

**FLORIDA BUILDING COMMISSION  
ACCESSIBILITY ADVISORY COUNCIL  
December 6, 2004**

Chairman Neil Melick called the meeting of the Council to order at 9:10 A.M. at the Rosen Centre Hotel in Orlando, Florida. Members present were: Chairman Melick, J. R. Harding, Johnny Long, Pam Dorwarth, Andrea Williamson and Barbara Page. Staff present were Mary Kathryn Smith, Richard Shine and Leslie Anderson-Adams.

**Review of the Minutes of the October 18,2004 Meeting.** Chairman Melick asked if there were any corrections or additions to the minutes. Dr. Harding noted that in one reference, Mr. Long was referred to as "Ms." Long, and with that corrected moved to approve the minutes as written. Mr. Long seconded the motion and the vote of the Council was unanimous in favor of it.

**Review of Applications for Waivers from Accessibility Requirements.**

**Stock Exchange Restaurant, 125 Basin Street, Daytona Beach:** Ms. Smith reported that the applicant had engaged an attorney who requested the review be postponed until the following meeting. Mr. Long moved to defer action on the waiver and following a second by Dr. Harding, the vote of the Council was unanimous in favor of the motion.

**Victory Lane Club Rooftop Seating, Daytona International Speedway, Daytona Beach:** The applicant was represented by Mr. Armand Trimm and Ms. Teresa Jakobouski. The applicant requested a waiver from providing vertical accessibility to the second row of seats in a 141 seat venue. Six seats will be accessible, accompanied by the required companion location. The area will also house scorers, timekeepers and media as well as some club amenities. The Speedway plans to reserve a portion of the seats for club leaseholders while offering the remainder, at the same price, to the general public. The project is a new building costing \$6,000,000 and estimates were submitted indicating it would cost \$73,700 to \$103,480 to provide vertical access to the elevated row. Mr. Long moved to recommend approving the waiver, provided all accessible seating is on the first row with seats located in the center and on the ends. Dr. Harding seconded the motion and the vote of the Council was unanimous in favor thereof. Mr. Shine advised the applicant that the Final Order would be withheld pending receipt of revised drawings reflecting the Council's stipulation.

**Victory Circle Bleacher Seating, Daytona International Speedway, Daytona Beach:** Chairman Melick recognized Mr. Armand Trimm and Ms. Teresa Jakobouski as the applicant's representatives. The applicant requested a waiver from providing vertical accessibility to all rows of seats in a temporary bleacher system. The area will provide seating for 500 persons in the area of the track used for ceremonies and presentations after race events. There will be 14 rows of seating on the ends of the system and 7 in the center, which is designated for use by the press only. The applicant plans to designate 8 wheelchair seats on the first row as well as making the entire front row of the press area

accessible. The bleachers will be used only for this special function and do not face the track for reviewing during the race. The bleachers are designed to be portable to enhance the use of the infield area for concerts and other outdoor events. The project will cost \$215,000 for the bleachers with a total cost of \$350,000k including a portable stage. Cost to provide access was not an issue, rather the technical ability to provide a safe method of vertical transport within the limited space in the area. Chairman Melick said all companion seats must be located immediately adjacent to the wheelchair locations. Ms. Williamson moved to recommend granting the request, provided companion seats are moved forward and revised plans submitted for review. Ms. Page seconded the motion and the vote of the Council was unanimous in favor of it.

**Hialeah Branch Courthouse, 11 East 6 Street, Hialeah:** The applicant was represented by Ms. Melissa Negron, counsel for the City. The project is a 3,500 square foot facility, of which 3,100 square feet is available for immediate occupancy. The project was originally constructed for approximately \$7,000,000 and is owned by the City of Hialeah and leased to Miami-Dade County. It serves not only Hialeah, but also other nearby municipalities. According to Ms. Negron, the time frame to complete the required alterations would have been delayed for approximately six weeks, which was administratively infeasible. Ramps in two courtrooms have 60 inches of straight and level clearance rather than the 72 inches required by the Florida Accessibility Code. An estimate of \$48,600 was submitted for the cost to modify the courtrooms to include the required clearance. Ms. Page moved to recommend granting the waiver, since the applicant had demonstrated hardship. Following a second by Ms. Williamson, the vote of the Council was unanimous in favor of the motion.

**Lakeland Starnet Theatre, 3606 US Highway 98 North, Lakeland:** Mr. Christopher Sogas represented the applicant which requested a waiver from providing vertical accessibility to all levels of seats in an existing 1- screen movie theater. Six of the ten theaters are being converted to accommodate stadium type seating at a cost of \$379,450. An estimate was submitted that it would cost an additional \$249,570 to provide vertical access to each level in the building. Accessible seating has been planned at the front and center of Auditoriums 1 and 10; however, only four seating areas were indicated on the plans, while the code requires six. Six accessible seats were shown for Auditoriums 5 and 6, while only five are required. In Auditoriums 4 and 7 four seats are planned while five are required. Seats in all auditoriums have companion seats adjacent to the wheelchair seating areas. Following lengthy discussion, Mr. Long moved to recommend deferring final action on the request until the January meeting to allow the applicant sufficient time to make necessary changes. Dr. Harding seconded the motion and the vote of the Council was unanimous in favor thereof.

**Casa Marina Hotel and Restaurant, 691 First Street, Jacksonville:** Chairman Melick recognized Mr. Chris Hionides as the applicant's representative. The applicant requested a waiver from providing vertical accessibility to the second level of a penthouse in an existing hotel and restaurant listed on both local and National Historic Registers. The project contains 24 rooms, a dining room and lounge. The applicant plans to convert the currently vacant third floor penthouse for use as a conference area during

the day and an after hours lounge. The level in question contains 1,200 square feet on the lower level and 650 square feet on the second. An elevator has been installed to the penthouse, but according to Mr. Hionides, installation of a lift to the upper level would cost \$28,000 and require redesign and configuration of the stairs serving the area. He stated installation of a lift, while costly, is less of a consideration than modifying the stairs in an historic structure. Dr. Harding moved to recommend deferring further discussion on the application to allow the applicant to obtain and submit additional documentation. Following a second by Ms. Williamson, the vote of the Council was as follows: Aye: Melick, Harding, Williamson, Page, Dorwarth. Nay: Long.

**Muvico Coconut Point 20, Tamiami Trail, Bonita Springs.** Mr. Larry Schneider and Mr. George Figlar represented the applicant, which requested a waiver from providing vertical accessibility to all rows of seats in a new, 20 screen movie theater. The proposed plan was for the theaters seating from 100 to 333 persons and appropriate wheelchair seating and companion seats will be provided. The project is under design, so no hard costs were submitted for vertical accessibility; however, the project designer estimated it would cost an additional \$65,000 per theater to comply (\$1,300,000 total). Following discussion in which Council members suggested moving some of the accessible seats closer to the center of the rows, Mr. Long moved to recommend granting the request, provided the seats are reconfigured in accordance with the Council's suggestions. Ms. Dorwarth seconded the motion and the vote of the Council was unanimous in favor thereof.

**Christine E. Lynne College of Nursing, Florida Atlantic University, Boca Raton.** No one was present to represent the applicant which requested a waiver from providing vertical accessibility to all three tiers of seats in a classroom in a new, \$12,890,000 teaching facility. Access will be provided both at the floor level and on the third row by means of a ramp from the adjacent accessible corridor. According to the application, the ramp was designed as an integral part of the building's design and its cost was incorporated into the overall cost of construction. The issue is not monetary; it stems from the method of teaching nursing students and is a functional, rather than fiscal hardship. Mr. Long moved to recommend granting the waiver, and following a second by Ms. Page, the vote of the Council was unanimous in favor of the motion.

**Target Store T-688, 2380 International Speedway Boulevard, Daytona Beach:** No one represented the applicant, which requested a waiver from providing vertical accessibility to a 3,331 square foot mezzanine in an existing 112,967 square foot building. The facility is undergoing a \$4,500,000 alteration including enhanced accessibility to the toilet rooms, checkout lines, fitting rooms, electronics and jewelry counters, pharmacy area, food service area, main entry doors and garden center doors. According to the application, the mezzanine is used for employee staff meetings and may be used for employee breaks; however, company policy encourages staff to use the in-store food area. If necessary, accessible offices on the first floor could be used for staff meetings. An estimate of \$148,715 for installation of an elevator was included in the application. Dr. Harding moved to recommend denial since no hardship was

demonstrated. Following a second by Mr. Long, the vote of the Council was unanimous in favor of the motion.

**Green Iguana, 8790 Bay Pines Boulevard, St. Petersburg:** There was no applicant's representative. The applicant requested a waiver from providing vertical accessibility to the upper deck of a two level dining area that underwent a \$116,231 unpermitted alteration. According to the application, there is an accessible route from the new deck into the main building. The building official disagreed and stated that a person with a disability would have to exit the tiki bar, travel 45 feet to another ramp, then traverse an additional 100 feet of uncovered ramps and landings to the building entrance. If the situation is allowed, it would require disabled persons to travel 229 feet to reach the toilet facilities as opposed to 70 feet for those without mobility impairments. The building official further stated that the stairs must be modified since they are not in compliance with the code and a lift could be added easily. According to the applicant, the project cost was \$116,231 while the building official calculated it at \$132,113 plus additional cost to upgrade the plumbing as well as \$51,000 sewer fees and \$20,000 permitting and impact fees. Estimates were submitted that it would cost an additional \$14,520 to \$17,462 for a lift to the deck and \$8,268 to \$9,768 for a ramp to the existing DJ platform. Mr. Long moved to recommend denying the application and following a second by Ms. Dorwarth, the vote of the Council was unanimous in favor of the motion.

There being no further business to come before the Council, the meeting adjourned at 12:10 P.M.