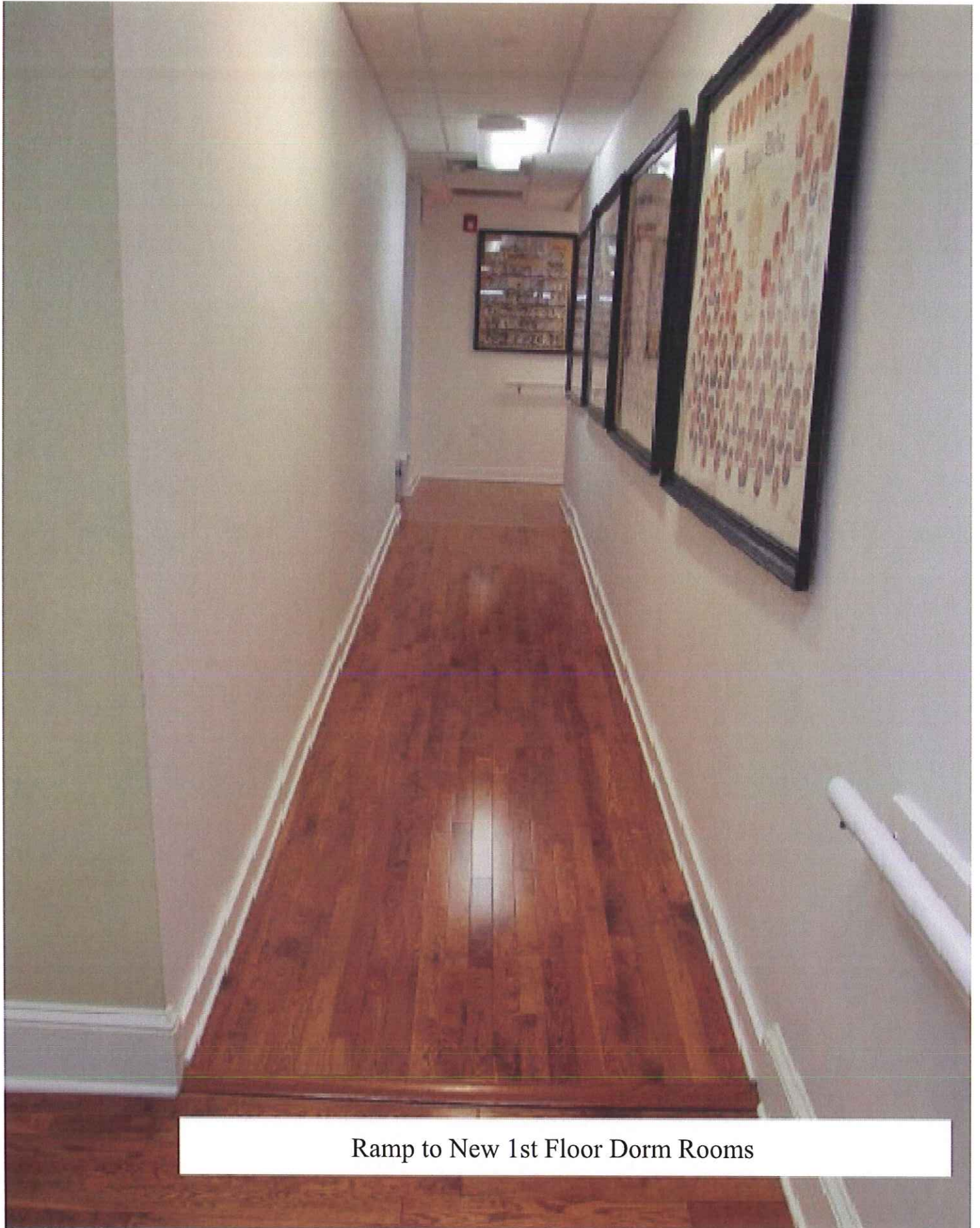


H.C. Ramp from 1st Floor Entry Looking West





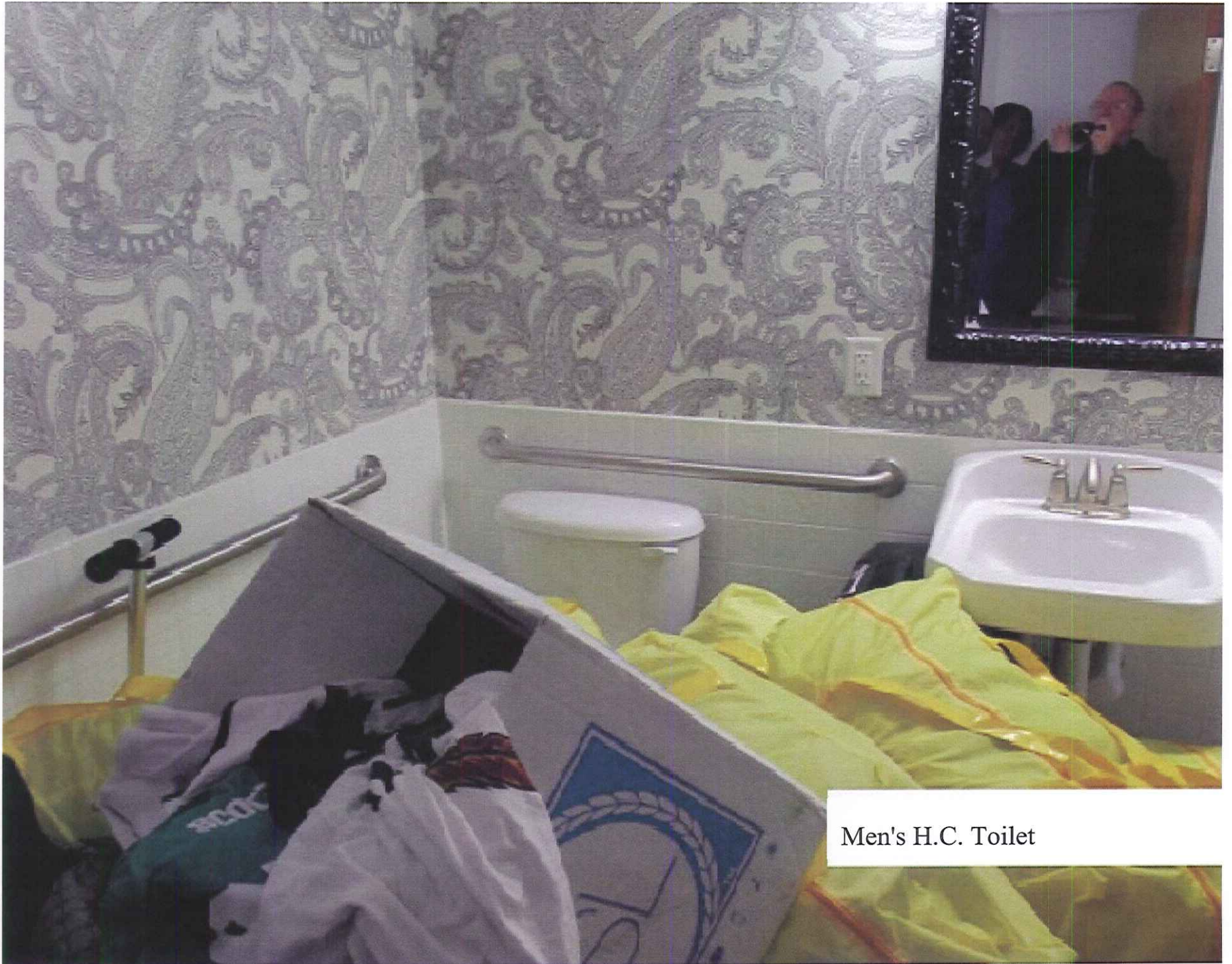
Elevator Lobby- Basement, 1st,
and 2nd



Ramp to New 1st Floor Dorm Rooms



Women's H.C. Toilet on 1st Floor



Men's H.C. Toilet



Elevator Equipment Room & H.C. Parking



Second Exit Platform from Dining Room



Second Exit Platform from Dining Room



Area of Future Stage- Currently Dining



Area of Future Stage- Currently Dining

Kappa Delta Resolution on Human Dignity *Adopted, 1987 National Convention*

WHEREAS, Kappa Delta Sorority seeks to assist each member in reaching her greatest potential as an individual,

WHEREAS, Kappa Delta Sorority is committed to the highest moral and ethical standards believing that individual self-worth is firmly rooted in one's commitment to a positive value system, and

WHEREAS, sexual harassment and abuse of women are destructive to all that is honorable, beautiful and highest,

THEREFORE, BE IT RESOLVED that Kappa Deltas rededicate themselves to the Object, Purpose and Creed of our Sorority, which so beautifully outline the principles by which we seek to live, and

BE IT FURTHER RESOLVED that Kappa Delta members recognize their responsibility for one another that was assumed when they accepted membership in the Sorority, and

BE IT FURTHER RESOLVED that Kappa Delta Sorority recognizes the role that alcohol and substance abuse plays in contributing to inappropriate sexual behavior and seeks to educate all members through chapter and new member programming and informational articles in *The Angelos* regarding dangers inherent in this abuse, and

BE IT FURTHER RESOLVED that Kappa Delta Sorority recognizes the respect and dignity that all men and women should be accorded and therefore disassociates itself from any activity or event that encourages or permits actions that may be construed as demeaning to any individual.