

**FLORIDA BUILDING COMMISSION  
ACCESSIBILITY ADVISORY COUNCIL**

**Minutes  
August 13, 2002**

Vice Chairman Neil Melick called the meeting to order at 9:00 A.M. at the Rosen Centre Hotel, International Drive, in Orlando, Florida on August 13, 2002. Members present were: Mr. Melick, Johnny Long and Pam Dorwarth. Staff present were Mary Kathryn Smith and Al Bragg. Vice Chairman Melick stated that since a quorum was not present, he would present consensus recommendations to the Commission for disposition of the waivers, but it would not be in the form of a formal vote.

**Review of the Minutes:** Since no quorum was present, no action could be taken on the minutes and this will be scheduled for the September meeting.

**Review of Requests for Waivers from Accessibility Requirements:**

**Davie Campus – Jewish Federation of Broward County:** Mr. Melick recognized Mr. Raymond Orsi who represented the applicant, which requested a waiver form providing vertical accessibility to all levels in a retractable bleacher system in a gymnasium. The project is a new, \$3,000,000 gym and fitness center being added to an existing facility. An elevator has been provided to the second floor, which contains a jogging track and storage areas. Cost is not a factor, rather the structural impracticality of making each level of the bleacher system was the reason the waiver was requested. Mr. Long stated that he did not feel a \$16,000 lift was a hardship in a project of this size. Vice Chairman Melick said he was concerned about companion seating adjacent to the wheelchair seating locations as it was not clearly defined. Mr. Long said he would recommend that the Commission not approve the waiver, that it be resubmitted with proper documentation, including seating in the bleacher system itself. Following further discussion, Mr. Long stated he would recommend approval if the designation of accessible seats and companion areas was clearly shown, with the seats preferably located in the bleachers. The remainder of the Council concurred.

**Hollywood 10 Movie Theater:** Mr. Rodney Sartain represented the applicant which requested a waiver from providing vertical accessibility to all levels of stadium seating in a 10 screen movie complex. Accessible seating locations have been designed in the middle and first rows of stadium seats in the project. It will cost \$800,000 and the applicant provided estimates that it would cost an additional \$430,000-\$450,000 to install lifts to each level in each theater. Sight lines at accessible seating locations are less than thirty degrees in each theater. All companion seats were designed to have adjustable arms and the applicant also provided a unisex toilet in addition to the required facilities. Ms. Dorwarth complimented the applicant for the accessible design and said she had worked with Mr. Sartain in the past to address accessibility issues in movie theaters. Mr. Long said that the application should be approved and the other Council members concurred.

**Mandarin Theaters:** Vice Chairman Melick recognized Mr. Bill Homer, who represented the applicant. Mr. Homer stated he had recently leased the theaters with existing stadium seats which currently provided one lift per theater. He requested approval to remove the wheelchair lifts in the auditoriums and said that five other theaters in the city have been constructed without considering the installation of lifts. He further stated that the \$2,000-\$4,000 yearly cost to main the lifts is detrimental to business. Other accessible seating is located on the first row and on the first row of the stadium seating. Mr. Bragg advised Mr. Homer that no state can condone any action to diminish accessibility in an existing facility and the Commission has no power to waiver federal law. Mr. Long said the Commission should be advised that action on the waiver request was out of its jurisdiction and the other Council members concurred.

**AMC Altamonte Springs 18-Plex Theater:** Mr. Sam Giordano and Mr. Steve Carpenter represented the applicant which requested a waiver from providing vertical accessibility to all levels of seating in an 18 screen movie theater complex. The application stated that the total cost of construction is unknown. Other than in the 112 seat theater, all proposed designs have the required number of accessible seating locations. Mr. Carpenter indicated it would cost \$92,000 per auditorium to make all levels accessible, and all accessible seating locations have sight lines less than thirty degrees. Mr. Long stated he would recommend approving the application provided on additional accessible seat is provided in Floor Plan 2 and that one accessible seat from the front row be moved into Zone B. The Council members concurred.

**World Gym Fitness Center:** Mr. Vincent Pannozzo represented the applicant which requested a waiver from providing vertical accessibility to a mezzanine. The project is a \$250,000-\$300,000 alteration to an existing facility. The project will contain 26,550 square feet, of which 3,600 square feet will house the lobby, tanning rooms, chiropractor's office, smoothie bar and offices. The remaining 22,950 square feet will contain exercise equipment. There is an existing 2,160 square foot mezzanine which will be expanded by 2,700 square feet. Cardiovascular workout areas and aerobics are offered on both levels. Mr. Pannozzo stated the applicant plans to install exercise equipment that is accessible to wheelchair users. Bids were submitted that indicated it would cost \$36,000-\$39,200 to provide an elevator to the mezzanine. Mr. Melick commented that the cost to provide vertical accessibility was not disproportionate to the cost of construction. Mr. Long said he would recommend denial, but would allow the applicant a six month period to provide vertical accessibility. The Council concurred.

**Law Offices – Kallins and Little:** Ms. Laura Gee represented the applicant which requested a waiver from providing vertical accessibility to a 990 square foot mezzanine in a \$1,000,000 alteration. She stated that the area in question will house offices for four attorneys and that their policy is not to meet with clients in the offices, but to go to the accessible conference room located on the first floor. No toilet facilities were planned for the mezzanine so people working on that level would have to go to toilets located elsewhere in the building. Mr. Bragg stated that the project meets the

parameters of the exception provided in the code that allows areas housing five or fewer employees to be exempt from vertical accessibility. Mr. Long said he would recommend approving the request and the Council members concurred.

**General Discussion:** Vice Chairman Melick recognized Mr. Larry Schneider who advised the Council he was in receipt of a report developed by the Massachusetts Agency on Disability that tracked that state's compliance with accessibility laws to determine to what extent compliance had been achieved. Mr. Long suggested referring discussion to the TAC.

Vice Chairman Melick announced that ASME had recently changed some of its regulations pertaining to lifts that now permit lifts to penetrate floors under certain conditions.

There being no further business to come before the Council, the meeting adjourned at 11:40 A.M.