

**FLORIDA BUILDING COMMISSION
ACCESSIBILITY ADVISORY COUNCIL
January 13, 2003**

Chairman Neil Melick called the meeting of the Council to order at 10:10 A.M. at the Rosen Centre hotel on International Drive in Orlando. Members present were: Chairman Melick, Johnny Long, Michael Elliott and Pam Dorwarth. Staff present were Mary Kathryn Smith and Tim Dennis.

Action on the Minutes of the December 9, 2002:

Chairman Melick asked if there were any corrections to the minutes. Johnny Long moved to approve the minutes as written and following a second by Pam Dorwarth, the vote of the Council was unanimous in favor of the motion.

Review of Applications for Waiver from Accessibility Code Requirements.

Crispin Porter Bogusky Office Interiors, 3390 Grand Avenue, #380. Streets of Mayfair, Coral Gables, Florida

The applicant requested that review of the application be deferred to allow additional time to revise the plans and pursue alternative methods of providing vertical accessibility. Pam Dorwarth moved to defer review until the February meeting. She was seconded by Johnny Long, and the vote of the Council was unanimous in favor of the motion.

Rene Ruiz Couture, 259 Miracle Mile, Coral Gables, Florida

Mary Kathryn Smith reported that the applicant had withdrawn the application. No further action was required by the Council.

Jackson Kirschner Architect, 1437 Highland Avenue, Melbourne, Florida.

Chairman Melick recognized David Jackson, who represented the applicant. The applicant requested a waiver from providing vertical accessibility to the 1,562 square foot second floor. Each floor is leased to a separate tenant, and any construction to install an elevator or lift would encroach on the space of the first floor tenant. It is also not possible to place a mechanical device on the exterior since the building is located in an historic district, which prohibits modifying the exterior façade. The renovations are not expected to exceed \$15,000 and Mr. Jackson stated that the least expensive lift available would cost at least \$10,000. Chairman Melick commented that the situation was disproportionate and within the parameters established by the Legislature by passage of HB 1307. Pam Dorwarth moved to recommend granting the waiver, based on disproportionate cost to provide access to the second level. Following a second by Michael Elliott, the vote of the Council was unanimous in favor of the motion.

**Merritt Square Mall Cobb Theater, 777 East Merritt Island Causeway,
Merritt Island, Florida**

Lawrence Corley represented the applicant, which requested a waiver from Providing vertical accessibility to all rows of seats in a new, \$5.5 million 16-screen movie theater complex. Wheelchair seating locations are planned that either meet or exceed the requirements of the Florida Accessibility Code and companion seating was provided for each. He provided an estimate that it would cost an additional \$40,000 per screen to make lifts available, or an additional \$640,000 for the entire complex. A lift would also require removing a portion of the seating platforms, resulting in a loss of 15-30 percent of the seats in each theater. The Council reviewed the design for each size theater, ranging from 120 seats in the “A” type theaters to 399 seats in the “D” style screens. Chairman Melick expressed concern that the seats, as designed, would present an obstruction for persons seated in the companion seats. Mr. Corley agreed to redesign the “A” theaters, as recommended, and provide revised drawings prior to the Commission meeting the following day. Johnny Long commented that the “B” theaters should be redesigned to that no accessible seats were located at the ends of the aisles. Mr. Corley agreed to make those modifications, also. Seating in the “C” and “D” style theaters was acceptable without modification. Johnny Long moved to recommend granting the waiver based on the proposed revisions, with the understanding that it would be technically infeasible to make all rows accessible. Following a second by Pam Dorwarth, the vote of the Council was unanimous in favor of the motion.

**Jacksonville Museum of Modern Art, 333 North Laura Street, Jacksonville,
Florida**

Chairman Melick recognized Jane Craven, who represented the applicant which requested a waiver from providing vertical accessibility to all but the front row of a 140 seat auditorium in an art museum. Although the code requires five wheelchair seating locations, eight are planned for this building. The project will cost \$4,150,000 and is an alteration to an existing, historic buildings. When the project is complete, it will house the permanent art collection, traveling exhibitions, art education classrooms, a museum shop, café and theater. According to the applicant, structural constraints prohibit placing a lift to all the upper rows of seats. The only possible method of reaching the seats would be by means of an inclined platform lift. Estimates were provided indicating it would cost from \$28,000 to do so; however, installing the lift would not permit installation of a required handrail. Johnny Long stated the architect should have designed the project to reflect greater dispersment and expressed concern that the line of sight was too steep and that no companion seats were planned. Jane Craven commented that she would consult the designer, but was unsure what could be done since the seating tiers have already been poured. Johnny Long moved to recommend deferring the application to allow the designer to explore other methods of dispersing the seats and addressing other code deficiencies. Pam Dorwarth seconded the motion, and the vote of the Council was unanimous in favor of it.

There being no further business to come before the Council, the meeting adjourned at 11:45 A.M.