

**FLORIDA BUILDING COMMISSION
ACCESSIBILITY ADVISORY COUNCIL**

**Minutes
August 25, 2003**

Chairman Neil Melick called the meeting of the Accessibility Advisory Council to order at 9:10 A.M. at the Rosen Plaza Hotel in Orlando, Florida. Members present were Chairman Melick, Pam Dorwarth, J. R. Harding and Johnny Long. Staff present were Mary Kathryn Smith, Tim Dennis and Richard Shine.

Review of the Minutes of the July 14, 2003 Meeting. Chairman Melick asked if there were any corrections to the minutes as distributed. Dr. Harding moved to approve the minutes as written, and following a second by Mr. Long, the vote of the motion was unanimous in favor thereof.

Review of Requests for Waivers from Accessibility Requirements

Econo Lodge Inn and Suites, 4900 Hollywood Boulevard, Hollywood: No one was present representing the applicant which requested a waiver from installing an elevator during the first phase of a renovation to an existing, two story hotel. The owner wishes to renovate all the guest rooms during the first phase and in the second, to add a lobby, offices, recreation room, 4 suites and an elevator.. According to the application, the elevator is an integral component of the lobby and since construction of that facility is not planned until Phase II, it would be impractical to install one during the first portion of construction. The room alteration will cost \$110,000, site improvements \$25,000 and the lobby addition \$450,000. Mr. Long commented that the action on the application had been deferred for two meetings to allow a representative to attend and moved to recommend denying the waiver as no financial hardship had been demonstrated and no structural impracticality shown. Ms. Dorwarth seconded the motion, and the vote of the Council was unanimous in favor of it.

816 Commerce Street Building, 816 Commerce Street, Miami Beach: Chairman Melick recognized Mr. Gaston Safar who represented the applicant. He requested a waiver from providing vertical accessibility to the second floor of a vacant building currently undergoing an alteration. The cost of construction is estimated at \$200,000 and estimates were submitted that to provide vertical accessibility it would cost \$19,500 for the elevator tower and an additional \$32,450 for the equipment. Mr. Safar said that \$48,000 had already been spent to upgrade existing toilets and plans to spend another \$20,000 to modify the stairs. Dr. Harding moved to recommend granting the request since providing vertical accessibility would exceed 20 percent of the project cost. Mr. Long seconded the motion and the vote of the Council was as follows: Aye: Melick, Long and Harding. Nay: Dorwarth.

Razzle's Nigh Club, 611 Seabreeze Boulevard, Daytona Beach: No one was present representing the applicant which requested a waiver from providing vertical accessibility to raised levels in a night club undergoing a \$225,000 alteration. The

application stated the project is limited to finishes; however, the building official advised staff that work had previously been done in the facility without a permit and was requiring full code compliance. The application also stated that it would be infeasible to install an elevator because of site conditions and that it would cost an additional \$30,000 to provide a means of vertical accessibility. Mr. Long moved to recommend denying the request as no hardship had been demonstrated. Dr. Harding seconded the motion and the vote of the Council was unanimous in favor thereof.

Congo River Golf, 5905 International Drive, Orlando: Mr. Steve Pfeiffer, Glen Craig and Giorgio Vozza represented the applicant which requested a waiver from providing vertical accessibility to all 18 holes at a miniature golf course. The project is a new, \$600,000 facility and the first nine holes of the course will be accessible as well as the plaza, arcade, gift shop and clubhouse. Mr. Pfeiffer distributed revised drawings which indicated that the accessible holes have been modified so that the cup can be approached from two directions, allowing an individual to play through the holes, then return to the beginning for a different playing experience. Dr. Harding moved to recommend granting the request and was seconded by Ms. Dorwarth. The vote of the Council was unanimous in favor of the motion. Several Council members complimented the applicant for developing an innovative way to allow persons with disabilities a unique way of enjoying the course.

Fatboy Chili, 1903 Ridgewood Avenue, South Daytona. Mr. Tim Papadeas and Mr. Lee Papadeas represented the applicant and reported that the project is now known as the Chili Station. They requested a waiver from providing interior vertical accessibility between two levels of seating in a restaurant undergoing an \$18,000 alteration. Because of terrain, both levels are accessible from the exterior, but there is a 36 inch difference in level inside. The upper level contains seating for 30 patrons, accessible toilet rooms, a gift shop, waitress station and food dispensing area. The only existing path of travel between the two is stairs. They provided a letter from a lift company which stated it is technically infeasible to install a lift given the structural parameters of the building. They also stated they plan to build a new, accessible deck that can be used in lieu of an existing patio. Mr. Long moved to recommend granting the request, since vertical accessibility would exceed 20 percent of the cost of the alteration. Ms. Dorwarth seconded the motion and asked that it be stipulated that the waiver is for the existing building only. The vote of the Council was unanimous in favor of the motion.

Horizon at Orlando by Marriott 11206 Westwood Boulevard, Orlando: Mr. Herman Brame, Jeffrey Sheiber and David Petersen represented the applicant which requested a waiver from providing vertical accessibility to all holes on an 18 hole miniature golf course located at a resort. Fifty percent of the holes are designed to be accessible, and stated that financial hardship is not an issue, rather it is the need to provide visual stimulation and changes in physical elevation to make the course more enjoyable. Mr. Sheiber advised the Council that the holes would be configured in such a way that an individual with a disability could play the accessible holes twice from different approaches to the cup. Dr. Harding moved to recommend granting the waiver

and following a second by Ms. Dorwarth, the vote of the Council was unanimous in favor of the motion.

Copley Plaza Hotel, 3900 Collins Avenue, Miami Beach: Chairman Melick recognized Mr. Robert Fine who represented the applicant. The owner requested a waiver from providing vertical accessibility to the first floor of a three story building. The property consists of two buildings which are permanently joined with an elevated walkway. It is a designated historic building and Mr. Fine stated the reason for requesting the waiver is because of technical infeasibility rather than cost. To provide access to all levels would necessitate substantial structural changes. An elevator serves the second and third levels and all required accessible guest rooms will be located on those levels. According to the application, it is not possible to install a chair lift to the first floor because it would encroach into the required clear floor space in the stairwell. Dr. Harding moved to recommend granting the request to the first level of the main building since vertical accessibility costs would exceed 20 percent of the construction cost. Mr. Melick passed the gavel to Mr. Long and seconded the motion. The vote of the Council was as follows: Aye: Melick, Long and Harding. Nay: Dorwarth. Dr. Harding moved to recommend granting the request for access to the basement gym level because of disproportionate cost. Mr. Long seconded the motion and the vote of the Council was as follows: Aye: Melick, Long and Harding. Nay: Dorwarth.

Miami-Dade Parks and Recreation, Various Parks, Miami-Dade County: Larry Schneider represented the applicant which requested a waiver from providing vertical accessibility to all five rows of seats in bleacher assemblies. The bleachers may be moved from site to site depending on activities occurring at the various parks. Ms. Schneider said the applicant intends to provide a concrete pad adjacent to the bleachers for persons who use wheelchairs. Since the risers are open, a companion could sit on the end of the row. Dr. Harding suggested marking both the pavement and designating a companion area at the bleacher end. Dr. Harding moved to recommend granting the request provided signage is installed. Mr. Long seconded the motion and the vote of the Council was unanimous in favor of it.

World Jet, Inc., 6101 N. W. 10th Terrace, Fort Lauderdale: No one was present representing the applicant and Mr. Long moved to recommend deferring review to allow the applicant the opportunity to attend. Dr. Harding seconded the motion and the vote of the Council was unanimous in favor of it.

Ocean Drive Camera, 1200 Ocean Drive, Space B, Miami Beach: No one was present representing the applicant which requested a waiver from providing vertical accessibility from grade up five risers to a 500 square foot retail shop. Alterations costing \$2,000 were done without a permit, and the building department is now requiring the facility to come into compliance with the code. An estimate was provided that indicated a lift would cost an additional \$12,895 and the local official recommend the waiver be granted because of technical infeasibility and disproportionate cost. Mr. Long moved to recommend granting the request due to technical infeasibility. Dr. Harding seconded the motion and the vote of the Council was unanimous in favor of it.

Mr. Long asked Mr. Dennis if a notice could be sent to the building official in the jurisdiction for Mater Academy. Mr. Long said the final order was for a limited period of time that had passed and he was concerned that compliance may not have been achieved. Mr. Dennis replied that enforcement is the responsibility of the local building official, not the state.

There being no further business to come before the Council, the meeting adjourned at 12:15 P.M.