



3.3.21

Subject: Waiver #509-RO

To Whom it May Concern:

This letter is provided in connection with the above referenced Waiver application. In accordance with "[Licensed Design Professional Comments](#)", item #11, please accept the below comments regarding "grounds for waiver" as my (the architect's) comments.

*Note: This document supersedes my previously submitted "grounds for waiver" document dated 2.16.21.*

Grounds for Waiver

This application is based on the following conditions:

1. [ADA Title III Part 36](#): The project qualifies for an elevator exemption under ADA Title III, Part 36 NONDISCRIMINATION ON THE BASIS OF DISABILITY BY PUBLIC ACCOMMODATIONS AND IN COMMERCIAL FACILITIES. Section 36.404 Alterations: Elevator Exemption, par.(a) states....."This section does not require the installation of an elevator *in an altered facility that is less than three stories or has less than 3,000 square feet per story*, except with respect to any facility that houses a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot, or other station used for specified public transportation, or an airport passenger terminal." **This application's subject facility is BOTH less than three stories AND has less than 3,000 square feet per story, and none of subsequent stated exceptions apply to this subject facility.**
2. [Disproportionate Costs](#): The documents listed below are provided to illustrate that Florida Accessibility Code section [202.4.1 Disproportionate Cost](#) applies as grounds for waiver.

Supporting Document 1: Lift quote #1 from "Home Ability" indicating a lift product / installation cost of \$20,223. This quote is the lesser of 2 quotes obtained and is used in the calculations shown on the "Basis of Disproportionate Cost" document.

Supporting Document 2: Lift quote #2 from "101 Mobility" indicating a lift product / installation cost of \$30,396. This quote is not used in the calculations shown on the "Basis of Disproportionate Cost" document.

Supporting Document 3: "Basis of Disproportionate Cost". This document was prepared by the General Contractor (Poynter Contracting) and itemizes cost items to demonstrate that new work dedicated to accessibility will exceed 20% of the cost of construction should an elevator / lift be included.

Respectfully,

A handwritten signature in blue ink, appearing to read 'D. Hiatt', with a horizontal line extending to the right.

David W. Hiatt  
Architect



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Jacksonville, FL 32256  
904-999-4705  
[sales@homeabilitystore.com](mailto:sales@homeabilitystore.com)

## **Custom Estimate**

Poynter Contracting LLC.

Home Ability Store presents the following proposal for a Platform Lift to be installed inside:

1. Harmar VPL1200 (up to 149" height), with straight platform (straight on/ straight off), 12 month labor (service calls) and two-year manufacturer's warranty included.
2. Harmar top landing gate, bottom landing gate, key lock upgrade, Tower brace bracket, and top and bottom call/send stations.
3. Flat-bed delivery

Estimated: \$18,900 + \$1,323 (7% sales tax) = **\$20,223**

This estimate subject to final site survey and consultation with contractor for final price.

Thank you for the opportunity to serve you.

Florida AHCA License #1313961



Solwave, LLC.  
**DBA 101 Mobility**  
 4949 Sunbeam Road  
 Unit 1  
 Jacksonville, FL 32257  
 Phone: (904) 242-6883  
 Fax: (904) 647-6322

**Quote: Q210302002**

**QUOTE DATE**

3/2/2021

**ATTENTION**

Tim Poynter Bowling  
 , 32257

**TERMS**

Quote Valid for 30 Days

REF	DESCRIPTION	QUANTITY	PRICE	TOTAL
P1	V-1504 PE - VPL Enclosure System (Plexiglass Inserts) <b>Applications: Residential, commercial, indoors, outdoors</b> <b>Standard capacity: 750 lb (340 kg)</b> <b>Maximum travel distance: 23' (7 m), subject to local code; commercial use in the USA limited to 12' to 14' (3.65 to 4.26 m) depending on the year of code enforced</b> <b>Nominal speed: 20 ft/min (0.1 m/s)</b> <b>Drive/motor: 2:1 chain hydraulic, 3 hp (2.2 kW), gear-type motor</b> <b>Minimum pit: 3" (76.2 mm)</b> <b>Power supply: 120 VAC, 20 amp, single phase, 60 Hz</b>	1.00	\$28,960.00	\$28,960.00
S1	LBR - Labor	1.00	\$2,160.00	\$2,160.00
S2	DISC - Discount <b>Returning Customer Discount</b>	1.00	\$-2,896.00	\$-2,896.00
TX	Sales Tax <b>The sales tax of \$2,172.00 may be waived with a physician's prescription, tax exempt certificate or reseller certificate.</b>	1	\$2,172.00	\$2,172.00

**Quote Total**

**\$30,396.00**

*Independently owned and operated franchise business*

[www.101mobility.com](http://www.101mobility.com)



# POYNTER CONTRACTING

1913 Highland Drive, Fernandina Beach FL 32034

Basis for claim for Disproportionate Costs (FAC 202.4.1) in support of application for waiver of vertical accessibility.

Renovation Construction Budget for: Duckpin Bowling at 25 N. 3<sup>rd</sup> Street, Fernandina Beach, FL 32034

CONSTRUCTION ITEM PER APPLICABLE SPECIFICATION DIVISION	COST
General Requirements (portalets, dumpsters, etc.).....	\$15,000
Concrete.....	\$15,000
Metals (railings, mesh panels, etc.).....	\$21,000
Wood & Plastics (wall framing, rough carpentry, decks).....	\$55,900
Thermal & moisture protection.....	\$5,000
Openings (doors & windows).....	\$35,000
Finishes.....	\$27,500
Exterior Stucco.....	\$5,000
Plumbing.....	\$27,000
HVAC.....	\$20,000
Electrical.....	\$25,000

TOTAL CONSTRUCTION BUDGET:..... \$251,400

COST OF NEW ELEVATOR / LIFT..... \$20,223

*Note: see attached quotes from 2 separate vendors.  
The least expensive option is listed in this cost recap.*

**COST OF OTHER ITEMS CONTRIBUTING TO PROJECT ACCESSIBILITY IMPROVEMENTS**

1. Cost of 2 (*interior*) restrooms, including:
  - a. Hard construction items..... \$12,000  
(wall framing, plumbing, exhaust, electrical, finishes)
  - b. Restroom fixtures & accessories..... \$3,000  
(sink, toilet, grab bars, etc.)
2. Cost of 2 (*exterior*) restrooms, including:
  - a. Hard construction items..... \$35,000  
(wall framing, plumbing, exhaust, electrical, finishes, concrete slab, roof)
  - b. Restroom fixtures & accessories..... \$3,000  
(sink, toilet, grab bars, etc.)
3. Collateral costs associated with interior lift installation:
  - a. Replacing existing slab with new as required for loads of the new lift..... \$3,000
  - b. New opening in second floor structure to accommodate new lift..... \$3,000
  - c. Electrical supply for new lift..... \$2,000
  - d. Architecture & Engineering for all the above..... \$4,500

COST OF OTHER ACCESSIBILITY CONTRIBUTIONS: ..... \$65,500

**FINAL COST ANALYSIS**

\$20,223 (new elevator / lift) + \$65,500 (other accessibility contributions)..... \$85,723 (accessibility upgrades)

\$85,723 (accessibility upgrades) / \$251,400 (construction budget)..... 34%

34% > 20%, so “Disproportionate Costs” apply. Applicant requests wavier of vertical accessibility (elevator or lift) on this basis.