

THERIAQUE OFFICE BUILDING

Issue: Vertical accessibility to differing levels in an office building.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all levels of an office building. The structure was originally constructed as a single family dwelling and was subsequently enlarged by two small wings to convert it to commercial use. When the additions were done, the resulting finish floors are not flush with the floor in the original building. The project will cost \$30,000 and it is questionable whether all toilets can be made accessible for \$6,000. According to the applicant, to provide vertical accessibility to all levels in the building would exceed construction costs approximately three times.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all levels, 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.

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: Theriaque Office Building

Address: 433 North Magnolia Drive

Tallahassee, Florida 32308

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: W. E. Douglas, P.E. (DEC Engineering) Agent

Applicant's Address: 2467 Centerville Road Tallahassee, Florida 32308

Applicant's Telephone: (850) 385-5288 FAX: (850) 386-7586

Applicant's E-mail Address: decbill@nettally.com

Relationship to Owner: Agent

Owner's Name: David A. Theriaque

Owner's Address: 433 North Magnolia Drive
~~1114 East Park Avenue~~ Tallahassee, Florida 32301

Owner's Telephone: (850) 224-7332 FAX _____

Owner's E-mail Address: DAT@TVSLAWFIRM.COM

Signature of Owner: 

Contact Person: W.E. Douglas, P.E.

Contact Person's Telephone: (850) 385-5288 E-mail Address: decbill@nettally.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.
- 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.)

Office Building, varies (2 and 3 stories)

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

\$30,000

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 upgrade will generally be moving walls and improving rest rooms. Because of the way the building is built, to add ramps or elevators would cost more than the revisions planed.

Elevators could be at least three times the other construction costs.

The owner has made a **diligent investigation** into the costs of compliance with the code, but

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.

According to the June 6, 2000 memorandum from Kathy Butler, Assistant General Counsel DCA, the federal disproportionate cost exception may not be applied to the Florida vertical accessibility requirement. The renovations in this structure are considered an alteration to an area containing a primary function. Vertical accessibility is required, unless waived by the Florida Building Commission due to disproportionate cost. To provide vertical accessibility to all levels in this split level building would be financially disproportionate to the overall renovation 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 _____

Comments/Recommendation

Except for attesting to the accuracy of the cost figures as presented, to the best of my knowledge, all information stipulated herein is true and accurate.

Jurisdiction City of Tallahassee

Building Official or Designee


Signature
Robert S. Tredik
Printed Name
Bu 230
Certification Number
891-7071 7099 fax
Telephone/Fax

Address Box B-28 - City Hall
Tallahassee, FL 32301



DEC Engineering, Inc.

Professional Civil Engineering

State Certificate # 4244

2467 Centerville Road Tallahassee, Florida 32308
(850) 385-5288 Fax (850) 386-7586 ~ dec@nettally.com

July 25, 2006

Department of Community Affairs
Florida Building Commission
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Waiver from Accessibility Requirements
433 North Magnolia Drive, Tallahassee
DEC Job No. 05D-0714

Dear Commissioners:

DEC Engineering has been requested to make modifications to the 1988 plans and construction for the above building. The building complied with requirements at the time. This is a multilevel building with basically three sections at different grades. The changes being requested relate to some wall movement and rest room improvements.

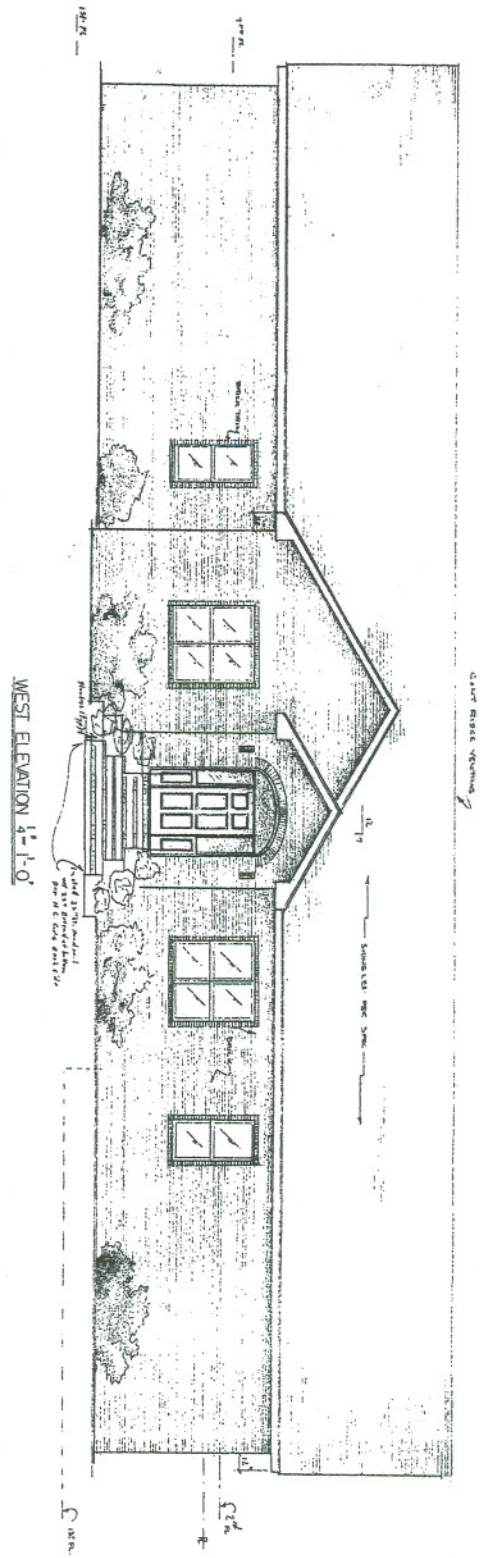
Because of the site grading, different levels and layout, to achieve vertical access would require three elevators. Space to install these would be a major problem with expenses exceeding the building upgrade cost. The total estimate for the work is \$30,000. Each elevator would cost in the area of \$30,000.

Based on these comments we request a waiver from the vertical access requirements.

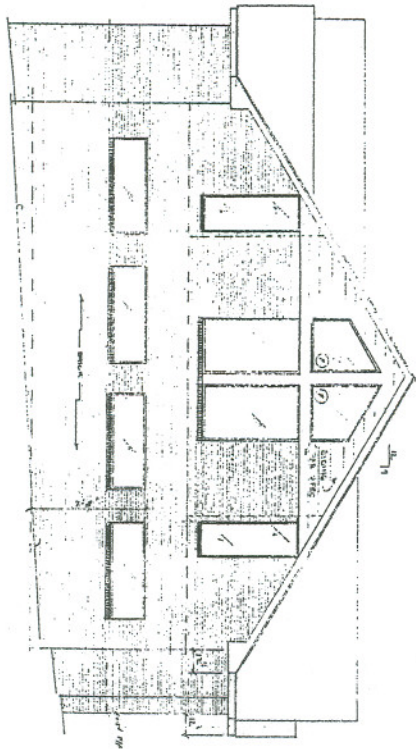
Sincerely,

A handwritten signature in black ink, appearing to read 'W E Douglas', is written over the typed name.

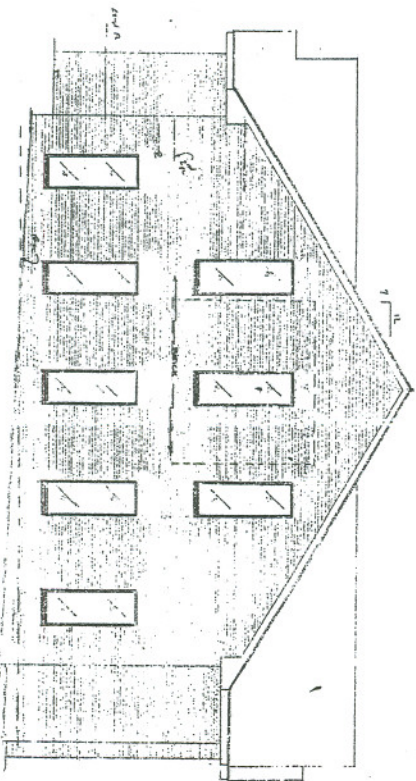
William E. Douglas, P.E.
WED/smc



WEST ELEVATION 1/2" = 1'-0"



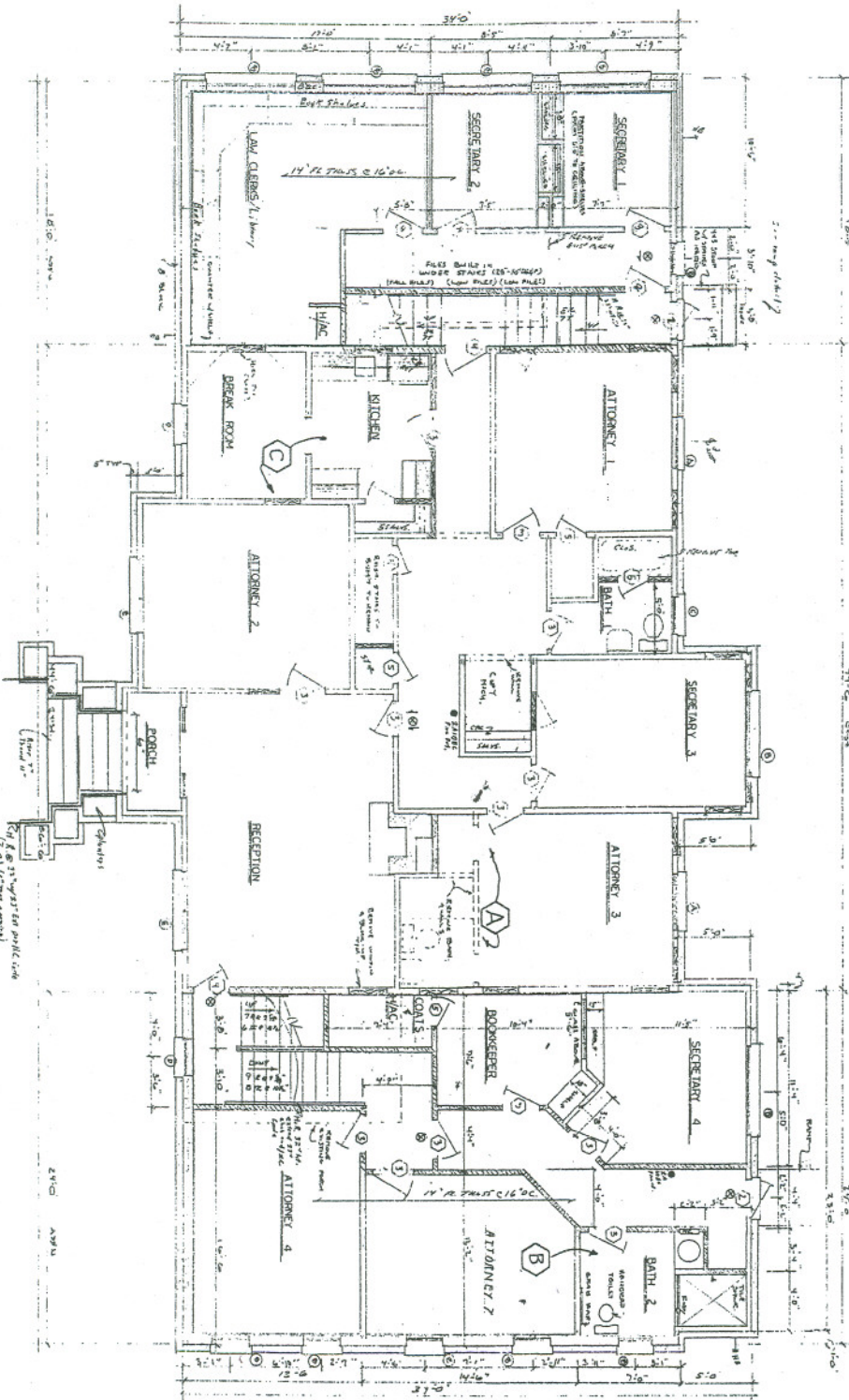
NORTH ELEVATION 1/2" = 1'-0"



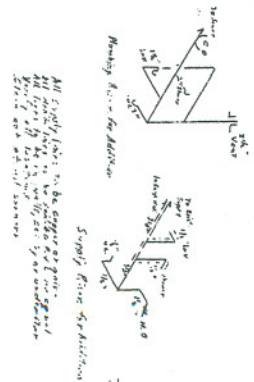
SOUTH ELEVATION 1/2" = 1'-0"

EXISTING PLANS
FOR REFERENCE ONLY

DEC ENGINEERING, INC.	
CIVIL ENGINEERING	
2813 Cowardin Rd., Tallahassee, Florida 32308, Phone (904) 878-5771	
Project:	CAVAHAY, SCHEDULEN & BARTY
Design By:	DEC
Date:	11/10/01
Sheet No.:	2 of 2



FILE - FLOOR PLAN 4110
 DATE - 12/28/87
 DRAWN - 10/15/87
 TYPED - 11/21/87



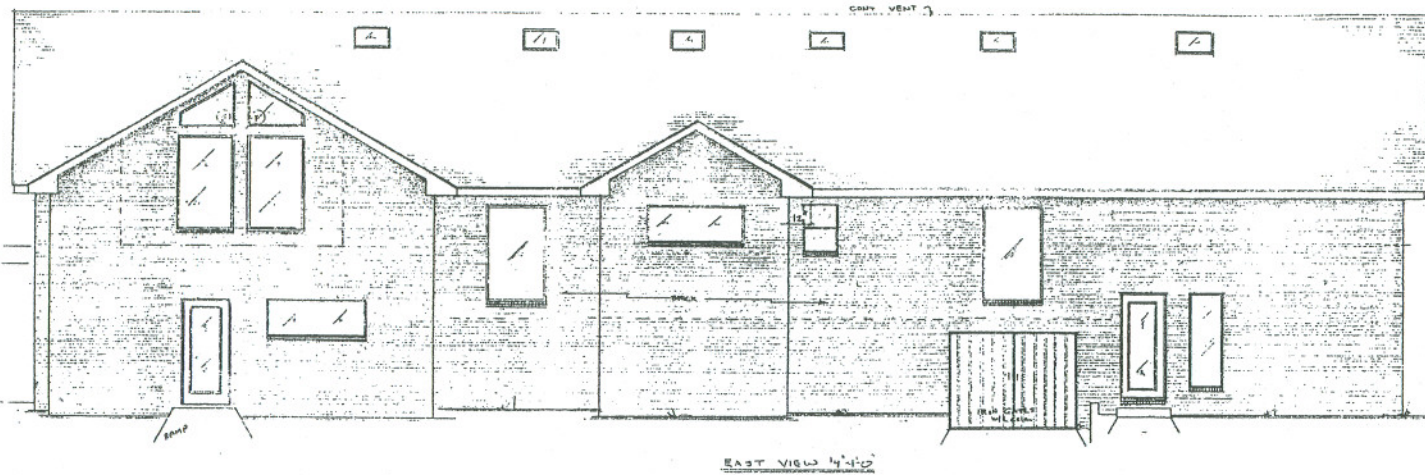
NO.	DESCRIPTION	DISPOSITION
1	24\"/>	

NO.	DESCRIPTION	DISPOSITION
1	24\"/>	

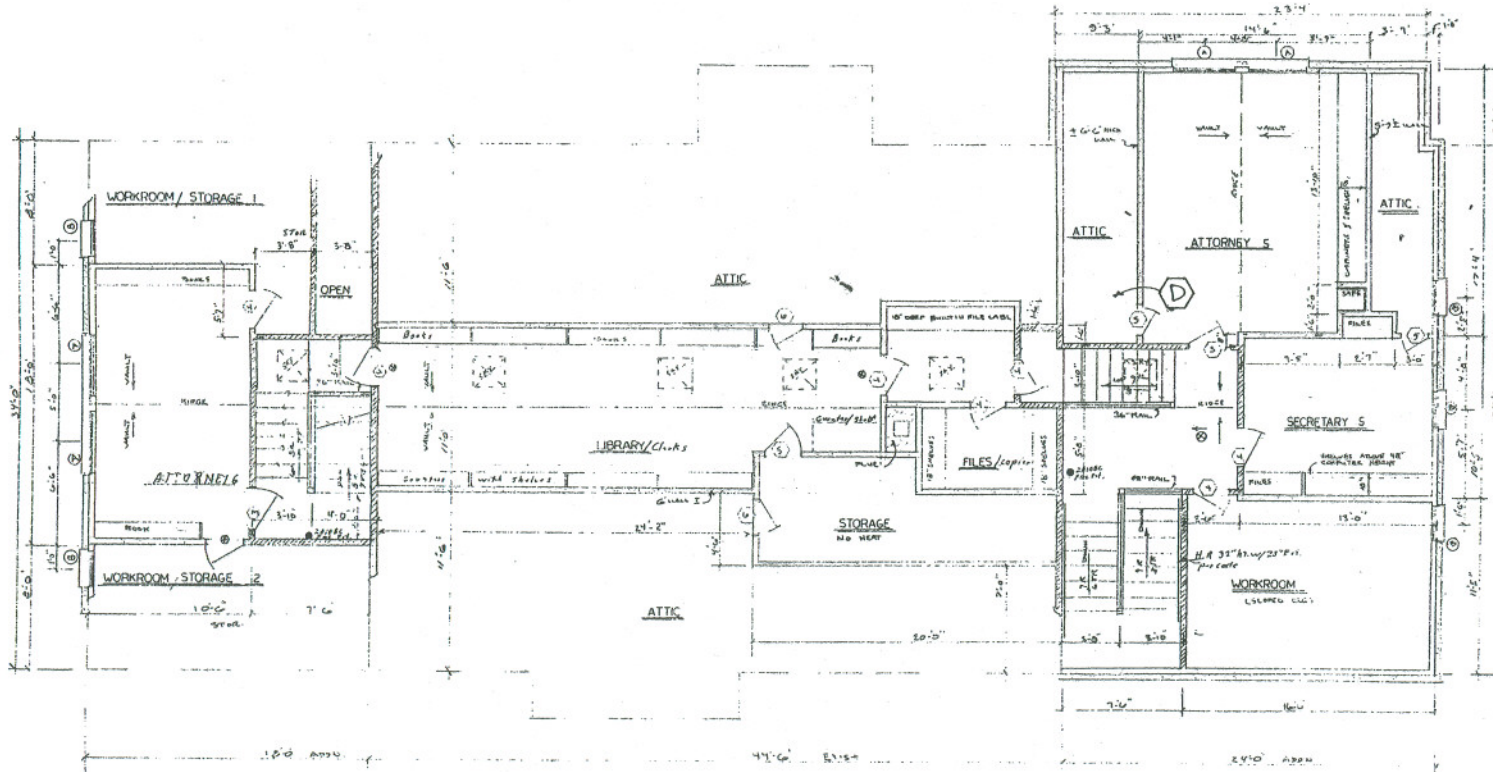
All hatched walls to be 1/2\"/>

EXISTING PLANS FOR REFERENCE ONLY

DEC ENGINEERING, INC.
 CIVIL ENGINEERING
 2013 Conover Rd., Tallahassee, FL 32304, Phone (904) 874-4545
 Project: Callahan, Seagraves & Grubb
 Design by: [Signature] [Signature]
 Sheet No. 3 of 8



EAST VIEW 4'-0"



SECOND FLOOR PLAN 4'-0"

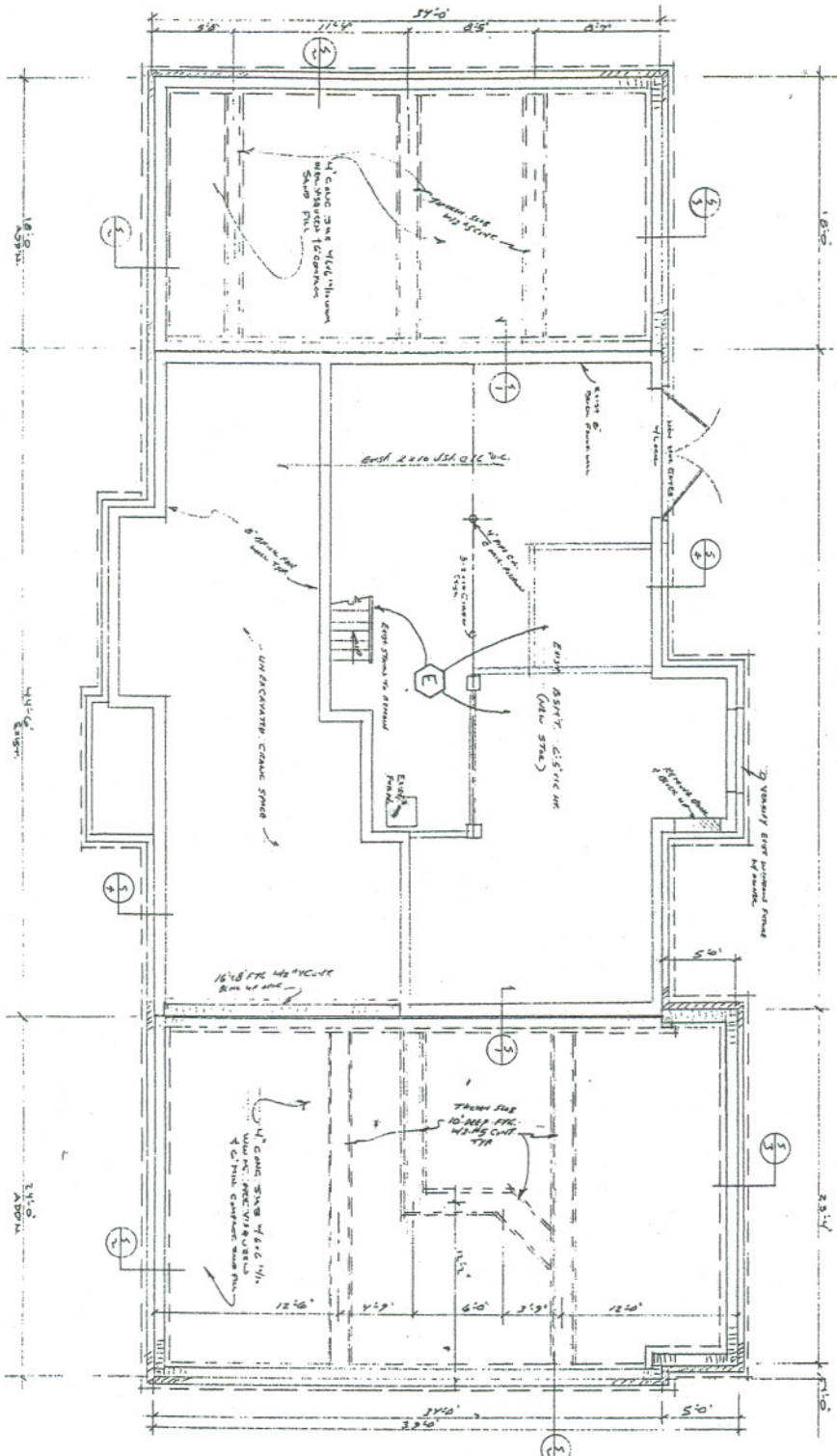
EXIST - 464' 0"
 ADDN - 1587' 0"
 TOTAL - 2051' 0"

- GENERAL NOTES
1. ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD BUILDING CODE.
 2. ALL ELECTRICAL WORK SHALL CONFORM TO THE NATIONAL ELECTRIC CODE.
 3. ALL PLUMBING SHALL CONFORM TO THE STANDARD PLUMBING CODE.
 4. IN THE EVENT OF A CONFLICT BETWEEN PLANS AND THE ABOVE CODES, THE CODES SHALL GOVERN.
 5. LOT SHALL BE LANDSCAPED TO PREVENT THE DETENTION OF SURFACE WATER RUNOFF.
 6. CONCRETE: 3000 PSI STEEL GRADE #8
 7. ALL FILL SHALL BE COMPACTED TO 95% DENSITY AS DETERMINED BY THE STANDARD PROCTOR TEST.
 8. FOR DETAILS NOT SHOWN SEE TYPICAL WALL SECTION.
 9. ALL LAP SPLICES IN FOOTING STEEL SHALL BE LAPPED 24 BAR DIAMETERS.
 10. STEEL IN INTERIOR GRADE BEAMS SHALL BE SPLICED TO STEEL IN EXTERIOR GRADE BEAMS TO ASSURE CONTINUITY OF FOOTINGS THROUGHOUT STRUCTURE.
 11. ALL CONCRETE SLABS SHALL HAVE CONTROL JOINTS TO CONTROL CRACKING. THE MAXIMUM SPACING FOR CONTROL JOINTS SHALL BE 20 FEET IN EACH DIRECTION.
 12. SOIL SHALL BE CHEMICALLY TREATED FOR TERMITES.
 13. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AT THE SITE PRIOR TO BEGINNING CONSTRUCTION.
 14. MECHANICAL PLANS AND MODEL ENERGY CODE FORMS SHALL BE FURNISHED BY MECHANICAL CONTRACTOR.

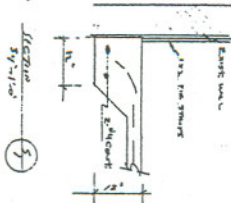
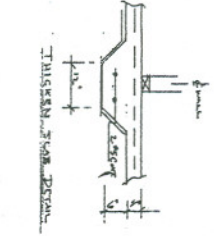
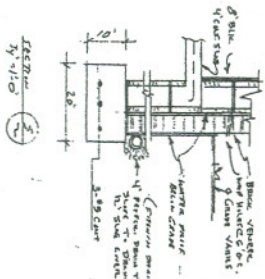
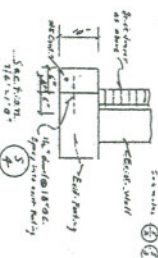
Exit Signage by separate
 All bolts and nails to be 1/4" dia. galv. using 3/8" Type 304 stainless steel to hold doors in place while to be 1/2" dia. round steel

EXISTING PLANS
 FOR REFERENCE ONLY

DEC ENGINEERING, INC.		CIVIL ENGINEERING	9 E. Bayshore, Fort Lauderdale
2013 Centerville Rd., Tallahassee, Florida 32308, Phone (904) 878-5611			
Project: CALLAHAN, SCHECTER & BARTH	DATE: 7-29	Checked by:	DATE:
Design by: <i>LD</i>			



FOUNDATION PLAN W/10'



EXISTING PLANS FOR REFERENCE ONLY

DEC ENGINEERING, INC.
 CIVIL ENGINEERING
 2813 Comstock Rd., Tallahassee, Florida 32308, Phone (904) 878-8855
 Project: Callahan, S.A.S. Civic & Bus. Park
 Designer: R.C.D. 1/26/68 Checked by: J.M.
 Sheet No. 5 of 8

