

ORANGE COUNTY ORLANDO MAGIC RECREATION CENTER, MILDRED DIXON SITE

Identical to Orange County Orlando Magic South Econ Site

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

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a retractable bleacher system located in a new, \$5,000,000 facility. The project will contain 24,400 square feet and consists of a one story combination gymnasium, activity room, weight room, cardio room and game room building. The plans indicate that the 213 seat bleacher system will provide 6 wheelchair seating locations with companion seats at the lower level of the bleachers.

Project Progress:

The project is under design.

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.

Name: ORANGE COUNTY ORLANDO MAGIC RECREATION CENTER-
MILDRED DIXON SITE.

Address: MILDRED DIXON COMMUNITY PARK
303 SW CROWN POINT RD
WINTER GARDEN, FL 34787

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: SCHENKELSHULTZ ARCHITECTS

Applicant's Address: 1591 HAYLEY LANE #201
FT. MYERS, FL 33907

Applicant's Telephone: 239-481-0200 **FAX:** 239-481-3303

Applicant's E-mail Address: rreitz@schenkelshultz.com

Relationship to Owner: ARCHITECT

Owner's Name: ORANGE COUNTY CAPITAL PROJECTS DIVISION
REP: SARA FLYNN-KRAMER

Owner's Address: 400 EAST SOUTH STREET
ORLANDO, FL 32801

Owner's Telephone: 407-836-0048 **FAX:** 407-836-0051

Owner's E-mail Address: sara.flynn-kramer@ocfl.net

Signature of Owner: _____

Contact Person: RONALD E. REITZ, AIA – *SCHENKEL & SHULTZ, INC.*

Contact Person's Telephone: 239-218-6894 **E-mail Address:** rreitz@schenkelshultz.com

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. This issue is being referred to the Florida Building Commission because the plans do not show accessibility to all levels of the seating and bleachers as required by Florida specific requirements of the Florida Building Code (FBC) Section 11-4.1.3(5)

b. To the best of my knowledge, all information stipulated herein is true and correct.

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 This is new construction

Comments/Recommendation I recommend that the Florida Building Commission approve the request.

Jurisdiction Orange County Division of Building Safety

Building Official or Designee

Signature

Cindy Nielsen

Printed Name

Certification Number

TELE: (407) 836-5550 FAX: (407) 836-5510
Telephone/FAX

Address: Orange County Administration Center
201 S. Rosalind Avenue, 1st Floor
P. O. Box 2687
Orlando, FL 32802-2687

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 February day of 18th, 2009

Signature

Ronald E. Reitz

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.

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.)

THE FACILITY IS A NEW 24,400 SQUARE FOOT RECREATION CENTER CONSISTING OF A ONE STORY COMBINATION GYMNASIUM, ACTIVITY ROOM, WEIGHT ROOM, CARDIO ROOM AND GAME ROOM BUILDING. THE GYMNASIUM CONTAINS RETRACTABLE BLEACHER SEATING WITH ACCESSIBLE SPACES AND COMPANION SEATS LOCATED AT THE FIRST ROW.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): PROJECT CONSTRUCTION COST IS \$5,000,000.00

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.

ORANGE COUNTY DIVISION OF PUBLIC SAFETY REQUIRES A WAIVER RELIEVING THE REQUIREMENTS OF FLORIDA STATUTES SECTION 553.509 PRIOR TO CERTIFICATE OF OCCUPANCY. THE PLANS REVIEWERS HAVE NOTED THAT GYMNASIUM BLEACHER FACILITIES DO NOT COMPLY WITH THE INTENT OF THE GUIDELINES REQUIRING ACCESSIBILITY TO ALL LEVELS ABOVE THE OCCUPIABLE GRADE LEVEL BY INTERPRETATION OF THE CODE. WE AND OUR DESIGN STAFF SUBMIT THIS REQUEST FOR RELIEF AS OUR DESIGNS PROVIDE ACCESSIBLE SEATING AS NOTED IN ITEM #4, ABOVE.

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

Issue

1: FLORIDA STATUTE 553.509, VERTICAL ACCESSIBILITY

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.

THE WAIVER IS NECESSARY IN ORDER TO PROVIDE FACILITIES FOR PUBLIC USE WITHIN THE BOUNDS OF THE BUDGET. PROVIDING ACCESSIBILITY TO ALL LEVELS OF COLLAPSIBLE SEATING IN THE GYMNASIUM IS NOT FEASIBLE AND WOULD INCUR UNECESSARY COSTS TO THE OWNER. OUR DESIGN STAFF FEELS THAT THE PROPOSED DESIGNS INCLUDE ADEQUATE ACCESSIBLE SEATING ARRANGEMENTS.

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

NOT APPLICABLE

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.

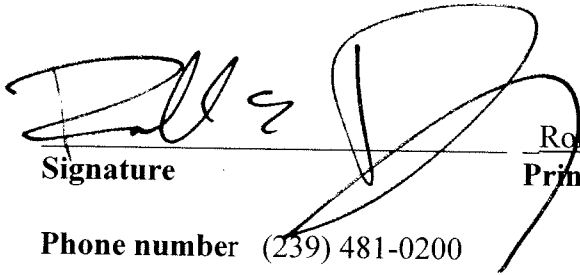
NOT APPLICABLE

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. ALL ACCESSIBILITY FEATURES DESCRIBED ABOVE ARE ALREADY INCLUDED IN THE PROJECT'S GUARANTEED MAXIMUM PRICE AND NOT SEPARATE LINE ITEMS.

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.

GYMNASIUM ACCESSIBLE SPACES ARE LOCATED FOR OPTIMAL SIGHTLINES WITHIN THE FIRST TWO ROWS OF THE COLLAPSIBLE BLEACHER SECTIONS.



Signature

Ronald E. Reitz
Printed Name

Phone number (239) 481-0200

(SEAL)

April 22, 2010

Ms. Mary-Kathryn Smith
Department of Community Affairs
Florida Building Commission
255 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Request for Waiver FBC 2004 Edition
Chapter 11 Florida Accessibility Code for Building Construction
Florida Statutes Section 553-509 Vertical Accessibility
For: The Winter Park Community Center

Dear Ms. Smith:

Transmitted herewith is our Request for Waiver of the requirements for vertical accessibility to every level above and below the occupiable grade level for gymnasium bleacher seating at The City of Winter Park Community Center.

Included are two 30 inch by 42 inch drawings; two 11 inch by 17 inch copies of the large scale drawings; a signed and sealed hard copy of the Waiver request and a CD of the above-listed documents in PDF format.

We believe this fulfills the requirements and look forward to a positive determination after the Florida Building Commission reviews and considers the intent of the design.

Sincerely,

SCHENKELSHULTZ

A handwritten signature in black ink, appearing to read 'R. Reitz', is written over a large, stylized, circular scribble or stamp.

Ronald E. Reitz, AIA
Associate Principal

cc: File

Form No.: 2001-02, Page 1 of 2

Certification of Licensed Design Professional for Replicated Designs to be Placed on Consent Agenda

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, Ronald E. Reitz, a licensed architect/engineer in the state of Florida, whose Florida license number is AR92144, hereby state as follows:

1. I am the architect/engineer of record for the project known as The Orange County Orlando Magic Recreation Center- Mildred Dixon Site, for which the Owner seeks a waiver of one or more accessibility requirements in an application to which this Certification is attached.

2. I hereby certify that to the best of my knowledge and belief to the Florida Building Commission that the design documents for The Orange County Orlando Magic Recreation Center- Mildred Dixon Site are the same as the design documents previously submitted to the Commission and referenced in paragraph 3 below.

3. The licensed design professional of record Ronald E. Reitz, prepared the design documents for the project known as The Orange County Orlando Magic Recreation Center- South Econ Site, for which the majority of the Accessibility Advisory Council recommended approval and the Commission granted a waiver of one or more accessibility requirements in Final Order No. DCA09-HC-099.

Printed Name: Ronald E. Reitz, Affix certification seal below:

Address: 1591 Hayley Lane
#201
Fort Myers, FL 33907

Telephone: 239-481-0200

Fax: 239-481-3303

E-Mail Address: reitz@schenkelshultz.com

Certification of Applicant for Replicated Designs to be placed on Consent Agenda

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, Ronald E Reitz, am applying for placement on the Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code. I am the licensee of this Project (name of project)

The Orange County Orlando Magic Recreation Center- Mildred Dixon Site

303 SW Crown Point Rd

Orange County, FL 34787.

am under the same licensor (name of licensor) Ronald E Reitz,

who was the licensor of the project known as The Orange County Orlando Magic Recreation Center- Mildred Dixon Site, for which the majority of the Accessibility Advisory Council recommended approval, and the Florida Building Commission granted a waiver of one or more accessibility requirements in Final Order No. DCA09-HC-099.

I hereby swear or affirm that the above information to the best of my knowledge is true and correct.

Dated this April day of 22th, 2010

Signature

Ronald E Reitz

Printed Name

Providing false information to the Florida Building Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

COPY OF THE APPROVED PROTOTYPE

STATE OF FLORIDA
BUILDING COMMISSION

In the Matter of
ORANGE COUNTY ORLANDO MAGIC
RECREATION CENTER - SOUTH ECON
SITE BLEACHER:

RECEIVED

APR 20 2009

SchenkelShultz
Fort Myers, FL

ORANGE COUNTY CAPITAL PROJECTS
DIVISION,
Petitioner.

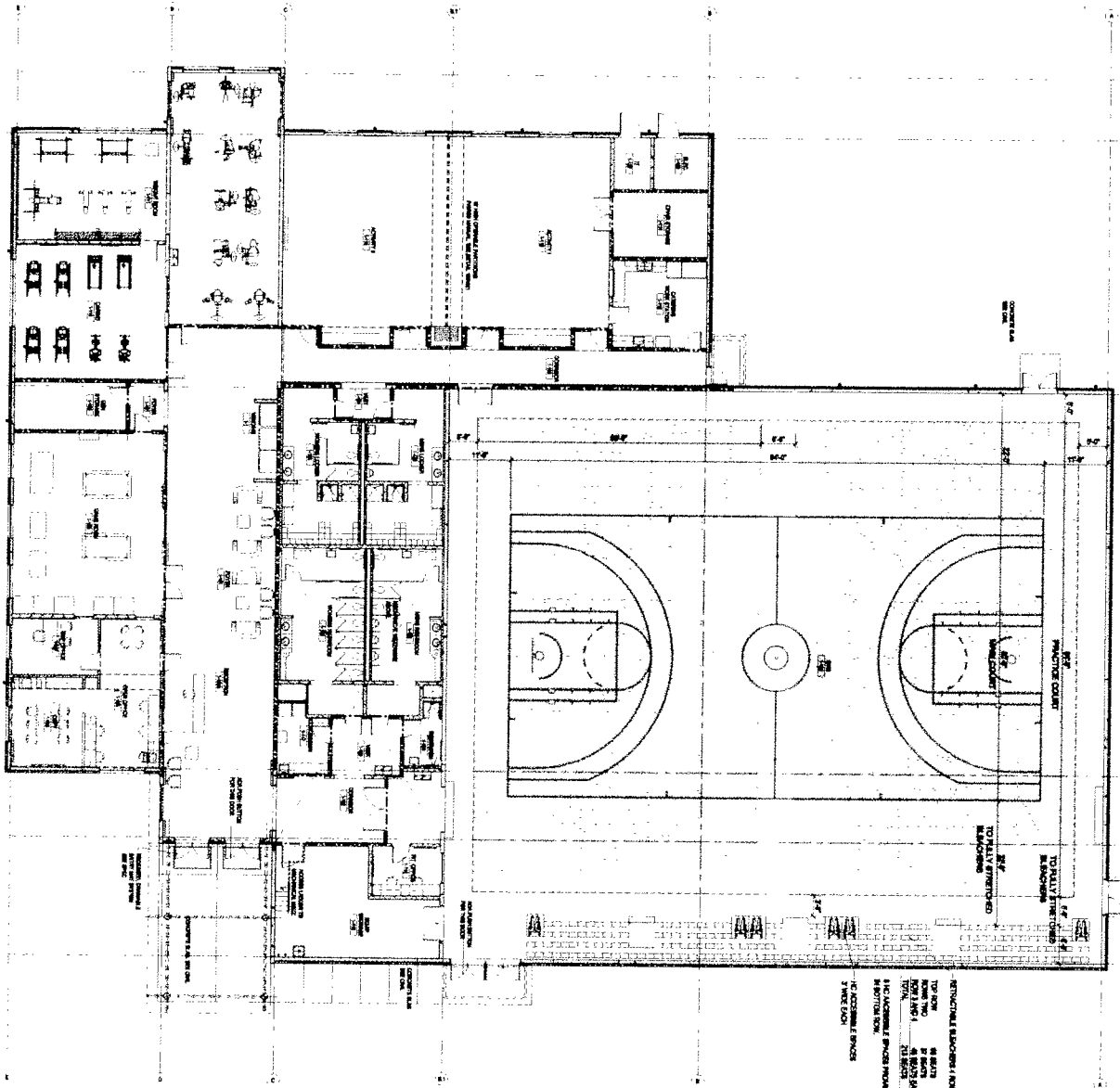
No. DCA09-HC-099

FINAL ORDER

The Application for Waiver by Petitioner, the ORANGE COUNTY CAPITAL PROJECTS DIVISION, came for consideration before the State of Florida Building Commission (Commission) in accordance with Section 553.512(1), Florida Statutes, and Chapter 9B-7, Florida Administrative Code,¹ at the meeting of the Commission on April 7, 2009, upon a recommendation by the Accessibility Advisory Council (Council). At that meeting, the Commission made the following findings of fact:

1. The Owner is the ORANGE COUNTY CAPITAL PROJECTS DIVISION, 400 East South Street, Orlando, Florida 32801 (Petitioner).
2. The Applicant is Schenkelshultz Architects, 1591 Hayley Lane #201, Fort Myers, Florida 33907 (Applicant).
3. Ronald E. Reitz, Jr., AIA, of Schenkelshultz Architects, 1591 Hayley Lane #201, Fort Myers, Florida 33907, appeared before the Council on Petitioner's behalf on April 6, 2009.

¹ Unless otherwise indicated, all citations to Florida statutes refer to the 2008 codification of *Florida Statutes*, and all citations to Florida administrative rules refer to the latest version of the final adopted rule presented in *Florida Administrative Code*



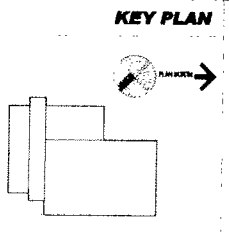
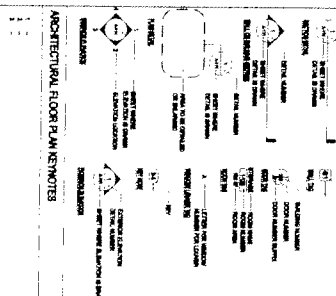
REVISIONS

NO.	DATE	DESCRIPTION
1	08/14/13	ISSUED FOR PERMIT
2	08/14/13	ISSUED FOR CONSTRUCTION
3	08/14/13	ISSUED FOR RECORD

- ARCHITECTURAL FLOOR PLAN GENERAL NOTES
1. REFER TO ALL NOTES ON ALL SHEETS OF THIS SET.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES.
 3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT PRIOR TO CONSTRUCTION.
 4. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
 5. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

ARCHITECTURAL FLOOR PLAN LEGEND

SYMBOL	DESCRIPTION
(Symbol)	1" = 1/4" SCALE
(Symbol)	2" = 1/4" SCALE
(Symbol)	3" = 1/4" SCALE
(Symbol)	4" = 1/4" SCALE
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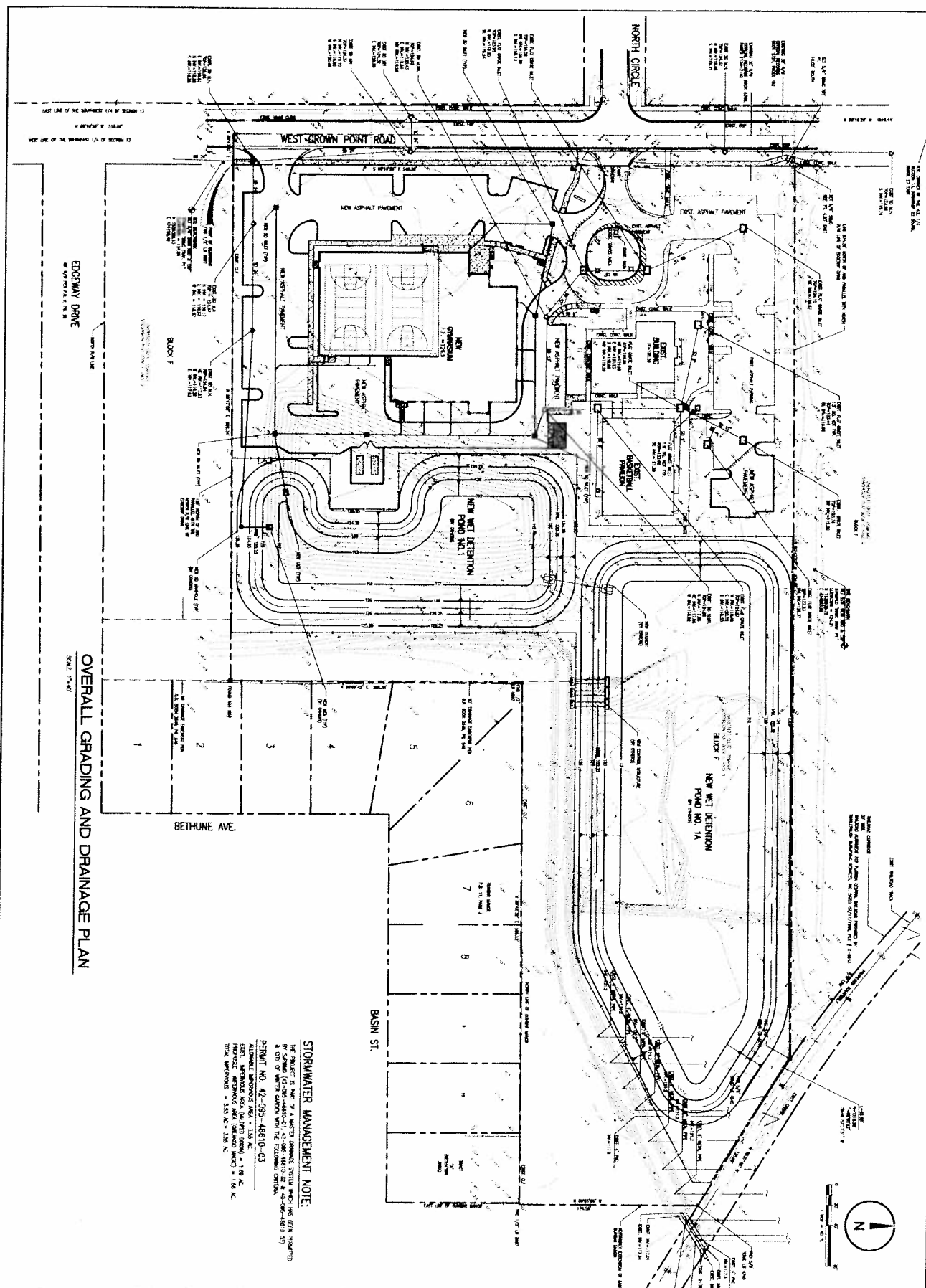


SCHEINKEL SHULTZ
 500 N. GARDNER STREET
 SUITE 100
 ORLANDO, FL 32801
 PHONE: 407.241.1111
 FAX: 407.241.1112
 WWW: SCHEINKELSHULTZ.COM

Orange County
 Orlando Magic
 Recreation
 Center

FLOOR PLAN
 WAIVER

100%
 Construction Documents



OVERALL GRADING AND DRAINAGE PLAN
SCALE: 1/4" = 1'-0"

STORMWATER MANAGEMENT NOTE:
THE PROJECT IS PART OF A WATERSHED MANAGEMENT SYSTEM WHICH HAS BEEN PERMITTED & PART OF WHICH IS BEING CONSTRUCTED BY THE CITY OF WINTER GARDEN, FLORIDA. PERMIT NO. 42-095-48310-03
DESIGN WATERSHED AREA (MILDRED CENTER) = 1.89 AC.
DESIGN WATERSHED AREA (DETENTION BASIN) = 1.86 AC.
TOTAL WATERSHEDS = 3.75 AC. (1.89 AC. + 1.86 AC.)

OVERALL GRADING AND DRAINAGE PLAN
OC- ORLANDO MAGIC GYMNASIUM
MILDRED DIXON COMMUNITY CENTER
WINTER GARDEN, FLORIDA

URBAN DESIGN PLANNING ENGINEERING
SK Consortium, Inc.
1053 N. ORLANDO AVE. • SUITE 3 • HAITLAND • FLORIDA 32751
TELEPHONE: 407-829-4288 • FACSIMILE: 407-829-1866 • EMB 7080

PROJECT NO.	0824
DATE	08/24
SCALE	1/4" = 1'-0"
DRAWN BY	SKCONSORTIUM
CHECKED BY	SKCONSORTIUM
APPROVED BY	SKCONSORTIUM
DATE	08/24
PROJECT NO.	C200