



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

Cord Byrd
Secretary of State

Kevin Oun
2716 St Johns Avenue,
Jacksonville, Florida, 32205
kevin@jaaarchitecture.com
(904) 379-5108

September 7, 2022

RE: ADDENDUM
 DHR Project File No.: 202204654, Received by DHR: June 17th, 2022
 Project: *ADA Sec. 202.5 Exemption Waiver Review:*
 -323 East Bay Street, Jacksonville, Florida, 32202
 County: Duval

To Whom It May Concern:

At your request we reviewed the above referenced properties pursuant to the procedures set forth in Section 202.5 – *Alterations to Qualified Historic Buildings and Facilities*, 2020 Florida Accessibility Code for Building Construction, 7th Edition, codified in 28 CFR Part 36 and equivalent procedures implementing Sections 553.503 of the Florida Statutes.

The above referenced property is listed in the *National Register of Historic Places* as a contributing resource to the Riverside Avondale Historic District. Therefore, the property is eligible for the exemption granted Qualified Historic Buildings and Facilities per Section 202.5 of the FACBC, 2020. It is the opinion of this office that the above referenced property should be granted an ADA exemption waiver for vertical accessibility based on the following establishing factors:

Decca – 323 East Bay Street, Jacksonville, Florida, 32202

This is a two story commercial building with a basement and a proposed rooftop bar. The applicant requested a vertical accessibility exemption for the basement and the rooftop bar. The first floor is accessible via a platform lift that adjust for a grade difference between the entry foyer and the main space. The rear is accessible to entertainers and vendors via a non-permanent ramp. The second floor is accessible via an elevator. The elevator also provides access to the basement however, the elevator area is fairly closed off from the rest of the basement in order to protect the original mechanics of the elevator. It is the opinion of this office that while changes could be made to make the basement accessible it is unnecessary as it could potentially decrease the amount of protection the elevator has and the basement is mostly unused, only containing three small rooms for private use and storage. This is a nonpublic space within a building under the square footage required for total accessibility. Finally, the main exemption requested for this structure was access to the new-construction rooftop bar. The elevator in the building is the original 1913 elevator and is a character defining characteristic of the building. To damage or alter it risk the historic integrity of the architecture and weakens its status within

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



the district. In order to make the rooftop bar accessible either the original elevator would have to be extended to the roof or a new elevator would have to be erected on the rear of the building. However, the rear of the building is abutted by a public parking lot and as such cannot accommodate an exterior elevator shaft. Similarly, the original 1913 elevator cannot be extended to the roof firstly because it is not in adherence with the *Secretary of Interior Standards of Design for Rehabilitation* and secondly because the elevator shaft is located at the very front left (looking North) of the building. This means that an extension of the elevator shaft would require the creation of a penthouse structure on the roof to house the elevator at the very front of the building. This would be a grotesque alteration to the historic district and in direct conflict with the Secretary of Interior Standards and the design guidelines outlined in the historic districts' designation.

The opinions of this office outlined above are intended for a vertical accessibility waiver only and does not include a review of other ADA exemptions such as restroom facilities. If you have any questions, please contact Dr. Kyra Lucas, Historic Preservationist, by email at kyra.lucas@dos.myflorida.com, or by telephone at 850.245.6339.

Sincerely,



Timothy A Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer