

FIU COLLEGE OF NURSING

Issue: Vertical accessibility to all rows of seats in two multi-tiered classrooms.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a new, \$34,105,249 nursing and health sciences lab clinic. The auditorium consists of a 298 seat facility which will provide wheelchair seating locations in six places with adjacent companion seats at the front, middle and rear of the auditorium. Seating in the front is located on the ends of the first row. The 90-seat classroom will have fixed tables and five wheelchair accessible locations at the front and rear are planned, all located at the ends of the tables. Chairs will be movable and can be immediately adjacent to the wheelchairs. The overall project will consist of two five story buildings, one of which will be for teaching purposes and the other administrative. The cost to construct only the auditorium and the classroom were not provided, nor were estimates to install a means of vertical accessibility.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to all rows of seats, 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: College of Nursing and Health Sciences Lab Clinic (BT-833)

Address: Florida International University
University Park, Miami, FL 33199

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: Hellmuth, Obata & Kassabaum, Inc.

Applicant's Address: 4040 NE 2nd Ave, Suite 301, Miami, FL 33137

Applicant's Telephone: 305-573-5101 **FAX:** 305-573-5104

Applicant's E-mail Address: tim.blair@hok.com

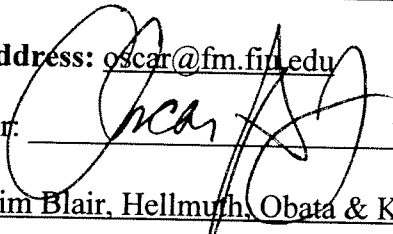
Relationship to Owner: Architect

Owner's Name: Florida International University

Owner's Address: University Park, Miami, FL 33199

Owner's Telephone: 305 348 4055 **FAX** 305-348-4010

Owner's E-mail Address: oscar@fm.fiu.edu

Signature of Owner: _____


Contact Person: Tim Blair, Hellmuth, Obata & Kassabaum, Inc.

Contact Person's Telephone: 305-573-5101 ext. 5660

E-mail Address: tim.blair@hok.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.)

The new building for the College of Nursing & Health Sciences will reside on Florida International University, University Park Campus. The facility will consist of two 5 story buildings connected from the third to the fifth floor, totaling 114,929 gross square feet. The two buildings will have separate functions. One will serve as the Classroom and Laboratory building, while the other will serve Administrative purposes. The Classroom building will contain an Auditorium with fixed seating, a tiered Classroom with fixed tables, flat Classrooms, Computer Labs, Hospital Simulation Labs, and Wet Research Labs. The Administrative building will house Faculty offices and office support spaces.

Because this is a building for public use, all entries, floors, corridors and spaces will permit wheelchair access. All restrooms will be sized and detailed to accommodate a physically challenged person. Universal design principles will be incorporated into all Break Rooms, Classrooms and Lab spaces to maximize access to all persons. The entry level is at grade, and access to the upper levels will be provided by elevators. The following two spaces have multiple levels within the space itself of which all seating rows may not be accessible: the 3,700 sq ft Auditorium on level 1 and the 2,200 sq ft Tiered Classroom on level 2.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$34,105,249

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.

We are requesting a waiver for Vertical Accessibility to multiple stepped levels within two rooms, which are a 298-seat Auditorium with fixed seating and 90-seat Tiered Classroom with

fixed tables. Both rooms provide designated seats for people with disabilities, and for their companions, with a choice of locations and sightlines, meeting Florida Accessibility Code section 11-4.33.3, Placement of wheelchair locations in Assembly areas. Providing access and wheelchair seating to the intermediate stepped levels within these two rooms through an accessible ramp or lifts would greatly reduce the floor area available for seating, and would compromise sightlines between the audience participants and the presentation at the front of the room.

We are bringing this issue to the Commission at this time because only the Commission can waive this Florida-specific requirement. We cannot find an efficient mode of compliance.

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 Building Code Section 11-4.1.3 Paragraph 5 Vertical Accessibility

Issue

2: _____

Issue

3: _____

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.

Level 1 Auditorium

The Auditorium contains 292 fixed seats in a radial arrangement. The seats are concentrically focused on a projection screen on the front wall and a demonstration/speaking area at grade level. The lower 5 rows of seats are accessed by a ramp of 1:12 slope, and the 5 upper rows of seats are stepped tiers. The 10" stepped tiers (provided by two 5" steps) in the 5 upper rows of seats allow those participants to more clearly view the demonstration floor at the front at a downward angle.

in addition to the projection screen on the front wall. There are 6 wheelchair spaces, each with adjacent companion seats, indicated in 3 different locations: two seats in the first row, two in the last row, and two in the middle row at the top of the ramped portion of the floor. The combination of sloped and stepped floor levels maximizes audience sightlines, and still allows a reasonable choice of seating to all participants, meeting Florida Building Code section 11-4.33.3, Placement of wheelchair locations in Assembly areas.

Level 2 Tiered Classroom

The tiered Classroom contains 5 rows of movable seats at fixed tables. The tiered classroom design responds to the student's ability to interact with the Professor and the presentation technology at the front of the room. The 6" stepped tiers allow easy visibility in both directions, from the presenter to the students and from the students to the presenter. Wheelchair seating can be accommodated in two of the five rows, in the top row and in the front row. Due to the use of non-attached "loose" seats and compliant fixed tables, the location of wheelchair and companion seating is flexible within these two rows, and can accommodate more than the required five percent. Using a sloped floor within the classroom (one large ramp at a slope of 1:12) to provide seating at varying heights does not provide enough height difference between rows and will significantly compromise student-presenter sightlines.

We believe that, overall, the intent of FBC 11-4.1.3 (5), providing vertical accessibility to all levels within the new building, is met, with the exception of some rows of seating in these two rooms due to the special requirements of the teaching environment. Providing the tiered Classroom seating and the upper tiered portion of the Auditorium seating with a sloped floor configuration would not provide adequate sightlines for an effective demonstration and teaching environment; providing an accessible ramp or lift to these stepped rows would result in either a loss of seating capacity or a loss of sightlines, or both.

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

[] 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.

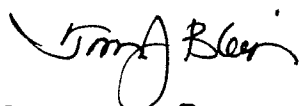
9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing

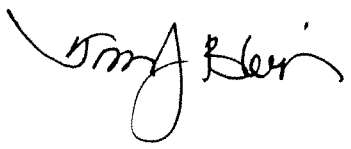
vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

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.

We believe that we have strived to provide equal access to all visitors, staff and students at this facility and meet with the requirements and intent of the Florida Accessibility Code. We are requesting a waiver for Florida specific requirement 11-4.1.3 Paragraph 5 Vertical Accessibility, which stipulates that "Vertical accessibility shall be provided to all levels above and below the occupiable grade level, regardless of whether the code requires an elevator to be installed in such building, structure or facility...". We are providing accessibility to all building entries, all levels, and all public and staff occupiable spaces. We are requesting a waiver for Vertical Accessibility to multiple stepped levels within two rooms, which are a 298-seat Auditorium with fixed seating and 90-seat Tiered Classroom with fixed tables. Both rooms provide designated seats for people with disabilities, and for their companions, with a choice of locations and sightlines, meeting and exceeding Florida Accessibility Code section 11-4.33.3, Placement of wheelchair locations in Assembly areas.

Providing access and wheelchair seating to the intermediate stepped levels within these two rooms through an accessible ramp or lifts would greatly reduce the floor area available for seating, and would compromise sightlines between the audience participants and the presentation at the front of the room. We cannot find an efficient mode of compliance that would not cause prohibitive cost and space requirements.

Signature  Printed Name Timothy J. Blair
Phone number 305.573.5101 # AP 0016697
(SEAL) (X 5660)



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 14 day of August, 2008

Tim J. Blair
Signature

Tim J. Blair
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.

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 for waiver consideration of vertical accessibility to all levels above and below the occupiable grade level (FBC Sec. 11-4.1.3) for the theater type seating for the Level 1 Auditorium and the Level 2 Tiered Classrooms indicated in the submitted plans.

b. _____

c. _____

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 It is recommended that a waiver be granted. Seating configuration is specific to the teaching method. Due to the required seating accommodation it would be impractical to provide accessibility at all tiered seating levels. Classroom and Auditorium provide accessible seating locations at different lines of sight.

Jurisdiction: Florida International University.

Building Official or Designee

Signature

Francisco J. Quintana

Printed Name

PX-0000448

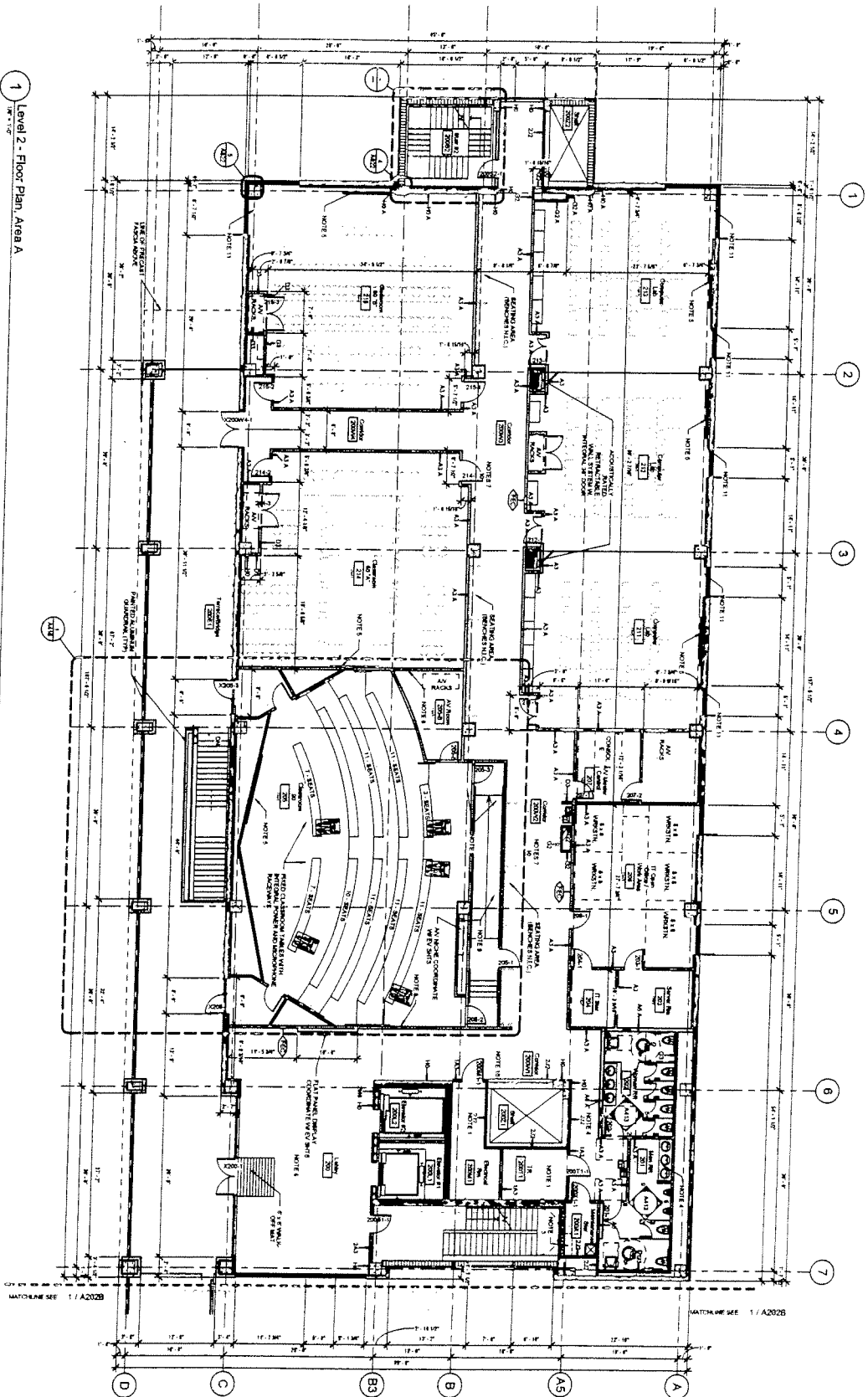
Certification Number

305-348-4085 / 305-348-7199

Telephone/FAX

Address: Florida International University, CSC-113 University Park, Miami FL 33199.

1 Level 2 - Floor Plan, Area A



- NOTES:
1. Provide 3/4" x 1/4" x 1/4" Tiles on all walls. Select in accordance with wall schedule showing texture of stone wall.
 2. Provide 1/2" x 1/4" x 1/4" Tiles on all walls. Select in accordance with wall schedule showing texture of stone wall.
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FLU
FLORIDA INTERNATIONAL UNIVERSITY
1900 COLLEGE AVENUE
MIAMI, FLORIDA 33199

College of Nursing & Health Sciences Lab Clinic
(31-833)
Florida International University, Miami, FL

Contract No. 07-28010-00

APPLIED ENGINEERS, INC.
1401 SW 15TH AVENUE
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MIAMI, FL 33135
TEL: 305-375-1100
WWW.AEINC.COM

BLISS & SYTRAK, INC.
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MIAMI, FL 33135
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EAC CONSULTING, INC.
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WAVEFORM CONSULTING, INC.
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TEL: 305-375-1100
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A202A

FLOOR PLAN - LEVEL 2, AREA A

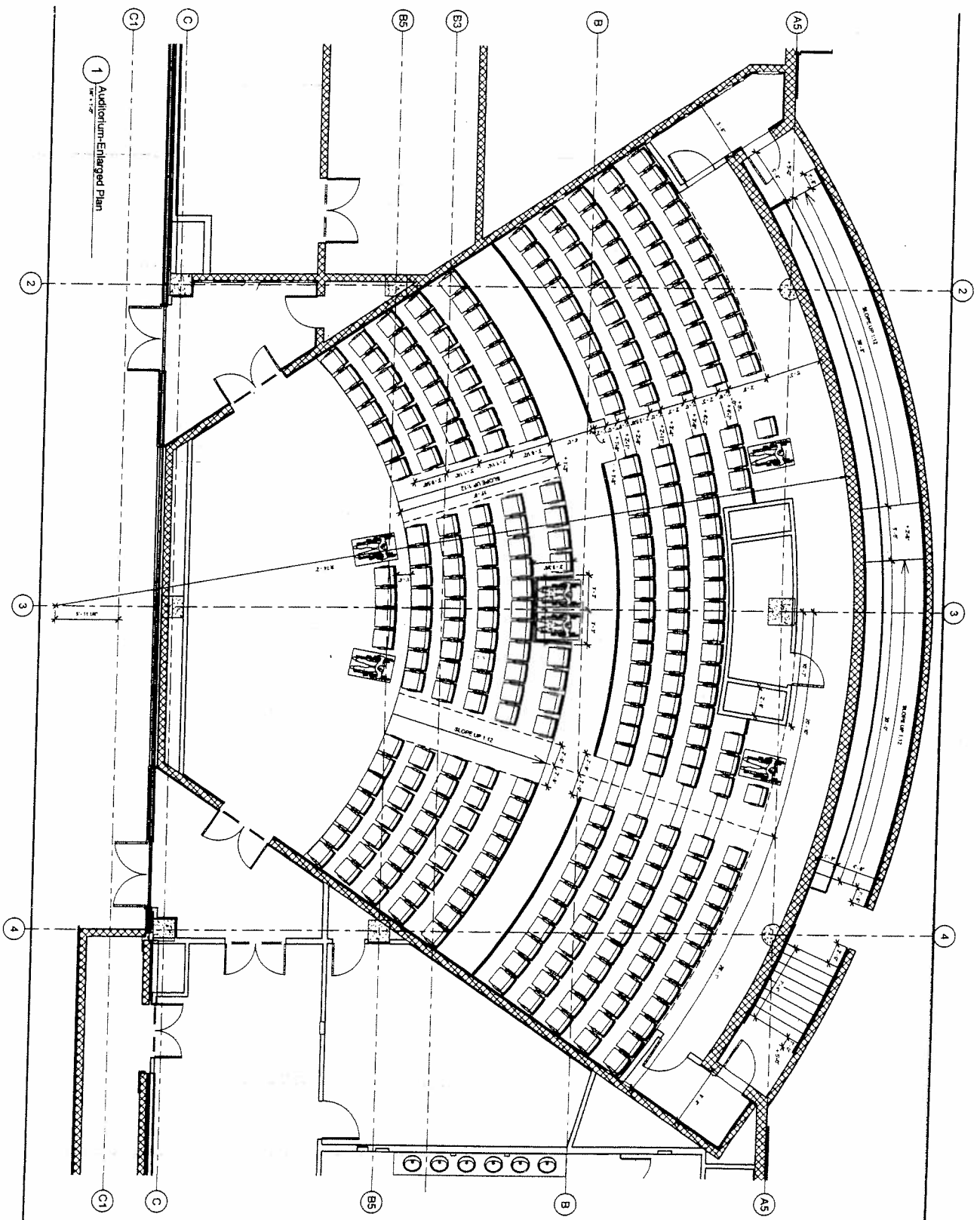
Project No. 04/07/08
Drawing No. 07-28010-00

DATE: 06/18/08

BY: [Signature]

CHECKED: [Signature]

SCALE: AS SHOWN



1 Auditorium-Enlarged Plan



FLORIDA INTERNATIONAL UNIVERSITY
 College of Nursing & Health
 Sciences Lab Clinic
 (817-833)
 Florida International
 University, Miami, FL

Contract No. 07-29010-00
 07/29/07



APPELLANT ENGINEERS, INC.
 4057 NW 36th Avenue
 Suite 100
 Fort Lauderdale, FL 33309
 Phone: 954-577-1111
 Fax: 954-577-1112

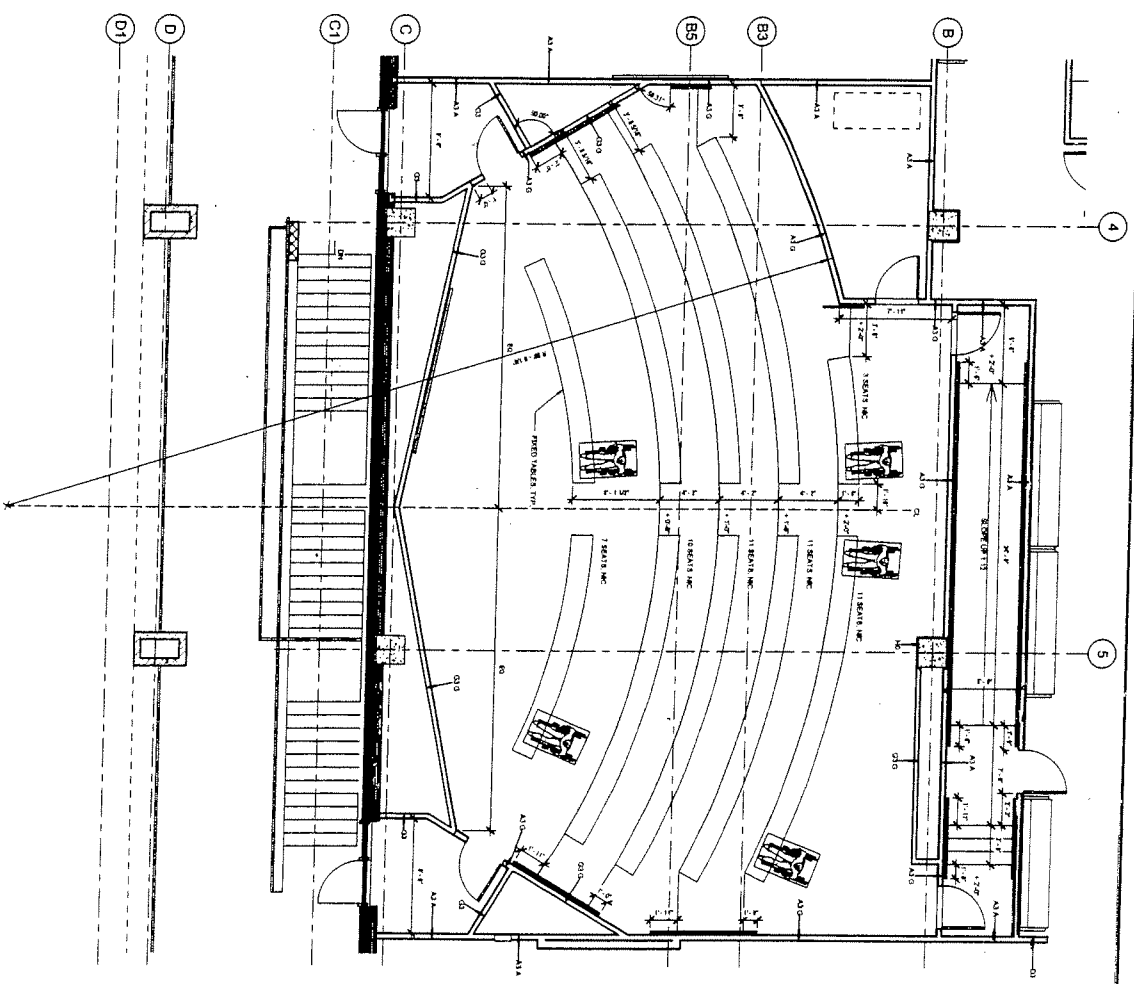
BLISS & VITRYV, INC.
 200 W. PALM BLVD., STE 300
 WEST PALM BEACH, FL 33411
 COMM. CONSULTING, INC.
 1111 NW 57th Ave, Ste 402
 Ft. Lauderdale, FL 33309

MANAYATIDE CONSULTING, INC.
 1111 NW 57th Ave, Ste 402
 Ft. Lauderdale, FL 33309



ENLARGED PLAN -
 AUDITORIUM
A415

1 Enlarged Plan - Classroom 90



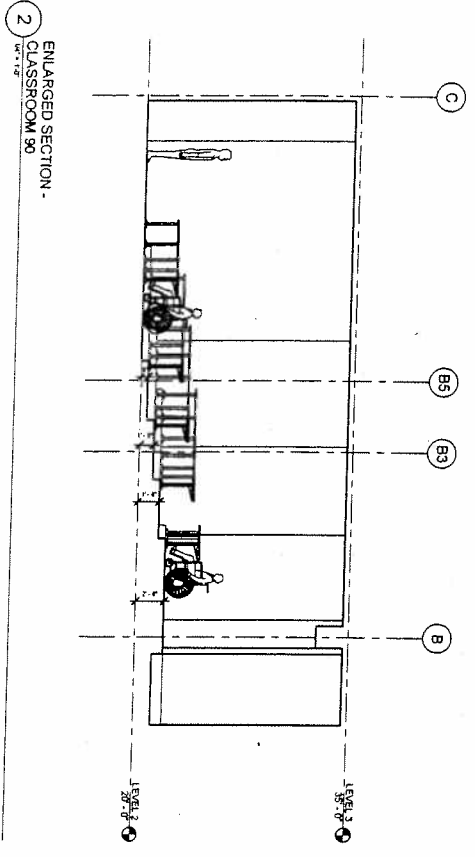
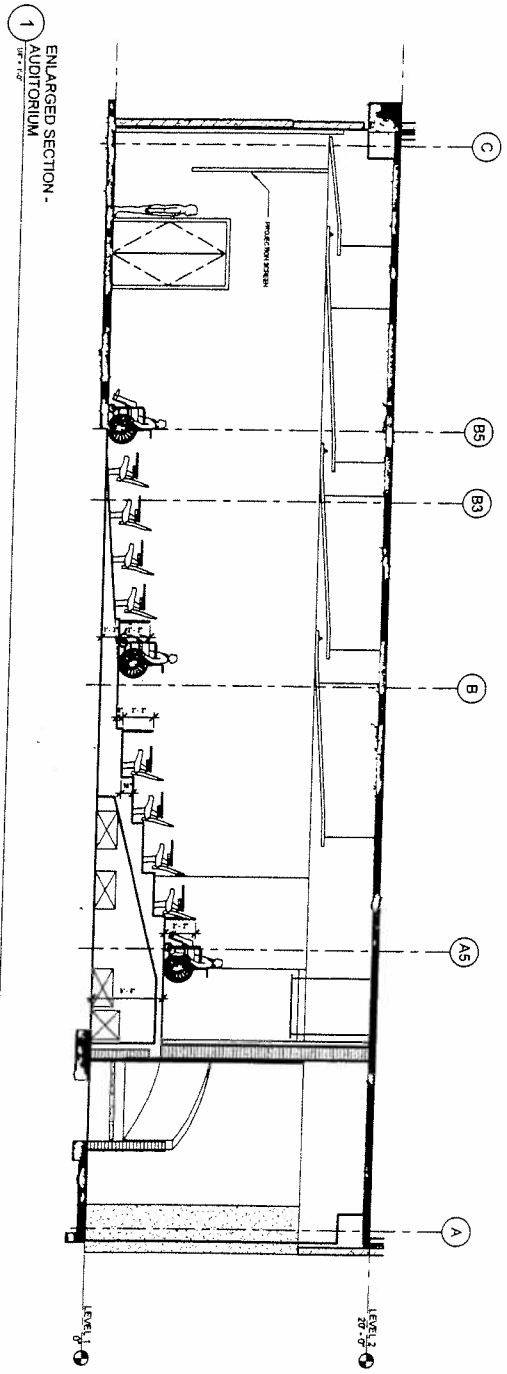
FIU
FLORIDA INTERNATIONAL UNIVERSITY
FLORIDA INTERNATIONAL UNIVERSITY
College of Nursing & Health Sciences Lab Clinic (BT-835)
Florida International University, Miami, FL
Contract No. 07-2001000

APPLICATED ENGINEER, INC.
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2000 COLLETS BLVD, STE 200
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WWW.BRINKANDSTRATTON.COM

WATERLOO CONSULTING, INC.
505 S. WINDYME RD, STE 8
ATLANTA, GA 30328
TEL: 404-525-1111
WWW.WATERLOOCONSULTING.COM

ENLARGED PLAN - CLASSROOM 90
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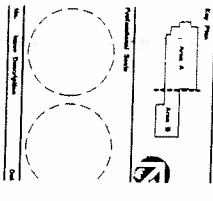
College of Nursing &
Health Sciences Lab Clinic
(81-853)
Florida International
University, Miami, FL

Contract No. 0728010.00
DATE: 07/28/10

APPLICATED ENGINEERS, INC.
1001 N.W. 107th Avenue, Suite 100
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www.ae.com

BLISS & VITRUVI, INC.
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Fax: (305) 375-1112

WAVEFORM CONSULTING, INC.
1500 N.W. 107th Avenue, Suite 100
Miami, FL 33177
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Fax: (305) 224-8801



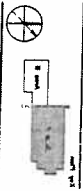
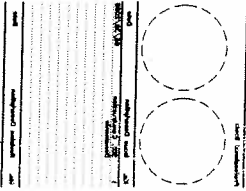
ENLARGED BUILDING
SECTIONS

A710

АПОСА

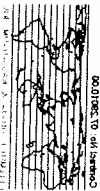
ПЕЧАТЪТ НА БУЛИ -
 А ПОСЛА

Информация за проекта:
 Проектант: АПОСА
 Обект: ПЕЧАТЪТ НА БУЛИ - А ПОСЛА
 Адрес: БУЛИСА, БУЛИСА



Информация за проекта:
 Проектант: АПОСА
 Обект: ПЕЧАТЪТ НА БУЛИСА
 Адрес: БУЛИСА, БУЛИСА

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 Проектант: АПОСА
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 Адрес: БУЛИСА, БУЛИСА

ПЕЧАТЪТ НА БУЛИСА -
 А ПОСЛА

