

Grounds for Waiver

1536 Jefferson Avenue is one of 4 historic buildings/sites that have been unified and operate as a single site and a single hotel. This was done in or about 2010 by the prior owner of 1536 Jefferson. Each of the buildings is very small and the total number of units is 31.

Because of the difficulties in providing accessible rooms in some of the historic buildings, the total room count was used in the manner set forth in Section 224.6.1 of the 2012 Florida Accessibility Code (“2012-FAC”). (It should be noted that while Section 224.6.1 of the 2012-FAC is being cited, the provisions of Section 224.6.1 of 2012-FAC are taken from 28 CFR 36.406(c)(1)(ii) of the Title III regulations which took effect on September 15, 2010.)

Section 553.514 of the Florida Statutes provided that a permit applicant did not have to wait until the implementation date of the 2012-FAC to choose to comply with it, essentially being the state law analogy to the Title III regulations allowing compliance with the 2010 ADA Standards after they were published but before the effective date of March 15, 2010.

1536 Jefferson Avenue recently embarked on a project to perform minor alterations to get “refreshed.” The building department determined that the project requires a waiver of accessibility requirements.

As confirmed elsewhere in this application, 1536 Jefferson Avenue is a qualified historic building. Due to the building’s historic configuration, it is not possible to provide vertical accessibility in the interior of the buildings. As the drawings demonstrate, the implementation of a stair-lift would impermissibly encroach the required means of egress. Therefore, it is technically infeasible to provide vertical accessibility within the interior of the buildings. In order to provide vertical accessibility, the only other option, it would require constructing an elevator tower in front of, and attached to the historic façade of the buildings, thereby threatening or destroying the historic character of the buildings. Since the required accessible rooms are already provided in one of the other buildings in the unified operation, the development complies with Section 224.6.1 of the 2012-FAC. For these reasons, the owner of 1536 Jefferson Avenue respectfully request the Commission grant it a waiver.