

**Department of Community Affairs
FLORIDA BUILDING COMMISSION
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100**

NOTICE TO WAIVER APPLICANTS

Please make certain you comply with the following:

- ✦ The person submitting the waiver request application as the Applicant **MUST** sign the application. Should you fail to do so, your application will be returned.
- ✦ If a licensed design professional (architect or engineer) has designed the project, his or her comments **MUST** be included as a part of this application.
- ✦ Be as explicit as possible. The more information provided to the Florida Building Commission, the more informed its decisions can be. If you are claiming financial hardship, please specify why and to what degree.
- ✦ If at all possible, **PLAN TO ATTEND the Accessibility Advisory Council and the Florida Building Commission meetings**. Sometimes pertinent facts are inadvertently omitted, or information provided/presented in the Request for Waiver application is not clear. Your attendance at the meetings to answer questions will enhance the possibility of the waiver being approved, since the Council and the Commission will receive the most complete information – from you. When we receive the completed application, we will send you a notice of the time, date, and place for both the Council and the Commission meetings.

Enclosed is a **List of Required Information** and the **Request for Waiver** application.

If you have any questions or would like additional information, please call the Codes and Standards Section at (850) 487-1824.

Please mail this application to the Department of Community Affairs at the address above. **As well as a hard copy, please include a copy of the application and drawings or plans on a CD in PDF format. NOTE: Please do not send CAD files, but rather scan the CAD files and save as a pdf. Must be in Microsoft Compatible format.**

NOTE: Failure to submit electronically will not have any bearing on whether your petition is heard by the Commission, however, electronic filing will facilitate the Commission's movement toward utilizing CD technology to display the waiver application and attached floor plans to the Counsel and Commission.

This application is available in alternate formats upon request.

LIST OF REQUIRED INFORMATION:

1. Drawings that will clearly present your project and that identify the issue(s) that relate to the waiver you are requesting. As a minimum, the following drawings must be submitted:
 - a. Project site plan
 - b. 24" x 36" minimum size drawings
 - c. Building/project sections (if necessary to assist in understanding the waiver request)
 - d. Enlarged floor plan(s) of the area in question
2. One set of reduced scale (11" x 17") versions of the drawings submitted in item one above.
3. One set of overhead transparencies (8 ½" x 11") of the drawings submitted in item one above. When numerous features are shown on the drawings, please designate the location of the waiver items by highlighting or outlining in color the affected areas.
4. _____ When substantial financial cost of compliance is alleged, supporting cost estimates with quotes from at least two vendors or contractors and catalog information.
5. _____ If you feel photographs and/or renderings are necessary for your presentation, provide 40 legible color photocopies of the photographs and/or renderings. If color photocopies of photographs are provided, use a minimum size of 4" x 6" photographs with a maximum of two photographs per photocopied page.
6. Please submit a hard copy of this application to the Department of Community Affairs. PLEASE NOTE: Although not required by Rule 9B-7, F.A.C., in addition to the hard copy please include a copy of the application and drawings or plans on a CD in PDF format.

General Information:

- a. **Equipment:** A CD projector is provided at the Accessibility Advisory Council and Florida Building Commission meetings. Any other equipment necessary for your presentation, such as an overhead projector, TV/VCR, slide or LCD projectors, etc., is the responsibility of the applicant.
- b. **Verbal Descriptions:** Presentations may be to sight or hearing impaired persons; visual presentations should consider adequate verbal and text descriptions of charts and pictures.

Your application will be reviewed by the Accessibility Advisory Council. You will have the opportunity to answer questions and/or make a short presentation **not to exceed 15 minutes**. The Council will provide recommendations to the Florida Building Commission. The Commission will review the application. You will have another opportunity to answer questions and /or give a short presentation **not to exceed 15 minutes**. The Commission will consider all information and the Council's recommendation before voting on the waiver.

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: Barry University School of Law

Address: 6441 East Colonial Drive, Orlando FL 32807

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: Stephen Belflower, AIA, HuntonBrady Architects

Applicant's Address: 800 N. Magnolia Ave., Suite 600, Orlando, FL 32803

Applicant's Telephone: 407-839-0886 **FAX:** 407-839-1709

Applicant's E-mail Address: sbelflower@huntonbrady.com

Relationship to Owner: Architect, Principal in Charge, Vice President

Owner's Name: Vince Perry

Owner's Address: 6441 East Colonial Drive, Orlando FL 32807

Owner's Telephone: 321-206-5605 **FAX** 321-206-5620

Owner's E-mail Address: vperry@mail.barry.edu

Signature of Owner: 

Contact Person: Thomas Hagood, AIA, Associate/Project Manager

Contact Person's Telephone: 407-839-0886 **E-mail Address:** thagood@huntonbrady.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 project is a three story building with 32,500 gross square feet. It will be constructed on the existing campus and it's primary purpose is to provide additional instructional space for students.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): Approximately \$4,800,000

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.

The Orange County Building Department recommended that we submit for the accessibility waiver to acquire a building permit for construction.

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

Issue

1: A waiver is required because FBC 11-4.1.3(5) requires vertical accessibility to all levels in a building. Space has been provided on the ground level front row of seating in the Classrooms 110 and 111 for accessible seating for (3) students but the six raised tiers for student seating are not accessible.

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.

Providing ramps with access to each tiered seating level for students in Classrooms 110 and 111 would require a sophisticated ramp system with landings at all six levels. The space required for this ramp system would require a redesign of the ground floor plan and a reduction in the number of students that could be seated in each classroom. The tiered seating is preferred to provide optimum site lines for students in all seating locations. It also allows for more interaction between students and the instructor due to improved site lines and acoustics.

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

If the waiver is denied, the number of students that can be served by the new classrooms would have to be reduced to accommodate a ramp system therefore the number of students that can be enrolled in the law degree program would have to be reconsidered. There would also be substantial redesign and construction delay. The only other option would be to remove the tiers altogether which would result in poor site lines and acoustics to those students seated in the back rows.

[X] 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.

Cost impacts were discussed with the owner and contractor but they were too prohibitive for further exploration. The only alternative to meet the current construction budget would be to remove all of the tiers in both classrooms and provide a sloped floor.

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. N/A

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.

HuntonBrady Architects believes that the three accessible seating designations on the ground floor front row of Classrooms 110 and 111 will adequately serve the student population at the Barry University School of Law. By removing the tiers in the classroom, we would be penalizing any student who sits in the back rows with reduced visibility and acoustics.


Signature

Stephen Belflower, AIA
Printed Name

Phone number 407-839-0886

(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 1ST day of SEPTEMBER, 2010

Signature

Stephen Belflower, AIA

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. FBC 11-4.1.3(5) REQUIRES VERTICAL ACCESSIBILITY TO
" ALL LEVELS."

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 [X] No Cost of Construction _____

Comments/Recommendation _____

Jurisdiction ORANGE COUNTY

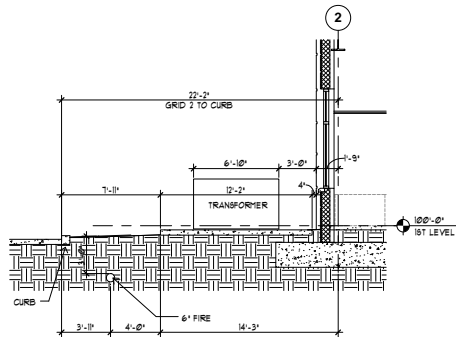
Building Official or Designee Cynthia D Nielsen
Signature

CYNTHIA D. NIELSEN
Printed Name

BH 944
Certification Number

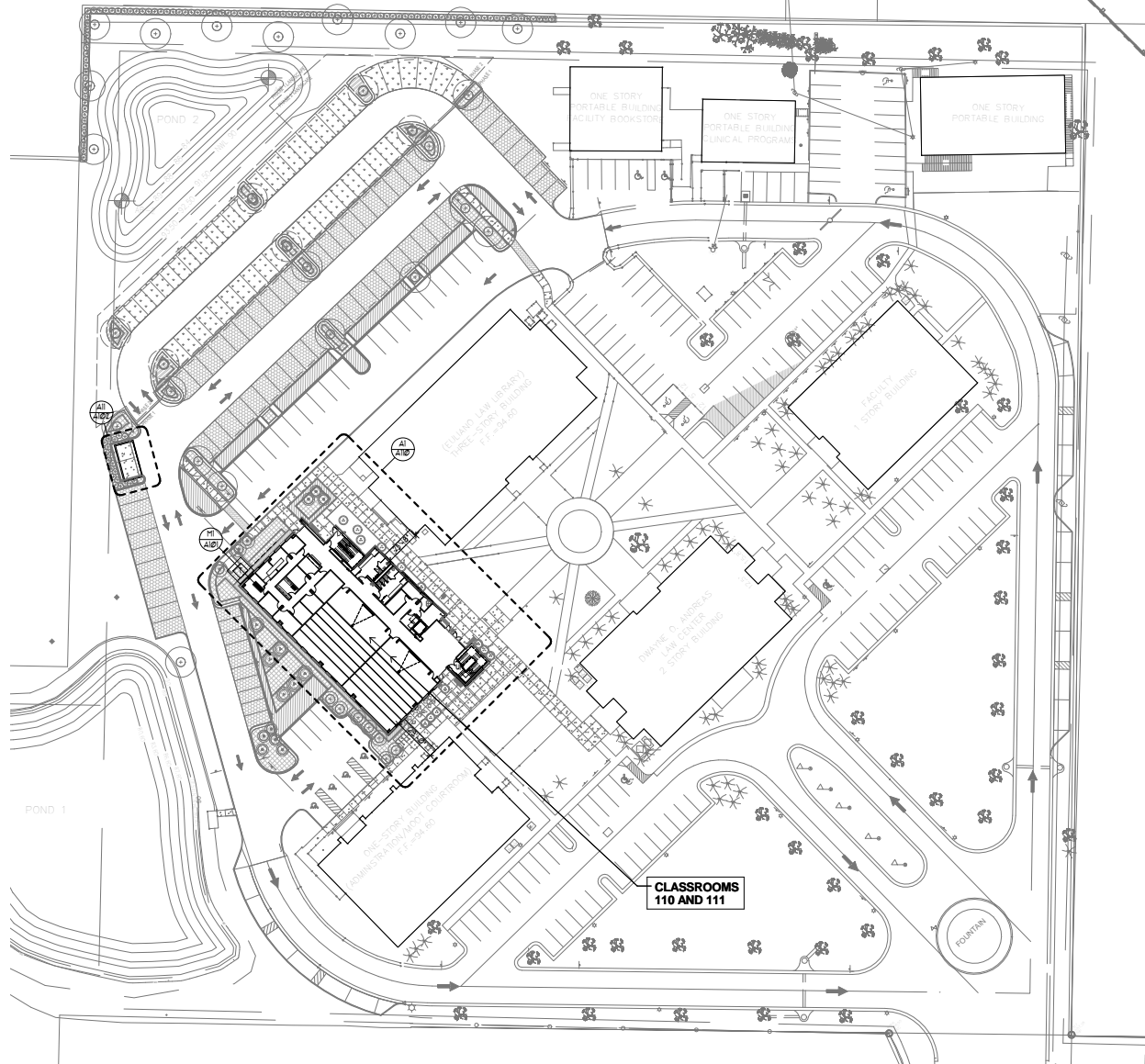
407-836-5671 407-836-2977
Telephone/FAX

Address: P.O. BOX 12687, ORLANDO, FL 32802-12687



M1 UTILITY COORDINATION SECTION

1/4" = 1'-0"



NOTE:
SITEWORK HAS BEEN PERMITTED
SEPARATELY. ORANGE COUNTY SITE WORK
CONSTRUCTION APPROVAL # 210366201



A1 ARCHITECTURAL SITE PLAN

1" = 30'-0"

SEAL

Turner
BARRY
UNIVERSITY
SCHOOL OF LAW
PHASE 1

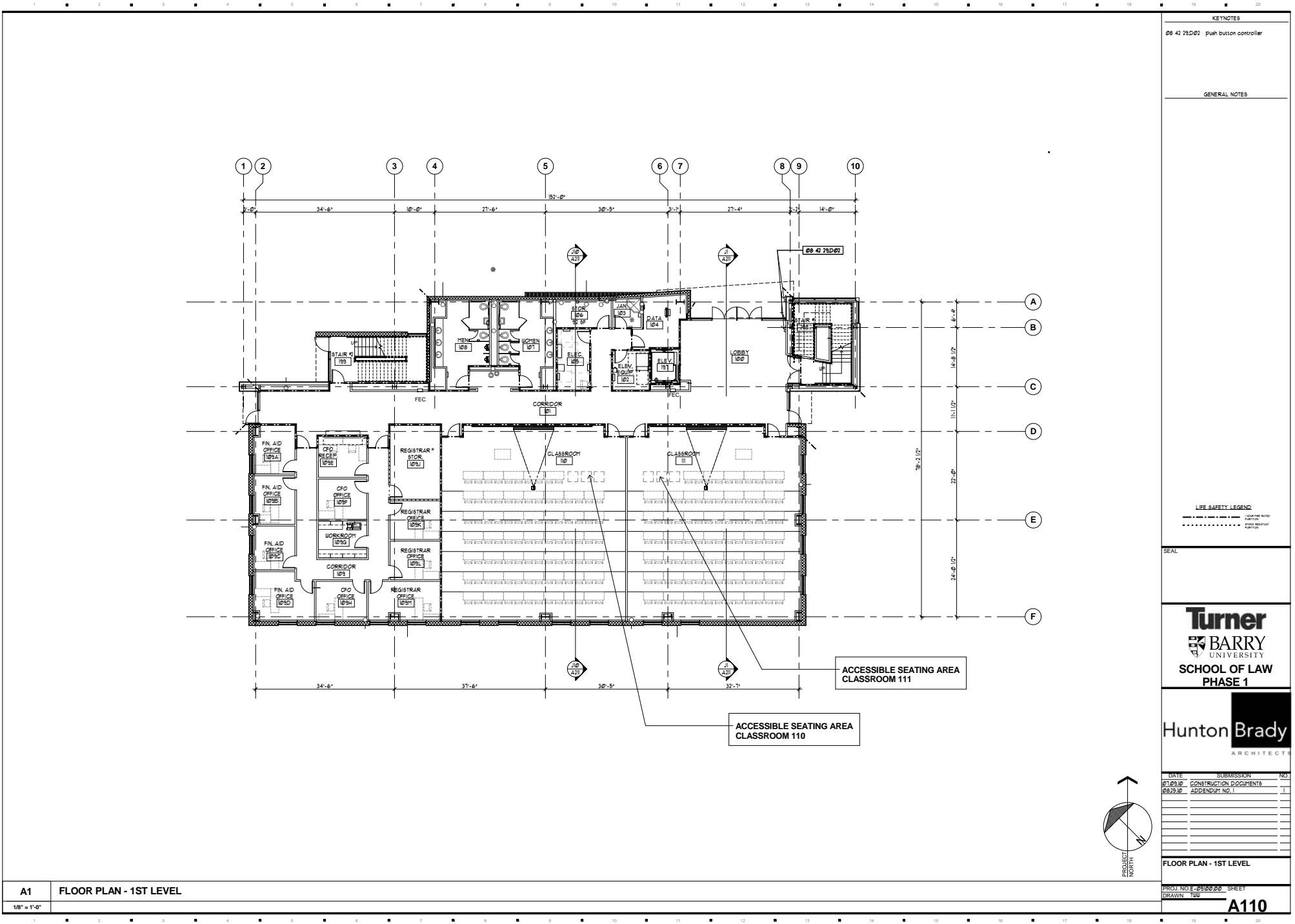
Hunton Brady
ARCHITECTS

DATE	SUBMISSION	NO.
01/23/18	CONSTRUCTION DOCUMENTS	1
03/23/18	APPENDIX NO. 1	1

ARCHITECTURAL SITE PLAN

PROJ. NO. 18-000000 SHEET
DRAWN: TUE

A101



KEYNOTES

Ø8 42 2SDØ7 push button controller

GENERAL NOTES

LIFE SAFETY LEGEND
 - - - - - LIGHT TANK FITTING
 - - - - - FLOOR RISE PARTITION

SEAL

Turner
BARRY
 UNIVERSITY
 SCHOOL OF LAW
 PHASE 1

Hunton Brady
 ARCHITECTS

DATE	SUBMISSION	NO.
01.29.18	CONSTRUCTION DOCUMENTS	1
08.25.18	APPENDIX NO. 1	1

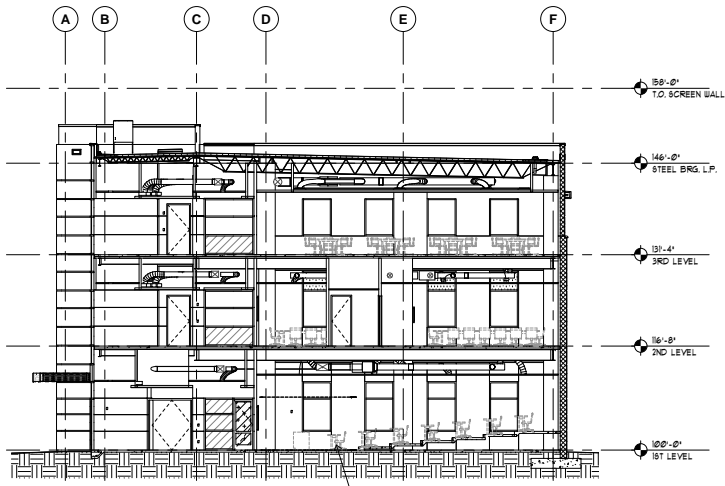
FLOOR PLAN - 1ST LEVEL

PROJECT NO: 18-00000 SHEET
 DRAWN: TUB

A110

A1 FLOOR PLAN - 1ST LEVEL

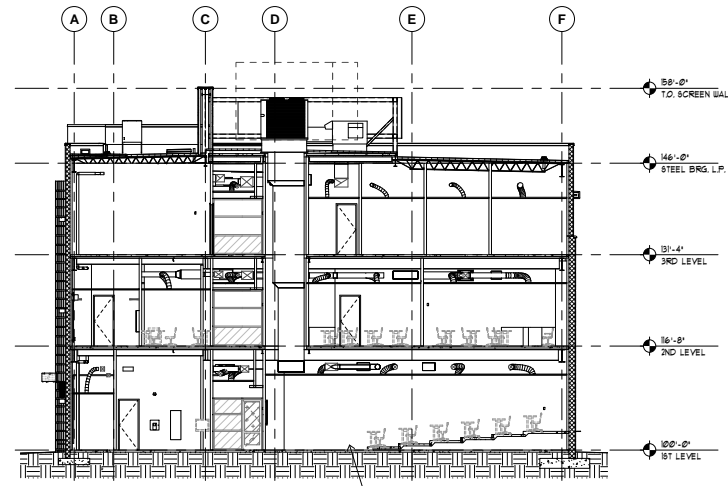
1/8" = 1'-0"



ACCESSIBLE SEATING AREA
CLASSROOM 111

J1 BUILDING SECTION

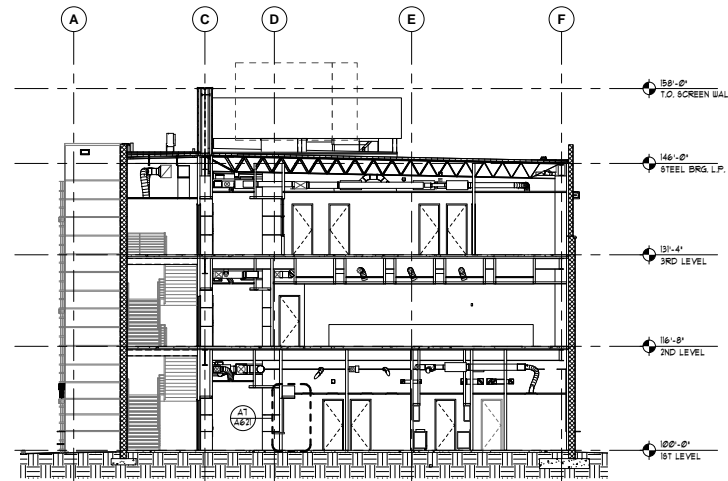
1/8" = 1'-0"



ACCESSIBLE SEATING AREA
CLASSROOM 110

J10 BUILDING SECTION

1/8" = 1'-0"



A10 BUILDING SECTION

1/8" = 1'-0"

KEYNOTES

GENERAL NOTES

SEAL

Turner
BARRY
UNIVERSITY
SCHOOL OF LAW
PHASE 1

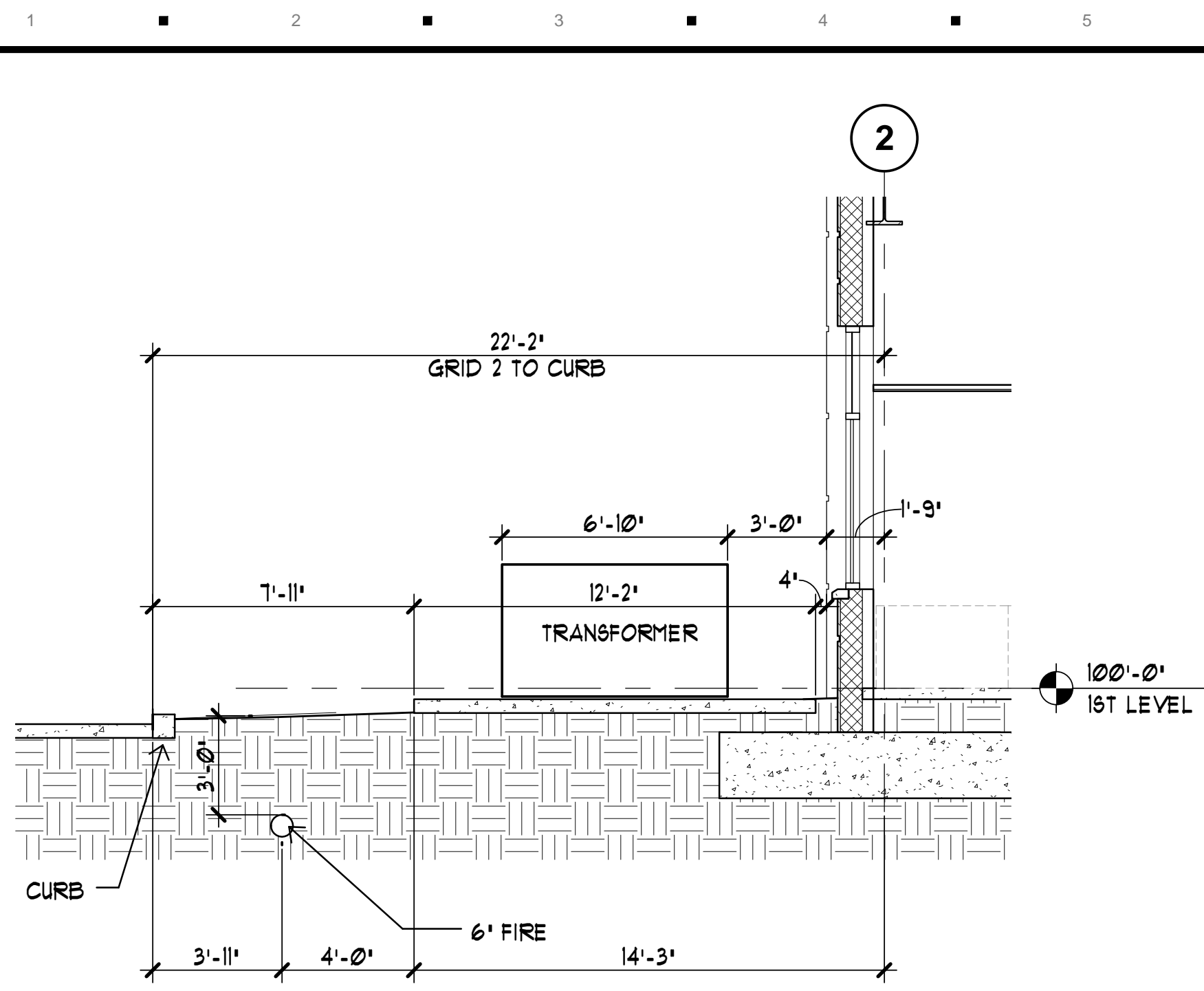
Hunton Brady
ARCHITECTS

DATE	SUBMISSION	NO.
07/23/22	CONSTRUCTION DOCUMENTS	

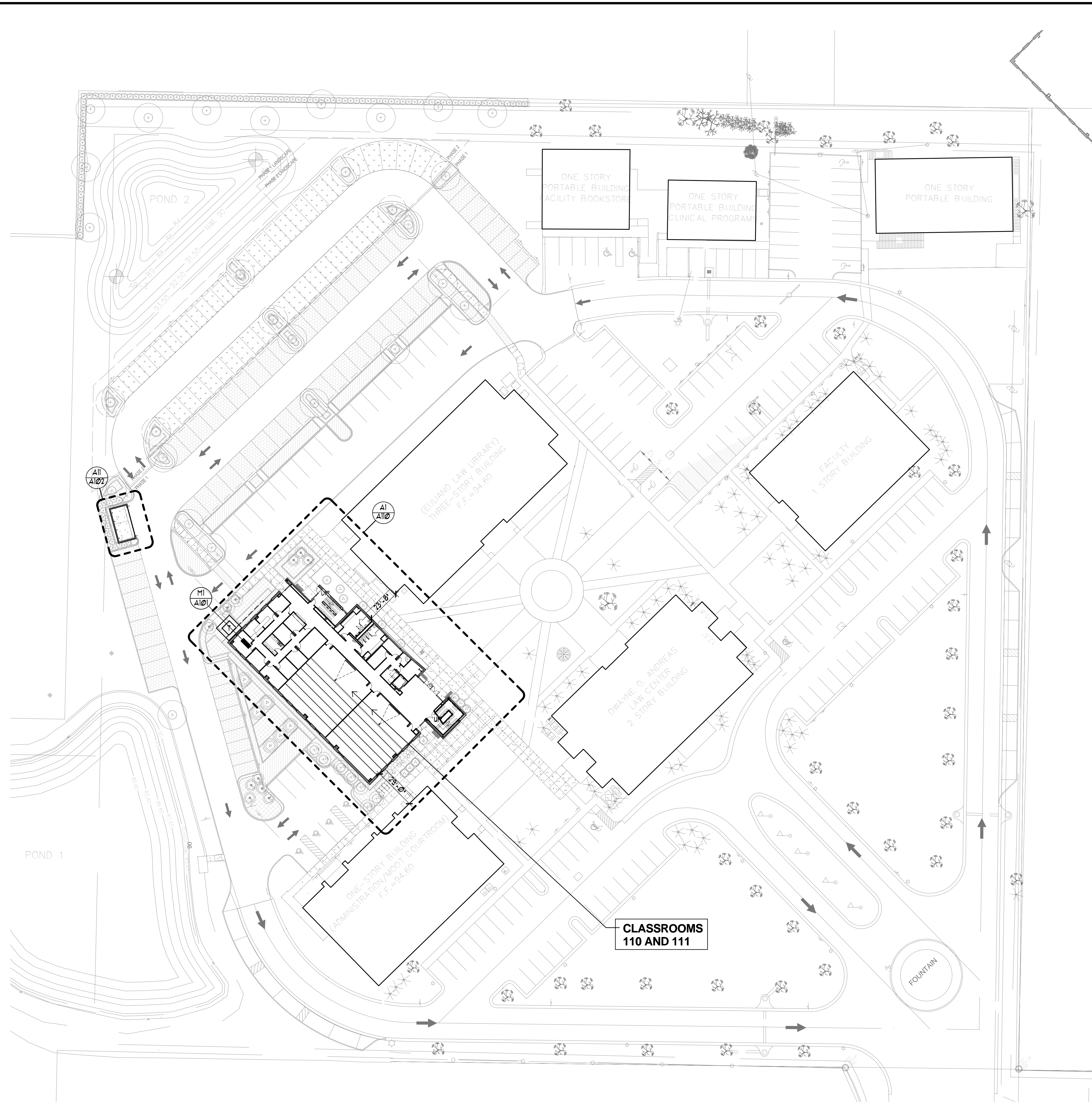
BUILDING SECTIONS

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DRAWN: B.P.

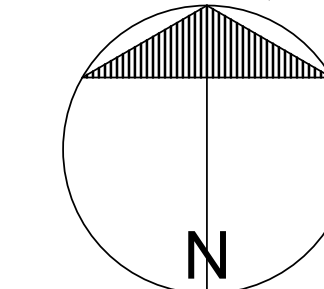
A211



M1 UTILITY COORDINATION SECTION
1/4" = 1'-0"



NOTE:
SITEWORK HAS BEEN PERMITTED SEPARATELY. ORANGE COUNTY SITE WORK CONSTRUCTION APPROVAL # B10300301



A1 ARCHITECTURAL SITE PLAN
1" = 30'-0"

SEAL

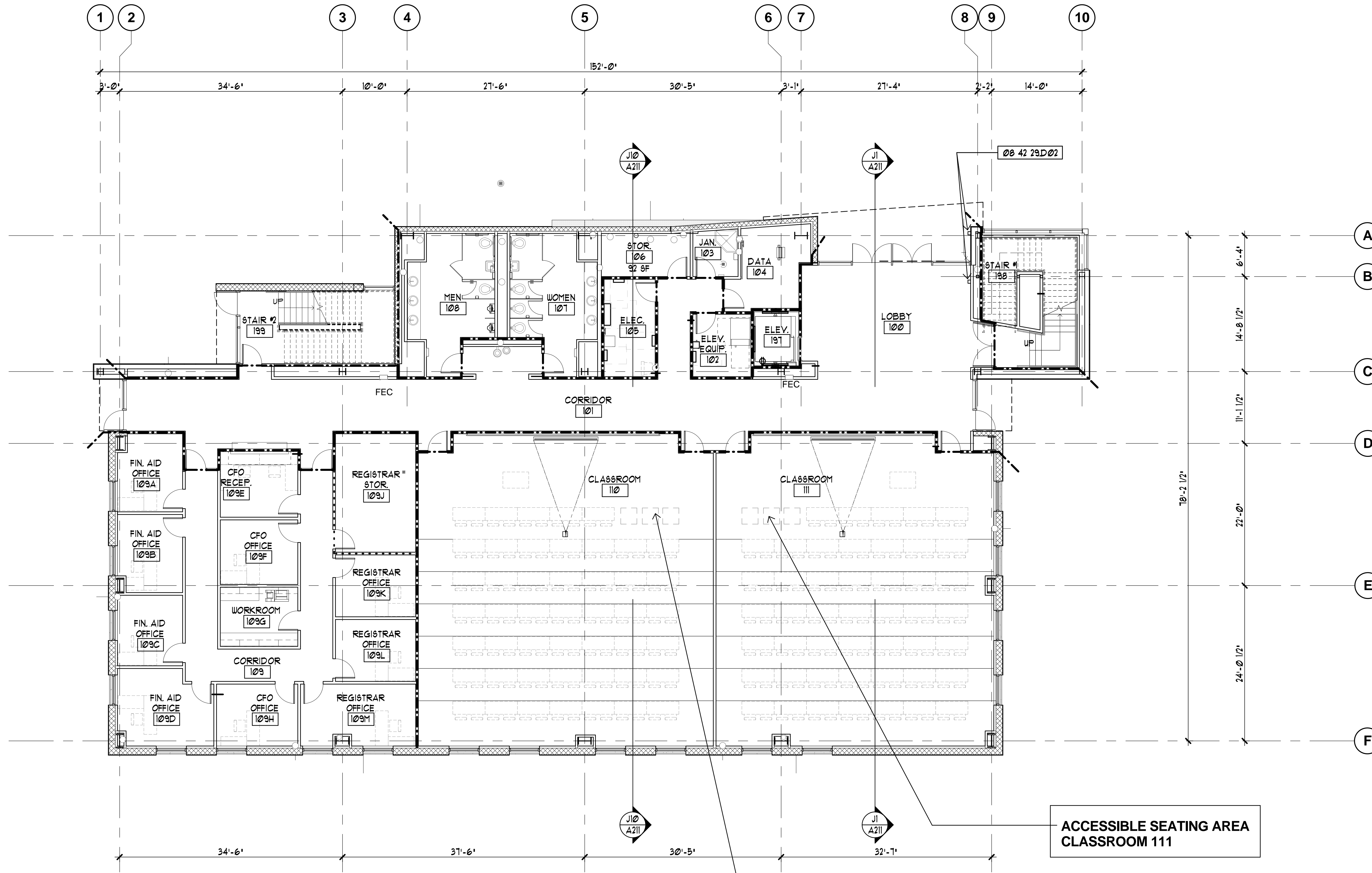
Turner BARRY UNIVERSITY
SCHOOL OF LAW
PHASE 1

Hunton Brady
ARCHITECTS

DATE	SUBMISSION	NO.
01/09/10	CONSTRUCTION DOCUMENTS	1
08/25/10	ADDENDUM NO. 1	1

ARCHITECTURAL SITE PLAN

PROJ. NO. E-0910000 SHEET
DRAWN TWU
A101



KEYNOTES
 08 42 29.D02 push button controller

GENERAL NOTES

LIFE SAFETY LEGEND
 - - - 1 HOUR FIRE RATED PARTITION
 - - - - - SMOKE RESISTANT PARTITION

SEAL

Turner BARRY UNIVERSITY
SCHOOL OF LAW PHASE 1

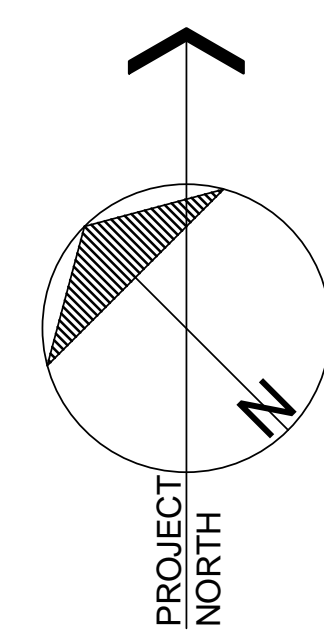
Hunton Brady
 ARCHITECTS

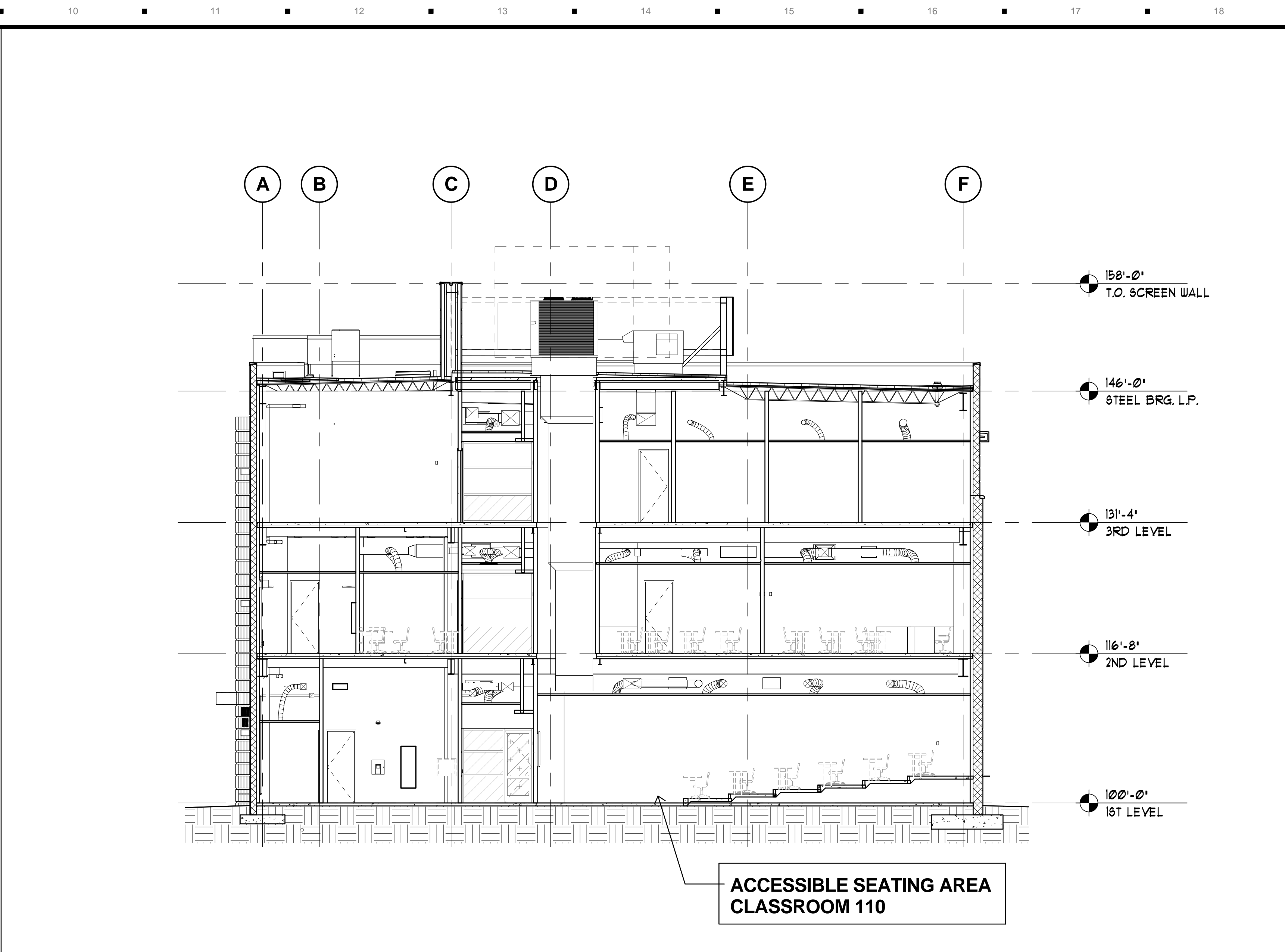
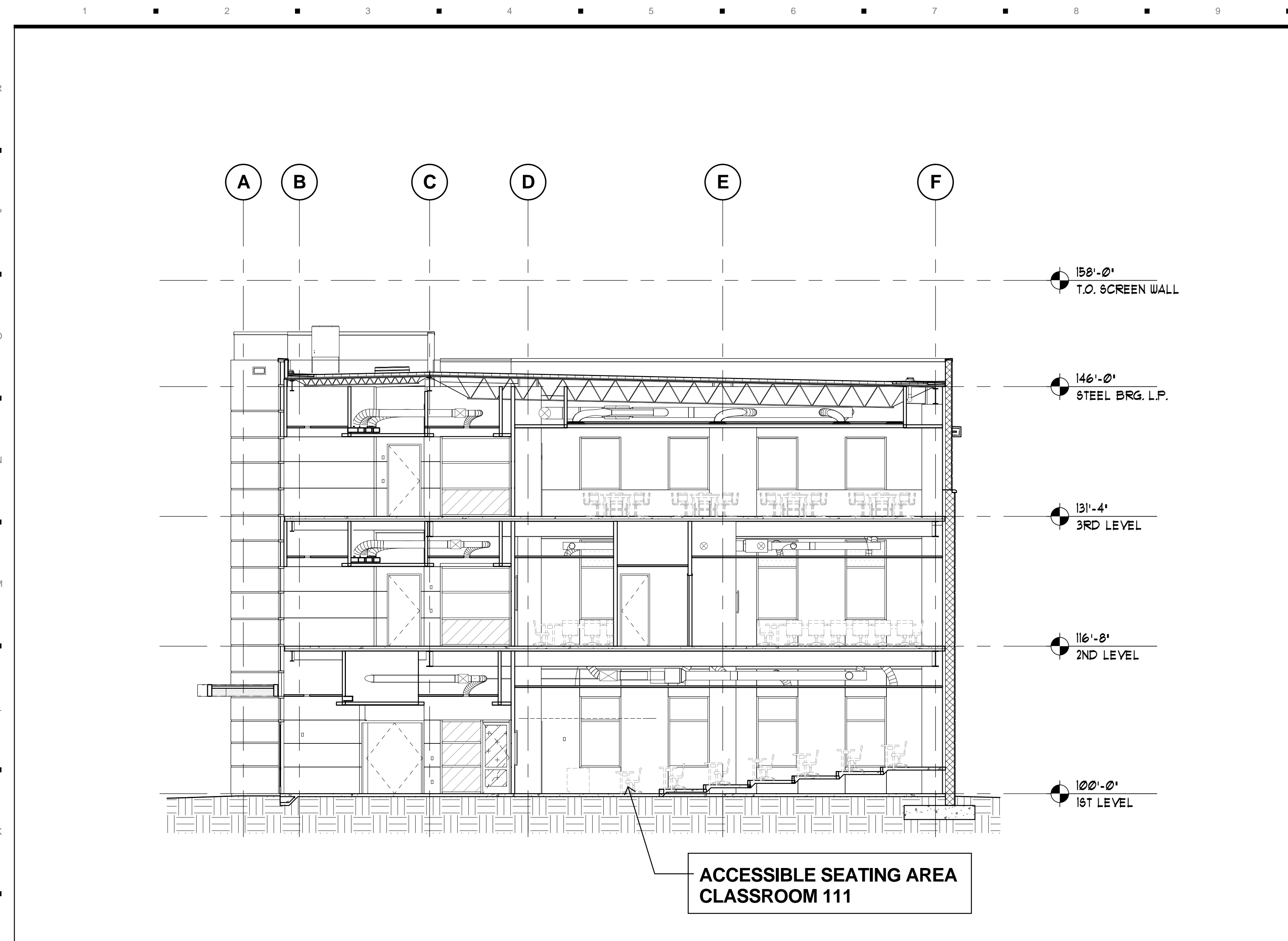
DATE	SUBMISSION	NO.
07.09.10	CONSTRUCTION DOCUMENTS	1
08.25.10	ADDENDUM NO. 1	1

FLOOR PLAN - 1ST LEVEL

PROJ. NO. E-0910000 SHEET
 DRAWN TWJ
A110

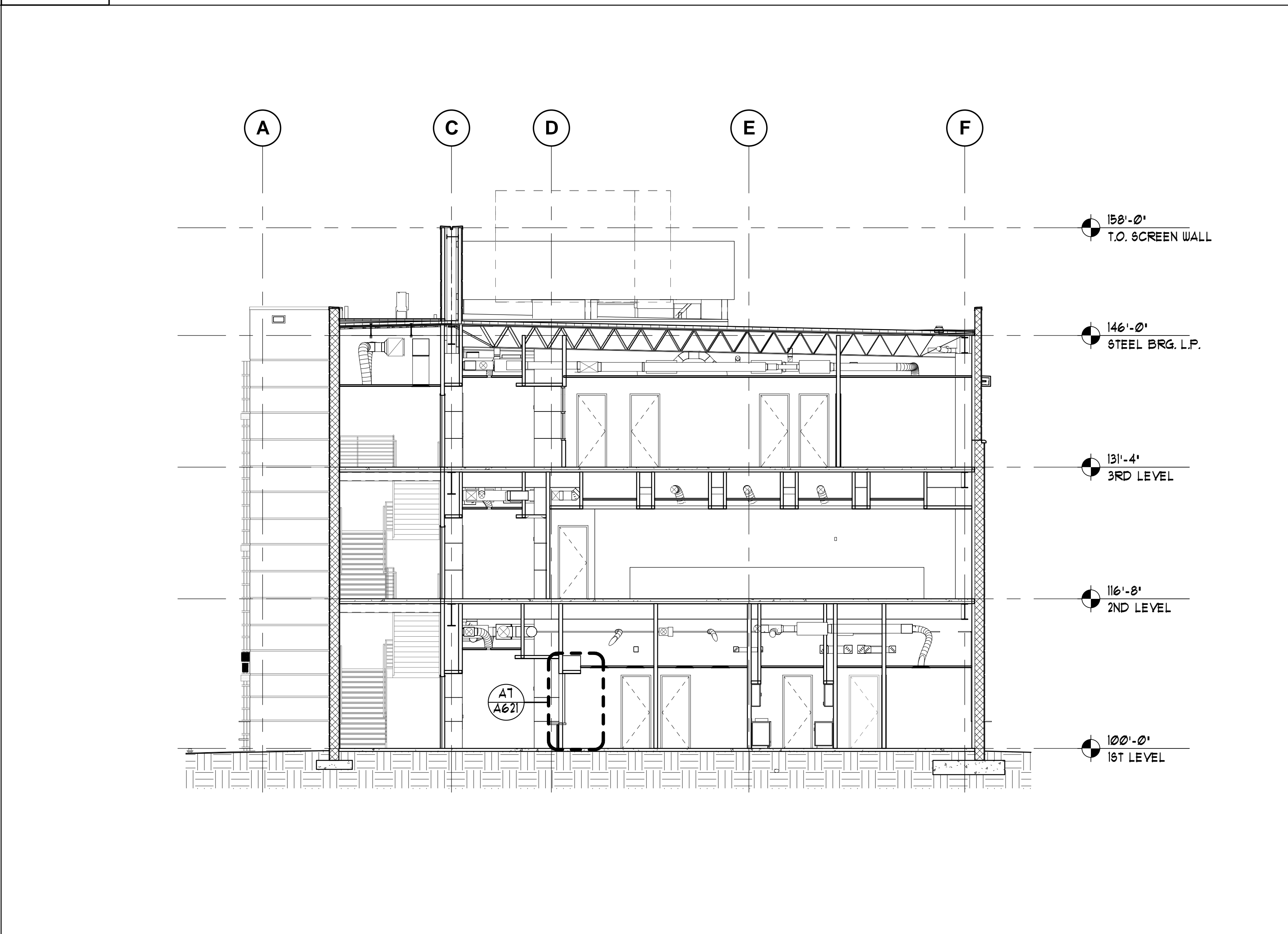
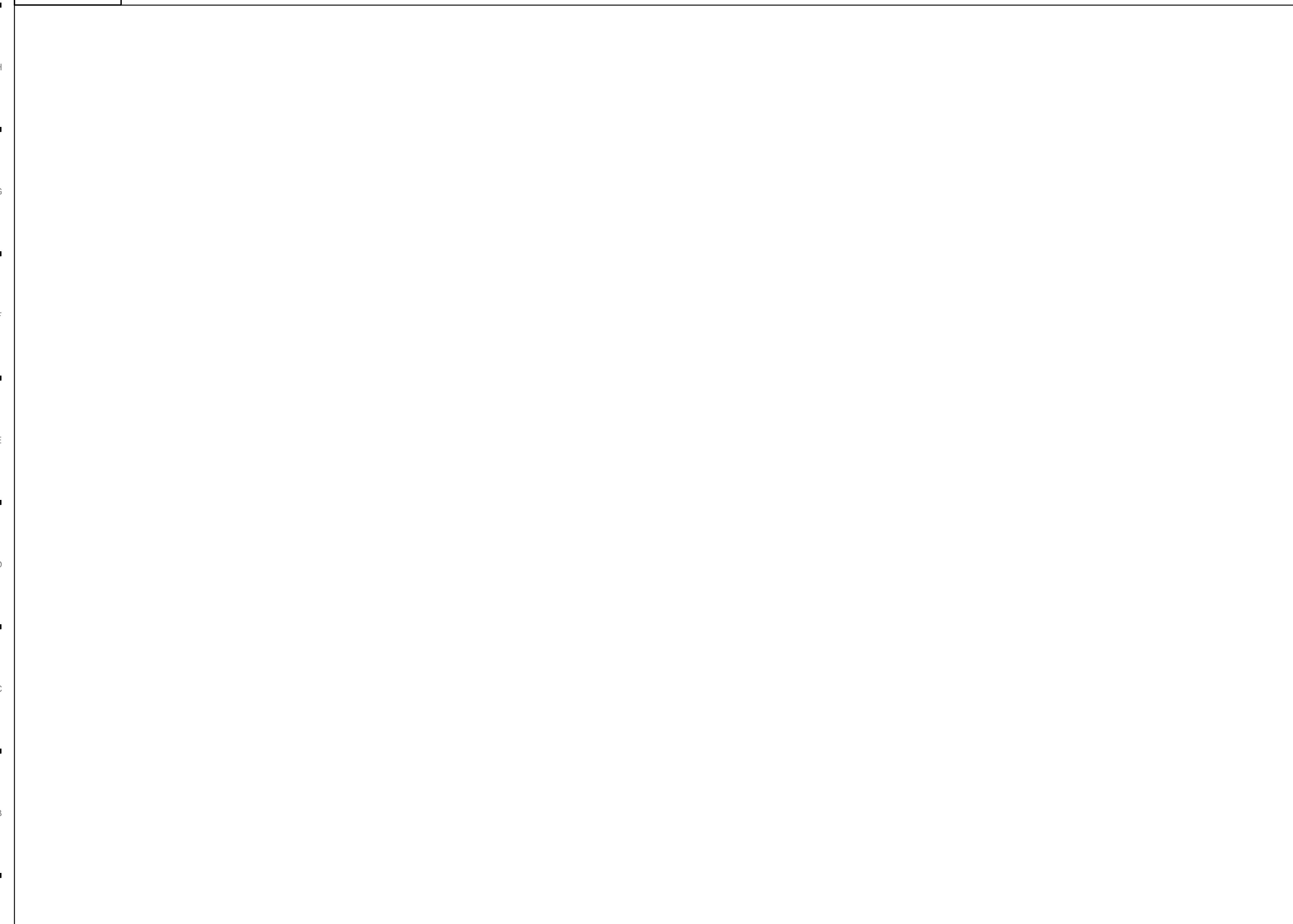
A1 FLOOR PLAN - 1ST LEVEL
 1/8" = 1'-0"





J1 BUILDING SECTION
1/8" = 1'-0"

J10 BUILDING SECTION
1/8" = 1'-0"



A10 BUILDING SECTION
1/8" = 1'-0"

KEYNOTES

GENERAL NOTES

SEAL

Turner
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PHASE 1

Hunton Brady
ARCHITECTS

DATE	SUBMISSION	NO.
07/03/10	CONSTRUCTION DOCUMENTS	

BUILDING SECTIONS

PROJ. NO. E-0910000	SHEET
DRAWN B.D.	A211