

**FLORIDA BUILDING COMMISSION  
ACCESSIBILITY ADVISORY COUNCIL**

**September 23, 2002**

Vice-Chairman Neil Melick called the meeting of the Accessibility Advisory Council to order at 9:35 A.M. at the Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida. Members present were Mr. Melick, Johnny Long, Andrea Williamson and J. R. Harding. Staff present were Mary Kathryn Smith and Jim Richmond.

**Review of the Minutes of the July 1 and August, 13, 2002 Meetings**

Vice-Chairman Melick asked if there were any changes or corrections to the minutes as distributed. Dr. Harding moved to approve the minutes of the July 1, 2002 meeting as written. Following a second by Mr. Long, the vote of the Council was unanimous in favor of the motion. Mr. Long asked that in the future, any waiver subject to the mandates imposed by HB 1307 should be so noted in the minutes. Mr. Long moved to approve the minutes of the August 13, 2002 meeting, and was seconded by Dr. Harding. The vote of the Council was unanimous in favor of the motion. Mr. Long asked that copies of Final Orders be available for the council to review at the meeting after they are issued.

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

**Primrose School, Tanya King Boulevard, Orange County, Florida:** Vice-Chairman Melick recognized Ms. Bemmie Eustace who represented the applicant, which requested a waiver from installing water closets, lavatories, grab bars and mirrors at the heights specified in Chapter 11 of the Florida Building Code. The project is a new, \$800,000 day care facility and the waiver is only for toilet rooms used in conjunction with classrooms, as the common and public use toilet rooms have been designed to comply with the code. The applicant proposes using the mounting heights developed by the Access Board for children that are being evaluated by the Department of Justice. In toilet rooms to be used by children less than five years old, Ms. Eustace said the applicant asked that the lavatory be allowed outside the stall, since small children require the assistance of a teacher or aide. Cost is not an issue, and no estimates were provided. Mr. Long moved to recommend approving the waiver for the mounting heights, provided the applicant complies with the recommended standards for children's facilities. He was seconded by Dr. Harding, and the vote of the Council was unanimous in favor of the motion. Discussion followed regarding the lavatory to be installed outside the toilet room. It was the Council's consensus that a child should have the ability, with or without assistance, to have privacy when using a lavatory to clean up if an accident occurs. Mr. Long moved to recommend denying the request to install a lavatory outside the toilet room, and following a second by Dr. Harding, the vote of the Council was unanimous in favor of the motion.

**Cost of Wisconsin, International Drive, Orlando, Florida:** Mr. David Peterson and Mr. Jeffrey Scheider represented the applicant, which requested a waiver from providing vertical accessibility to all 36 holes at a miniature golf course. The applicant stated that the course would be designed and constructed to comply with the proposed ADAAG guidelines for recreational facilities that require 50 percent of all holes to be accessible and all other holes accessible if there is no architectural barrier to prevent persons with disabilities from playing on the course. The project will cost approximately \$1,000,000, and no individual estimates were provided. The project is in the conceptual stage and accessible features will be incorporated into the overall design as determined to be necessary. Since this is an exterior facility, it is not anticipated that mechanical lifts would be used to provide vertical accessibility, rather ramps would be used as an integral element to make the required holes accessible. Mr. Long commented that it appeared there were some elements on the course, such as the volcano, which were located in the portion that was not accessible. He moved to recommend denying the request since no hardship had been demonstrated and give the applicant the opportunity to redesign the project. Ms. Williamson seconded the motion and the vote of the Council was unanimous in favor of it.

**Family Activity Center – Old Cutler Presbyterian Church, 7055 S. W. 144<sup>th</sup> Street, Miami, Florida.** Mr. Edward Berounsky represented the applicant which requested a waiver from providing vertical accessibility to all rows of seats in a new, 226 seat auditorium that is part of a larger, overall activity/recreation center. The complex will feature, in addition to the auditorium, a gymnasium, classrooms and meeting rooms. The other facilities are linked to each other by means of a series of covered walkways and all other portions of the center are accessible. In the auditorium, a lift has been provided that will allow persons with disabilities access to the stage, and an elevator has been designed to provide access to the second floor. The seating in the auditorium has been designed so that it is steeper than a traditional movie theater, but not as steep as an IMAX type theater. Mr. Melick commented that all sight lines appeared to be less than the maximum thirty degrees and Mr. Henry concurred that they were. Mr. Henry also stated that he had been made aware that the theater required six wheelchair seating locations rather than the five originally proposed and the design would be amended to reflect that change. Mr. Long moved to recommend granting the request, as amended for the addition of an additional accessible seat with a companion seat adjacent to it. Dr. Harding seconded the motion and stated the hardship was based on structural infeasibility. The vote of the Council was unanimous in favor of the motion.

**Reliable Group Architectural Office, 309 South Willow Avenue, Tampa, Florida.** Mr. William Henry represented the applicant which requested a waiver from providing vertical accessibility to a new, 1,570 square foot second floor of an architectural office. The applicant stated the addition will cost \$100,000 and estimates to provide a lift to the second floor were submitted for \$22,500 and \$26,880. The first floor has work stations, accessible toilet rooms, a kitchen and conference room while the second floor will house work stations only. Following Mr. Henry's description of the work to be done, Mr. Melick relinquished the chair to Ms. Williamson and moved to recommend granting the waiver based on the provisions of HB 1307, since the cost to

provide vertical accessibility would exceed 20 percent of the cost of the alteration. Dr. Harding seconded the motion, and during the course of discussion, Mr. Henry commented that much of the work would be done in house, rather than under contract. Mr. Melick questioned the cost and stated that the building code contains valuation tables that do not take into consideration the party doing the work. He said it was his opinion the cost to construct the second floor would exceed \$100,000 and withdrew the motion. Dr. Harding also withdrew his second. Mr. Melick moved to defer action on the application pending submittal of the cost validation. Mr. Long seconded the motion, and following further discussion, the motion and second were withdrawn. Mr. Melick asked Mr. Henry what would be a reasonable period of time to obtain the resources to install a lift. Mr. Henry said he felt this could be done in three to five years. Mr. Melick moved to recommend granting the waiver, provided a shaft for the lift is installed concurrent with the addition and that a lift be added within four years of the time a certificate of occupancy is issued. Mr. Long seconded the motion, and the vote of the Council was unanimous in favor of it.

**Miscellaneous Discussion:** Mr. Long reported that while he would discuss it more in depth at the TAC meeting later, he wanted the Council to know that the Paralyzed Veterans of America was pursuing becoming an approved provider for accessibility training and would also like to act as the manager or clearing house for all training on the accessibility code.

There being no further business to come before the Council, the meeting adjourned at 11:50 A.M.