

**ACCESSIBILITY ADVISORY COUNCIL
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**OCTOBER 8, 2024
2:00 P.M.**

Minutes

ACCESSIBILITY ADVISORY COUNCIL PRESENT:

Allison Klein
Lois Darlene Laibl-Crowe

Sila Miller
Paul Edward Viksne

ACCESSIBILITY ADVISORY COUNCIL NOT PRESENT:

Joe Del Vecchio, Chairman
Beth Meyer

Stan De Aranzeta

STAFF PRESENT:

Marlita Peters
Sabrina Evans
Jim Hammers
Alan Burke

Mo Madani
Chip Sellers
Justin Vogel

Welcome:

Time: 2:00 p.m.

Ms. Peters welcomed everyone to the teleconference meeting of the Accessibility Advisory Council.

Roll Call

Ms. Peters performed roll call for the Council. A quorum was determined with 4 members present at roll call.

Agenda Approval:

Mr. Viksne entered a motion to approve the agenda for today's meeting as posted. Ms. Klein seconded the motion. The motion passed unanimously with a vote of 4 to 0.

Approval of the minutes from August 20, 2024:

Ms. Miller provided a comment.

Mr. Viksne entered a motion to approve the minutes from, 2024, as posted. Ms. Laibl-Crowe seconded the motion. The motion passed unanimously with a vote of 4 to 0.

Commission's Action on August 2024 Waiver Applications:

Mr. Madani informed the committee that the Committee actions were consistent with the Council's recommendations.

Application for waiver from Accessibility Requirements:

- 1) **Libre AF, Inc. - Waiver 687-** 129 NW 26 St. 105., Miami 33127 **-ISSUE:** Vertical accessibility to the Mezzanine

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

Analysis:

The applicant is requesting a waiver from providing vertical accessibility to a mezzanine in an exercise studio with 1,996 square feet. The proposed alteration will consist of drywall framing, mechanical, electrical, plumbing, and finishes. The project cost is \$112,250 for the alteration. The applicant has submitted two cost estimates of \$39,900 and \$43,750 for a lift. The architect for the project stated that the mezzanine, which has an occupant of five (5) persons will not be open to the public. The applicant alleges substantial financial costs will be incurred by the owner if the waiver is denied.

Staff Recommendation:

Staff recommends granting the request for waiver for vertical accessibility on the ground economic hardship.

Discussion:

Members of the Council and staff went into discussion with questions and comments.

Motion:

Mr. Viksne entered a motion to recommend that the Commission to grant the waiver for vertical accessibility on the grounds of economic hardship. Ms. Klein seconded the motion. The motion passed unanimously with a vote of 4 to 0.

- 2) The Palms NL Condo Association -Waiver 674- 728 SW 81st Ave, North Lauderdale 33068- ISSUE:** Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

Representative:

Alan Cohen stated he is available to answer any questions.

Analysis:

The applicant is requesting a waiver from providing vertical accessibility to the second floor of three two-story apartment buildings. This is an affordable housing and privately funded project. According to the applicant, the cost of both installing the elevators and maintaining them on an annual basis makes this affordable housing project infeasible. As part of the project review, the Building Official of City of North Lauderdale indicated that an elevator is required for the two-story apartment buildings. The applicant alleges substantial financial costs will be incurred by the owner if the waiver is denied.

Staff Recommendation:

Staff recommends granting the request for waiver for vertical accessibility to the extent it has been made necessary on the basis that the project in question falls outside the scope of chapter 553, part II, Florida Statutes, and the Florida Building Code, Accessibility, 8th Edition (2023), and vertical accessibility to the second floors of the structures is therefore not required.

Discussion:

Mr. Cohen, members of the Council and staff went into discussion with questions and comments.

Motion:

Ms. Laibl-Crowe entered a motion granting the request for waiver for vertical accessibility to the extent it has been made necessary on the basis that the project in question falls outside the scope of chapter 553, part II, Florida Statutes, and the Florida Building Code, Accessibility, 8th Edition (2023), and vertical accessibility to the second floors of the structures is therefore not required. Mr. Viksne seconded the motion. The motion failed with a vote of 2 to 2. (Sila Miller and Allison Klein)

- 3) Ybor City Grand Cathedral LLC-Waiver 689-** 23201 North Florida Avenue, Tampa 33602- **ISSUE:** Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

Analysis:

The applicant is requesting a waiver from providing vertical accessibility to the second floor of a historic two-story church built in 1907 with 8,106 square feet. The applicant is proposing to convert the existing church into a cigar shop. The proposed alteration will consist of upgrading the HVAC, electrical, and sprinkler systems; refinishing bathrooms to be ADA compliant; and upgrading existing stairs to the mezzanine to allow code-compliant egress widths. According to the City of Tampa's Architectural Review and Historic Preservation Manager, the former church is a contributing resource to the Tampa Heights National Register and local historic districts. Full compliance with the requirements for vertical accessibility would cause an adverse impact that would diminish the resource's historic integrity of the said building and would require interior modifications which would result in further undesired impacts on the building's historic fenestration. The applicant has provided documentation confirming the historic significance of the property.

Staff Recommendation:

Staff recommends granting the request for waiver for vertical accessibility on the grounds of the historical nature of the property.

Representative:

Stephen Michelini provided a comment and stated he supports staff's analysis.

Motion:

Mr. Viksne entered a motion to recommend that the Commission to grant the waiver for vertical accessibility on the grounds of the historical nature of the property. Ms. Miller seconded the motion. The motion passed unanimously with a vote of 4 to 0.

4) Office 88 Inc. -Waiver 686- 8101 Biscayne BLD, Miami 33138- **ISSUE:** Vertical accessibility to the Mezzanine.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

Analysis:

The applicant is requesting a waiver from providing vertical accessibility to a mezzanine in an office Building with 2,871 square feet. According to the applicant, the proposed alteration will consist of relocating the bathroom sink for compliance with the ADA clearances from an existing side wall. The project cost is \$1,250 for the proposed alteration. Construction cost of work completed in the past 3 years is \$15,333. The applicant has submitted two cost estimates of \$96,236 and \$87,439 for an elevator. The applicant alleges substantial financial costs will be incurred by the owner if the waiver is denied.

Staff Recommendation:

Staff recommends granting the request for waiver for vertical accessibility on the grounds of economic hardship.

Motion:

Mr. Viksne entered a motion to recommend that the Commission to grant the waiver for vertical accessibility on the grounds of economic hardship. Ms. Laibl-Crowe seconded the motion. The motion passed unanimously with a vote of 4 to 0.

5) 2887 NW 5th LLC- Waiver 679- 2887 NW 5th Ave, Miami 33127- **ISSUE:** Vertical accessibility to the second floor.

Mr. Sellers presented the waiver request with staff analysis and staff recommendation.

Analysis:

The applicant is requesting a waiver from providing vertical accessibility to the second floor of an office with 10,027 square feet. The second floor is currently used as a warehouse storage. The proposed alteration will consist of mechanical, electrical, plumbing, doors, windows, framing, drywall, flooring and paint. The project cost is \$235,930 for the alteration. The applicant has submitted two cost estimates of \$206,462 and \$147,900 for an elevator. The applicant alleges substantial financial costs will be incurred by the owner if the waiver is denied.

Staff Recommendation:

Staff recommends granting the request for waiver for vertical accessibility on the grounds of economic hardship.

Motion:

Ms. Klein entered a motion to recommend that the Commission to grant the waiver for vertical accessibility on the grounds of economic hardship. Mr. Viksne seconded the motion. The motion passed unanimously with a vote of 4 to 0.

Other Council Business:

None

Public Comment:

None

Member and Staff Comment:

None

Adjourn:

There being no further business before the Council, Ms. Peters adjourned the meeting at 2:35 p.m.