

MAX LEVEL'S ROCK AND ROLL ACADEMY

Issue: Vertical accessibility to the second floor.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to the second floor of an office/warehouse to be used for music lessons, practice sessions and performances. The space is 3,708 square feet and the project will cost \$35,372 to complete. Practice rooms will be located on both floors with all performances on the accessible first level. According to the applicant, the facility is intended for after school and weekend enrichment programs to encourage young people to learn to play instruments and perform. Bids of \$10,954-27,500 for different types of lifts were submitted

Project Progress:

The project is under construction.

Items to be Waived:

Vertical accessibility to the second floor, 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: Max Level's Rock & Roll Academy LLC

Address: 5570 Florida Mining Blvd, . Suite 106
Jacksonville, FL 32257

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: Walter W. Oakden, Jr.

Applicant's Address: 1800 The Greens Way #404, Jax Beach, FL 32250

Applicant's Telephone: 561-870-3331 FAX: 904-771-3971

Applicant's E-mail Address: wo@maxlevelacademy.com

Relationship to Owner: Self/Same

Owner's Name: _____

Owner's Address: _____

Owner's Telephone: _____ FAX _____

Owner's E-mail Address: _____

Signature of Owner: _____

Contact Person: Walter W. Oakden, Jr.

Contact Person's Telephone: 561-870-3331 E-mail Address: wo@maxlevelacademy.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.)

2 story build out inside 3708 s/f office/warehouse unit in an
industrial park complex. For use as a music lesson, practice,
and performance facility.

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

Thirty Five Thousand Three Hundred Seventy Two Dollars (\$35,372.00)

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.

ADA requirements were not fully compliant in drawings. Service Plan
Provider did not flag these, and building permit was issued. Later
city review flagged item after renovations were underway. Facility
cannot get a Certificate of Occupancy without ADA 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: 11-4.1.6 Accessible Building Alterations - specifically
2nd floor access

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.

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.

Disproportionate cost as per 11-4.6 (2)

Please refer to Numbers 9 & 10 below

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.

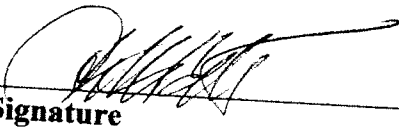
a. ~~Trust-T-Lift Commercial Verticle~~ Wheelchair Lift: \$10,954.00
Item Cost Only, No Shipping, No Construction/Installation Included

b. AmeriGlide Commercial Verticle Lift: \$12,048.00
Includes Shipping, No Construction/Installation Included

c. Garaventa Inclined Platform Wheelchair Lift: \$27,500.00
Includes Shipping And Complete Installation

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.

Please See Attached Page


Signature

CHRISTOPHER BAXTER
Printed Name

Phone number 904-687-8482

(SEAL)



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.

PURPOSE OF FACILITY: This is a Rock n Roll Academy in which students come to learn how to play and perform. Upstairs and downstairs have practice rooms, and the downstairs also has a large assembly space for small groups to practice.

It is being built as a renovation of a leased space in an industrial park. The intention is to provide opportunities for aspiring young musicians (as well as older ones) to come and develop skills on a variety of instruments as well as learning to perform in front of others.

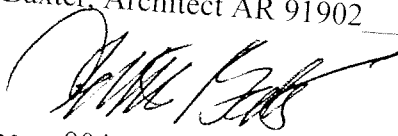
Working with a limited budget the owner has done his best to keep construction costs to a minimum and provide max use of the space – providing a wholesome after school and weekend facility for the benefit of aspiring students.

The first floor has complete ADA compliance, and has practice rooms as well as the main feature –the performance space. The second floor is simply more practice rooms and the owners private office.

REASON FOR WAIVER: Disproportionate cost. To install an ADA lift to the second floor would exceed the limit mandated in 11-4.6 (2) “Alterations made to provide an accessible path of travel to altered areas shall be deemed disproportionate to the overall alteration when the cost exceeds 20 % of the cost of the alteration to the primary function area.”

Christopher Baxter, Architect AR 91902 _____

Signature



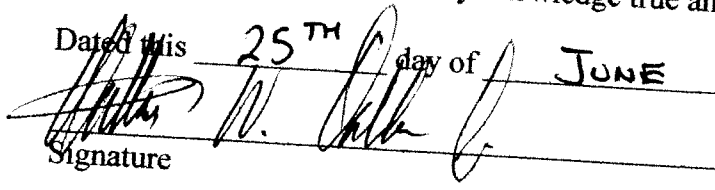
Phone number 904 687 8482 _____

(SEAL)



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 25TH day of JUNE, 2008

Signature

WALTER W. ORNDEU JR.
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.

- APPLICATION APPEARS TO BE TRUE AND CORRECT. THIS IS A BUILDOUT FOR A
- a. NEW TENANT. DRAWING WAS APPROVED BY A PRIVATE PROVIDER PLAN REVIEWER. OUR QUALITY ASSURANCE REVIEW DISCOVERED THE ERROR.
 - b. THE SECOND FLOOR WILL BE OPEN TO THE PUBLIC REQUIRING VERTICAL ACCESSIBILITY. THE QUOTES PROVIDED DEMONSTRATE
 - c. DISPROPORTIONATE COST.

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 80741770 (20,000 DOLLARS) THIS BUILD OUT FOR A PREVIOUS TENANT WAS EXEMPT FROM VERTICAL ACCESSIBILITY (<5 NOT OPEN TO PUBLIC)

Comments/Recommendation RECOMMEND APPROVAL BASED ON DISPROPORTIONATE COST

Jurisdiction CITY OF JACKSONVILLE, DUVAL COUNTY

Building Official or Designee

Signature

Printed Name

JAMES R SCHOCK PE., CBO

Certification Number

BU-892 PX 1222 PE 29372 BN 3867

Telephone/FAX

904-255-8508

Address: 214 N HOGAN ST JACKSONVILLE FL. 32202



D.M. Watson Construction

5570 Florida Mining Blvd., So., Unit 401

Jacksonville, FL 32257

904-288-9989 Business Phone

904-288-9983 Business Fax

Member Better Business Bureau
Licensed, Bonded, Insured
Certified General Contractor# 062588

Cell (904) 449-2112
Nextel 160*34*17405
email: dmwatsonconst@bellsouth.net

6/19/2008

Max Level Rock & Roll Academy

5570 Florida Mining Blvd, #106

Jacksonville, FL 32257

Attn: Walt Oakden

Re: Florida Mining Blvd, #106
Build-Out Costs

- 1) Construction Materials (Framing, Drywall, Tape, Mud, Etc) - \$9,472.00
 - 2) Framing Labor - \$4,800.00
 - 3) Drywall Labor - \$2,500.00
 - 4) Misc. Labor - \$2,600.00
 - 5) Plumbing / Concrete / Demo - \$5,600.00
 - 6) Mechanical - \$500.00
 - 7) Electrical - \$6,400.00
- Total Construction Costs: \$31,872.00

Owner To Complete Finishes And Fire Sprinkler System

Darren M. Watson
President



Updated Trust-T-Lift Wheelchair Lift.

To Update an item, change the quantity or options and click update.
Click delete to remove an item from the cart.

| Qty | Part No | Name | Options | Price | Total | Update | Delete |
|-----|---------|------------------------------|--|-------------|-------------|--------|--------|
| 1 | | Trust-T-Lift Wheelchair Lift | Model <input type="radio"/> Residential Lifts Up To 52 Inch's \$3860. <input checked="" type="radio"/> High Tower - Add Lifting Height \$3860. <input type="radio"/> Commercial 52" Inch Fully Loaded No Option Below Required \$7760. <input type="radio"/> Portable 52 Inch Lift \$5216. Lifting Height <input type="radio"/> 28 INCH LIFTING HEIGHT No Charge <input type="radio"/> 52 INCH LIFTING HEIGHT No Charge <input type="radio"/> 72 INCH LIFTING HEIGHT \$715. <input type="radio"/> 96 INCH LIFTING HEIGHT \$2286. <input checked="" type="radio"/> 120 INCH LIFTING HEIGHT \$2860. <input type="radio"/> 144 INCH LIFTING HEIGHT \$3572. | \$10,954.00 | \$10,954.00 | Update | Delete |

Control Wall Extension

- None
- Control Wall Extension \$300.

Floor Options

- Standard Expanded Metal No Charge
- Solid Floor & Safety Plate That Detects If Something Is Under Lift \$457.

Adjacent Access

- Straight Through Access No Charge
- Adjacent 90 Degree Access \$215.

Electronic Interloc

- None
- Upper Interloc Only \$430.
- Lower Interloc Only \$430.
- Upper And Lower Interloc \$860.

Auto Fold Retractable Ramp

- Standard 8" Inches No Charge
- Extra Wide 18" Ramp \$100.

Handrail

- Standard Handrail No Charge
- Solid Handrail \$172.

Carriage Gate

- None
- 42" Inch High

| | | | | |
|--|--|--|--|--|
| | <p>Carriage Gate W/Lock \$886.</p> <p>Solid End Wall <input type="radio"/> No End Wall (Straight Through Access) <input type="radio"/> Solid End Wall (Only Used when Entering & Exiting From The Same Side) \$300.</p> <p>Upper Landing Gate <input type="radio"/> None <input checked="" type="radio"/> Upper Landing Gate With Interlock \$1130.</p> <p>Remote Call Station <input type="radio"/> None <input type="radio"/> Upper Remote Call Station (Buttons) \$130. <input type="radio"/> Lower Remote Call Station (Buttons) \$130. <input checked="" type="radio"/> Upper & Lower Remote Call Station (Button) \$260.</p> <p>24 Volt DC Battery Backup <input type="radio"/> None <input checked="" type="radio"/> Battery Backup Includes Batteries \$1286.</p> <p>Shipping <input checked="" type="radio"/> Standard Ground Free <input type="radio"/> Three Day Express \$1289.</p> | | | |
|--|--|--|--|--|

| | |
|---------------|--|
| TOTALS | |
| | |

Sub Total | \$10,954.00

| Shipping Type | Shipping | Total |
|---|----------|-------------|
| Shipping | \$0.00 | \$10,954.00 |
| Plus sales tax where applicable. | | |

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From: Jeanne Martin <jeanne@accessibilitylifts.com>

To: amymcmahonbusslt@aol.com <amymcmahonbusslt@aol.com>

Cc: stasia@accessibilitylifts.com <stasia@accessibilitylifts.com>

Subject: Max Level accessibility lift

Date: Wed, 25 Jun 2008 9:36 am

Attachments: Sheraton_World_Edited.doc (471K), City_of_Clearwater.doc (441K)

http://architects.garaventa.ca/dwgload.cfm?page=15807-E-DP&type=Planning_Guide&app=pdf

Amy,

Above is the link to the Design and Planning Guide, which is great to print out for your presentation to your client.

Once you can give me the number of risers and the exact lifting height, I can get very specific with pricing and dimensions. For now, I've gone with approximately 144" of vertical travel and about 20 risers and it comes out about \$27,500. To NOT USE a side load platform, we need about 10' of landing space at the bottom of the stairs. If you only have about 6' then we have to use a side load, which is an \$800 upcharge. Other than that, everything you need to meet ADA and FBC is standard equipment...wrap around arms, fold down seat, platform lock, call sends, etc. The platform stops AT the nose of the uppermost riser so clearance is easier at the top.

We do about 100 lifts each year and have been specializing in accessibility equipment for 20 years. I'm sending hard copy of photos, brochure, etc in the mail to you today.

Call us if you need anything else.


Jeanne Martin, President
Accessibility Lifts, Inc.
Top 25 Women Owned Business
ASME Part 18 Platform Lift Committee
AEMA Board Member

call for help and lowest prices

Shopping Cart

| Name | Qty | Price | Total Remove |
|--|-----|-------------|--------------|
| AmeriGlide Commercial Vertical Lift | | | |
| Lifting Height | | | |
| 120" | | | |
| Platform Type | | +\$2,857.15 | |
| Solid Platform with Safety Plate | | \$0.00 | |
| Platform Access | | | |
| Adjacent Access - lower access on the left | | +\$214.29 | |
| Toeplate | | | |
| 18" Toeplate | | \$0.00 | |
| Accessories | | | |
| Solid Handrail | | \$0.00 | |
| Control Wall Extension | | \$0.00 | |
| Emergency Alarm Package | | \$0.00 | |
| Carriage Gate with Lock | 1 | \$0.00 | \$12,043.15 |
| 24V DC Battery Backup Wiring Charge (battery not included) | | +\$1,285.71 | 12,043.15 |
| Lower Landing Options | | | |
| Keyed Push Button Remote, Lower Landing | | \$0.00 | |
| Upper Landing Gate | | | |
| Gate with Interlock and Keyed Push Button Remote | | \$0.00 | |
| Upper Landing Options | | | |
| Interlock, Upper Landing | | \$0.00 | |
| Keyed Push Button Remote, Upper Landing | | \$0.00 | |
| Delivery | | | |
| Ship to a freight terminal in your area. | | \$0.00 | |
| Click on a link above if you need to reconfigure your product. | | | |
| Handling Fee | | | \$5.00 |
| Shipping Fee | | | \$0.00 |
| Order Total | | | 12,048.15 |

--or--



 Fast checkout through Google

Jun 25, 2008



Corporate Office: 2784 Wrights Rd., Suite 1032, Oviedo, FL 32765

407-971-2507 407-971-1618 fax

www.accessibilitylifts.com

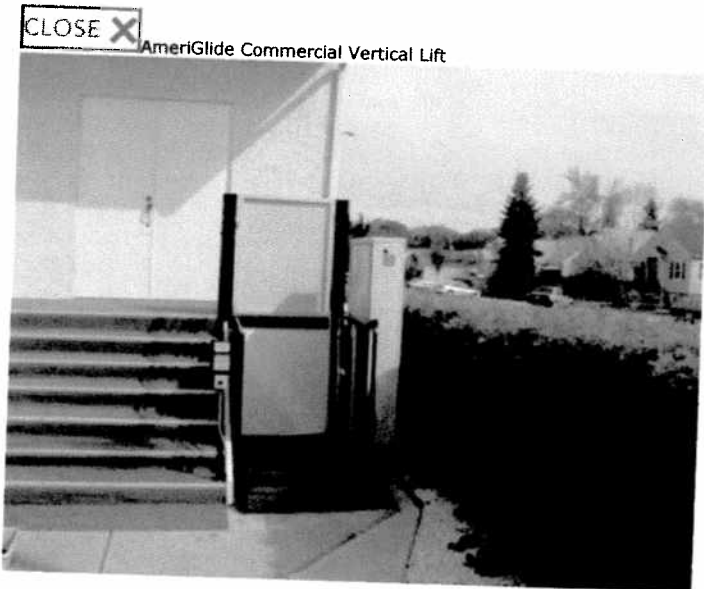
info@accessibilitylifts.com

City of Clearwater, Florida

General Services Facility

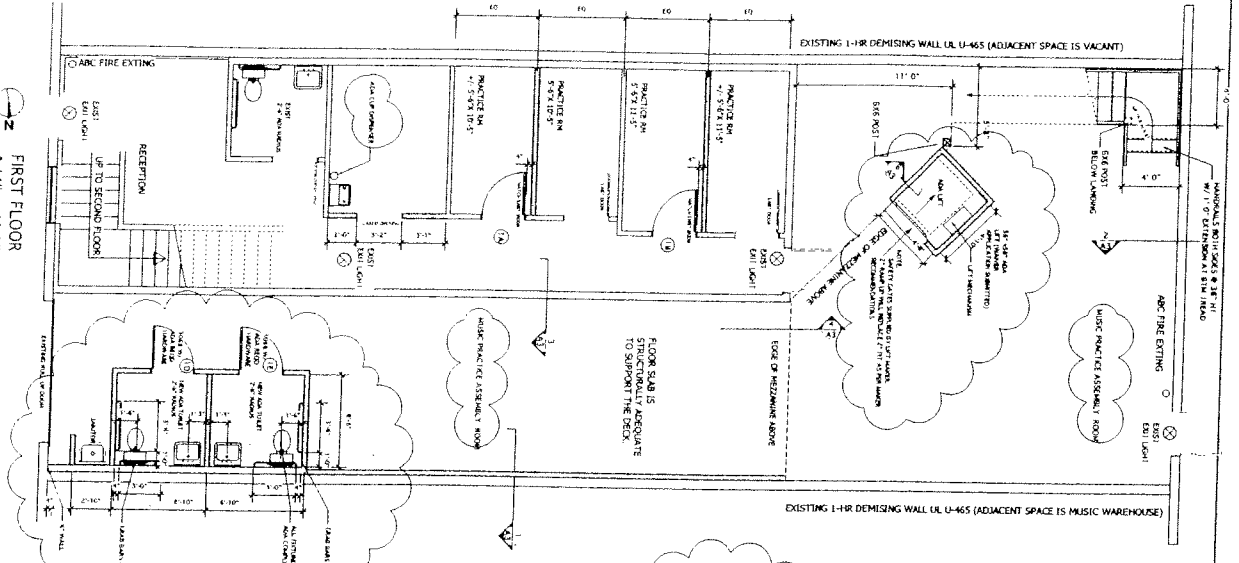
Inclined Platform Lift to 2nd Floor Warehouse Offices





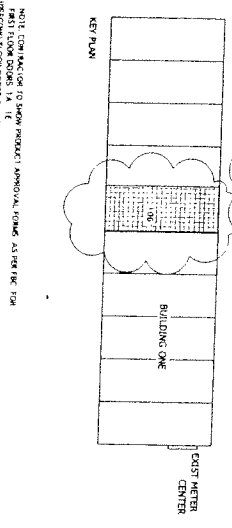
MAX LEVEL'S ROCK & ROLL ACADEMY

5570 FL MINING BLVD., UNIT 106, JACKSONVILLE, FL 32257



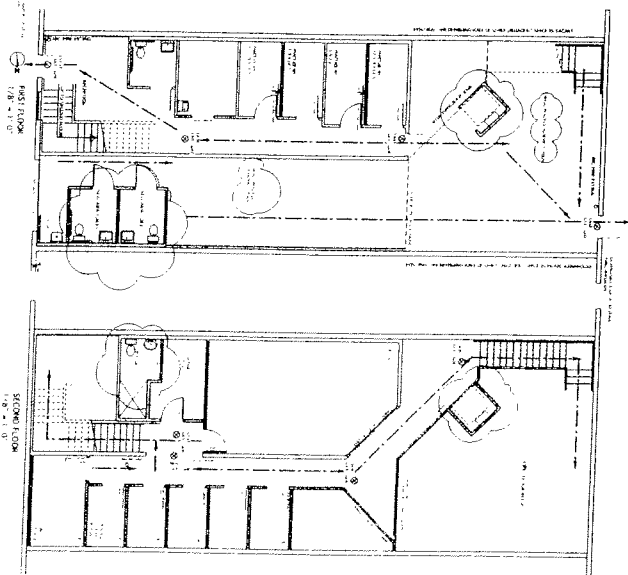
FIRST FLOOR
1/4" = 1'-0"
NOTE: THIS PLAN IS TO BE
CONSULTED WITH THE
FLORIDA ACCESSIBLE CODE

- REMOVE DOOR
- REMOVE WALL
- EXIST WALL
- NEW WALL 2x4 S @ 16" OC
EXCEPT AS NOTED
- NOTATION EXAMPLE
2'-0" X 6'-8"



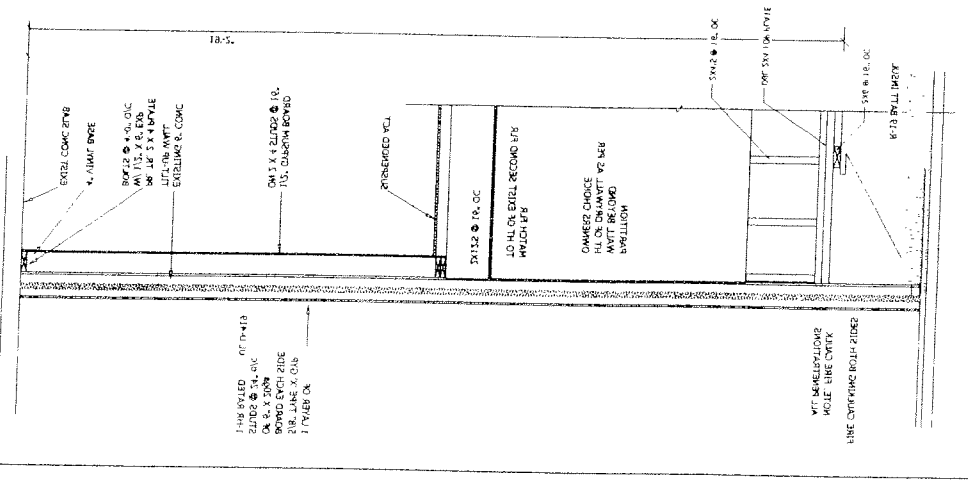
CODE SUMMARY
OCCUPANCY: MIXED USE BUSINESS/ASSEMBLY
A1 ASSEMBLY = 1157
NON-SEPARATED
GROSS FLOOR AREA = 1,120 SF
TOTAL OCCUPANT LOAD = 101
1120 SF @ 15 PERSONS = 75
2608 SF @ 100 PERSONS = 26
BATHROOMS REQ'D:
50 WOMEN @ 50% MEN/WOMEN
51 MEN @ 1 REQUIRED
THE BUILDING CONSTRUCTION - UNSPRINKLED
MAX TRAVEL DISTANCE = 200 FT
2008 FLORIDA BUILDING CODE COMPLIANT

FIRE SAFETY EXIT ROUTES AND EXIT LIGHTS

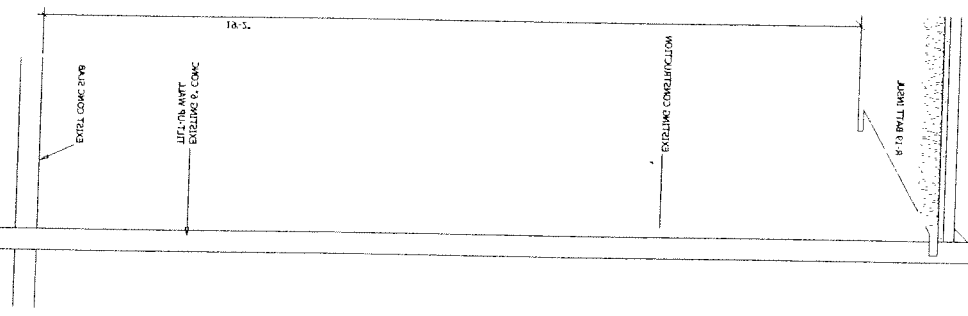


| DRAWING INDEX |
|--|
| A1 FIRST FLOOR: CODE SUMMARY; LOCATION |
| A2 SECOND FLOOR: SECOND FLOOR FRAMING |
| A3 WALL SECTIONS |

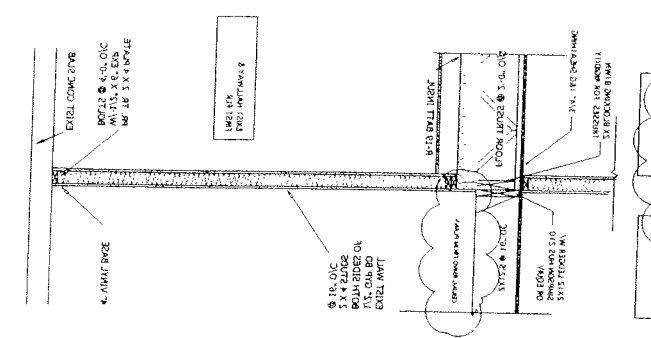
SECTION THRU EXISTING DEMISING WALL



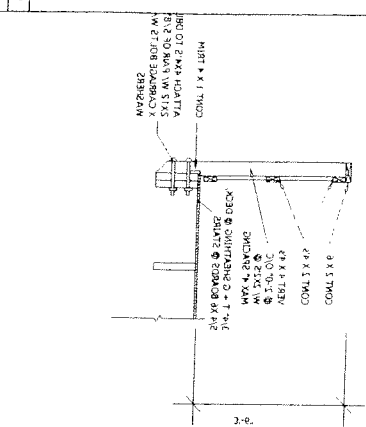
SECTION THRU EXISTING WALL



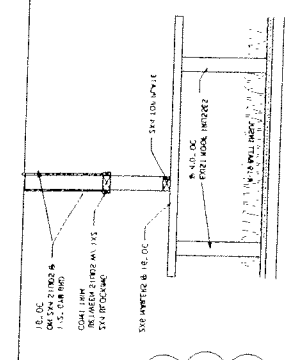
SECTION THRU HULLWAY



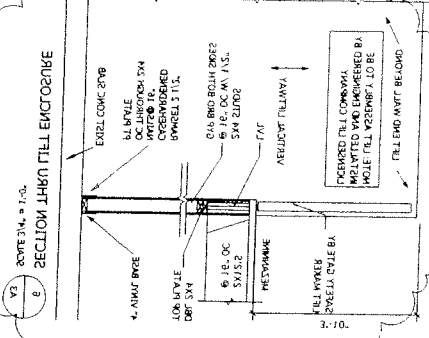
SECTION THRU HYDRANT



SECTION THRU MESSAGING



SECTION THRU FILL ENCLOSURE



3

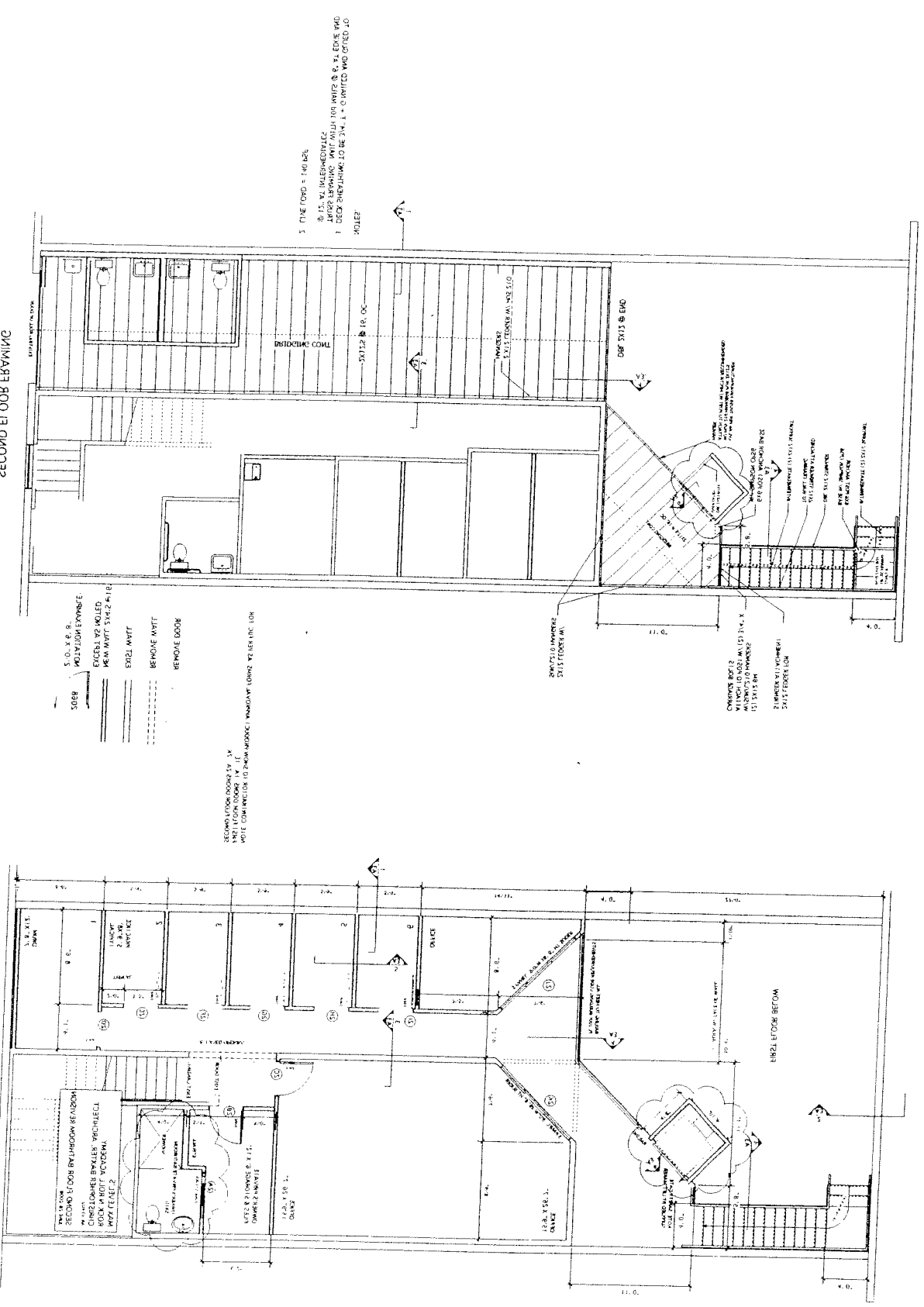
SA

CHIA

06052 ЛЭ АИГЛУА ТЭ ЯАМ АНЗО ДЭ
ТЭГЭРХУУЛЭРЭГХӨРӨНӨХӨДӨСӨӨ
ЭГЭРЭГЭРЭГ

Э. З. О. Д. Э.
2.0.0.08
2.0.0.09
Э. З. О. Д. Э.

1/4, м 1-0,
ВТОРОЙ ЭТАЖ



- С. О. Э. Р.
- ИШЛЭЛИЙН ХЭВИЙГЭЙ
- ЭХЭГЭЙ ЭР ШИЛЭГ
- ХӨМ АВАТТ 5.0.1.2 # 1.2
- ЭРЭЛ АВАТТ
- БӨГӨӨХ АВАТТ
- БӨГӨӨХ ДУУР

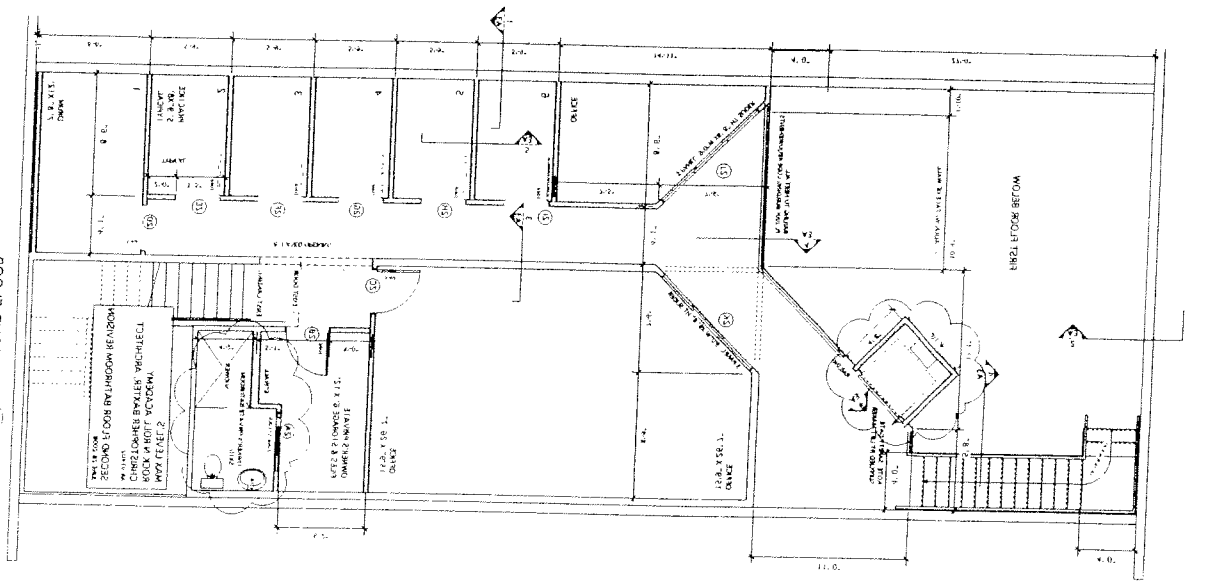
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3. ГЭНЭ ГЭРЭГ 2.0.0.08
2.0.0.09
Э. З. О. Д. Э.

ЭРЭЛ АВАТТ
БӨГӨӨХ АВАТТ
БӨГӨӨХ ДУУР

ЭРЭЛ АВАТТ
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1/4, м 1-0,
ВТОРОЙ ЭТАЖ



- С. О. Э. Р.
- ИШЛЭЛИЙН ХЭВИЙГЭЙ
- ЭХЭГЭЙ ЭР ШИЛЭГ
- ХӨМ АВАТТ 5.0.1.2 # 1.2
- ЭРЭЛ АВАТТ
- БӨГӨӨХ АВАТТ
- БӨГӨӨХ ДУУР

ВТОРОЙ ЭТАЖИЙН ХӨНӨСӨӨ
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БӨГӨӨХ ДУУР

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