

SOUTHSIDE SADDLE CLUB

Issue: Vertical accessibility to all rows of seats in a bleacher system.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in an existing bleacher system. The waiver application was referred to the Commission because the club is currently constructing a new, \$68,000 building with a kitchen and toilet facilities. The bleachers were installed by the property's previous owner without having obtained a building permit; therefore, the authority having jurisdiction is requiring them to either be compliant or obtain a waiver. No estimates were submitted since the applicant states it is structurally impractical rather than a matter of cost for them to be made accessible.

Project Progress:

The project is under construction.

Items to be Waived:

Vertical accessibility to all rows of seats in a bleacher system, 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.

Southside Saddle Club
2980 Greenbrier Road
Jacksonville, FL 32259

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Karen Chappell-member of SSSC
6975 CR-16-A
St. Augustine, FL 32092

(904)425-3344 fax (904)425-3345

Applicant's E-mail Address:

kchappell@monarchhomesfl.com

Relationship to owner:

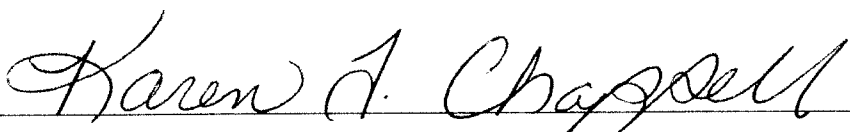
Club member-President 2003-2008

Owner's Address

**2980 Greenbrier Road
Jacksonville, FL 32259**

No phone at this time waiting on building to be finished

No e-mail or fax number

Signature of Owner: 

Contact Person: Karen T. Chappell

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.)

Add kitchen and bathrooms to existing building for a non-profit Saddle club

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$68,000

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 County is requesting this for us to obtain or Certificate of Occupancy to open the clubs new kitchen and bathrooms.

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

Issue

533.509

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.

These belchers were installed over 10 years ago they would not be structurally sound if we tried to
Modify them to today's requirements.

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

We would not be able to obtain our C.O. from the County which is required to be able to open our new facilities we would be shut down from having future shows

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.

Structurally Impractical

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.

Structurally Impractical

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.

Signature

Printed Name

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 20th day of February, 2009

Karen T. Chappell
Signature

Karen T. Chappell

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.