

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Lotus Gun Range

Address: 3556 NW Federal Highway

Stuart, FL

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: Mike Landherr

Applicant's Address: 7201 Billtown Rd, Louisville, KY 40279

Applicant's Telephone: 502-821-3767 **FAX:** 502-239-3371

Applicant's E-mail Address: ml.mannon@att.net

Relationship to Owner: Business Manager

Owner's Name: Rob Marcum / Mannon LLC

Owner's Address: 109 Ambling Way, Louisville, KY 40243

Owner's Telephone: 502-245-6631 **FAX:** Same

Owner's E-mail Address: rob.marcum@me.com

Signature of Owner:

Contact Person: Pat Elliot

Contact Person's Telephone: 502-245-6631 **E-mail Address:** dodda117@aol.com

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Lotus Gun Range
Address: 3556 N.W. Federal Hwy
Jensen Beach FL 34957

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: Mike Lanoher
Applicant's Address: 7201 Billtown Rd. Louisville Ky 40299
Applicant's Telephone: 502-821-3767 FAX: 502-239-3371
Applicant's E-mail Address: ML.MANNON@ATT.NET
Relationship to Owner: BUSINESS MANAGER
Owner's Name: Rob Marcum / Mannox LLC
Owner's Address: 109 AMBLING WAY Louisville Ky 40243
Owner's Telephone: 502-245-6631 FAX SAME
Owner's E-mail Address: ROB.MARCUM@ME.com
Signature of Owner: [Signature]
Contact Person: PAT ELLIOT
Contact Person's Telephone: 502-245-6631 E-mail Address: Dodda 117 @ AOL.com

This application is available in alternate formats upon request.
Form No. 2001-01

3. Please check one of the following:

- ☐ New construction.
- ☐ Addition to a building or facility.
- ☒ Alteration to an existing building or facility.
- ☐ Historical preservation (addition).
- ☐ Historical preservation (alteration).

4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

This is an existing one story retail building a portion of which

being remodeled into a two level shooting range along with a

new retail area providing access to and control over the proposed

shooting range.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):

The Engineer's Estimate of Probable Construction Cost is \$230,000.00

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.

☒ Under Design ☐ Under Construction*

☐ In Plan Review ☐ Completed*

* Briefly explain why the request has now been referred to the Commission.

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: FAC Section 201.1.1 Vertical Accessibility

Issue

2: _____

Issue

3: _____

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

☒ The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

The expense of access to the mezzanine is unnecessary since the
project complies via Section 103 Equivalent Facilitation.

☐ Substantial financial costs will be incurred by the owner if the waiver is denied.

☐ The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

See attached letter providing an analysis of the project for code

a. compliance.

b. _____

c. _____

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

See attached letter providing an analysis of the project for code compliance.


Signature

Fredrick D. Shaffer PE

FL Reg No 26694

Printed Name

Phone number

772-220-4990

(SEAL)

CERTIFICATION OF APPLICANT:

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this _____ day of _____, 20_____

Signature

Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.

Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and accurate. Further, if this project is complete, explain why it is being referred to the Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for building department review. Please reference the applicable section of the Accessibility Code.

a. _____

b. _____

c. _____

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

☐ Yes ☐ No Cost of Construction _____

Comments/Recommendation _____

Jurisdiction _____

Building Official or Designee _____

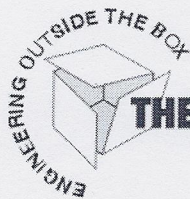
Signature

Printed Name

Certification Number

Telephone/FAX

Address: _____



THE SHAFFER GROUP INC.

MARTIN COUNTY
2440 SE FEDERAL HWY
SUITE 110
STUART, FL 34994
PH: 772.220.4990

PALM BEACH COUNTY
6671 W. INDIANTOWN RD
SUITE 50-116
JUPITER, FL 33458
PH: 561.707.2441

e-mail: mail@theshaffergroup.com

April 21, 2012

Martin County Building Department
attn: Marc Daves
900 SE Ruhnke St
Stuart, FL 34994

re: Lotus Gun Works Shooting Range
Handicap Access Issues

Dear Mr Daves:

Pursuant to our recent conversations, I am attaching the relevant information as to the issue of handicap access for the proposed, two level shooting range located at 3556 NW Federal Hwy, Stuart, FL.

1. Based upon the drawings provided, the area breakdown of the spaces is as follows:

Total Area of Room = 3,900 sf:
Area of Second Level = 679 sf:
Floor Area Ratio: 17.4%.

According to FBC 2010, Chapter 5:

505.2 Area limitation. The aggregate area of a mezzanine or mezzanines within a room shall not exceed one-third of the floor area of that room or space in which they are located. The enclosed portion of a room shall not be included in a determination of the floor area of the room in which the mezzanine is located. In determining the allowable mezzanine area, the area of the mezzanine shall not be included in the floor area of the room.

The Second Level qualifies as a mezzanine, not a second floor, therefore, the building remains a one story building.

2. The accessibility of a mezzanine is qualified as follows:

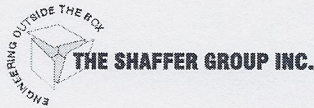
206.2.3 Multi-Story Buildings and Facilities. At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities.

The FAC 2010 also states:

While a mezzanine may be a change in level, it is not a story. If an accessible route is required to connect stories within a building or facility, the accessible route must serve all mezzanines.

Since this building is, by definition, a one story building, we believe that no second floor accessible route is required. Since no accessible route to a second floor is required, we believe that no access is required to the mezzanine.

3. The handicap access for a shooting range is defined in Chapter 2, Sec 243 and reads as follows:



243.1 General. Where shooting facilities with firing positions are designed and constructed at a site, at least 5 percent, but no fewer than one, of each type of firing position shall comply with 1010.

As you can note from the enclosed drawings, we have provided (2) firing position designated for handicap access on the lower level. Therefore, we have exceeded the basic requirements. (We ask that you also note that any of the firing positions on the lower level, while not so designated, is wide enough to accommodate a wheelchair.)

4. We also ask that you note that the only difference between the upper and lower firing positions is that the length of target travel on the lower firing positions is longer than the length of target travel on the upper firing positions. We believe that this is addressed in FAC 2010 Chapter 1 as follows:

103 EQUIVALENT FACILITATION: Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

This is by way of our opinion that the "longer" target travel is of greater advantage than the "shorter" target travel in this context. It is a standard opinion in the target shooting community that the longer the target travel, the more options there are to exercise. Therefore, we have provided handicap access to the "better" firing positions.

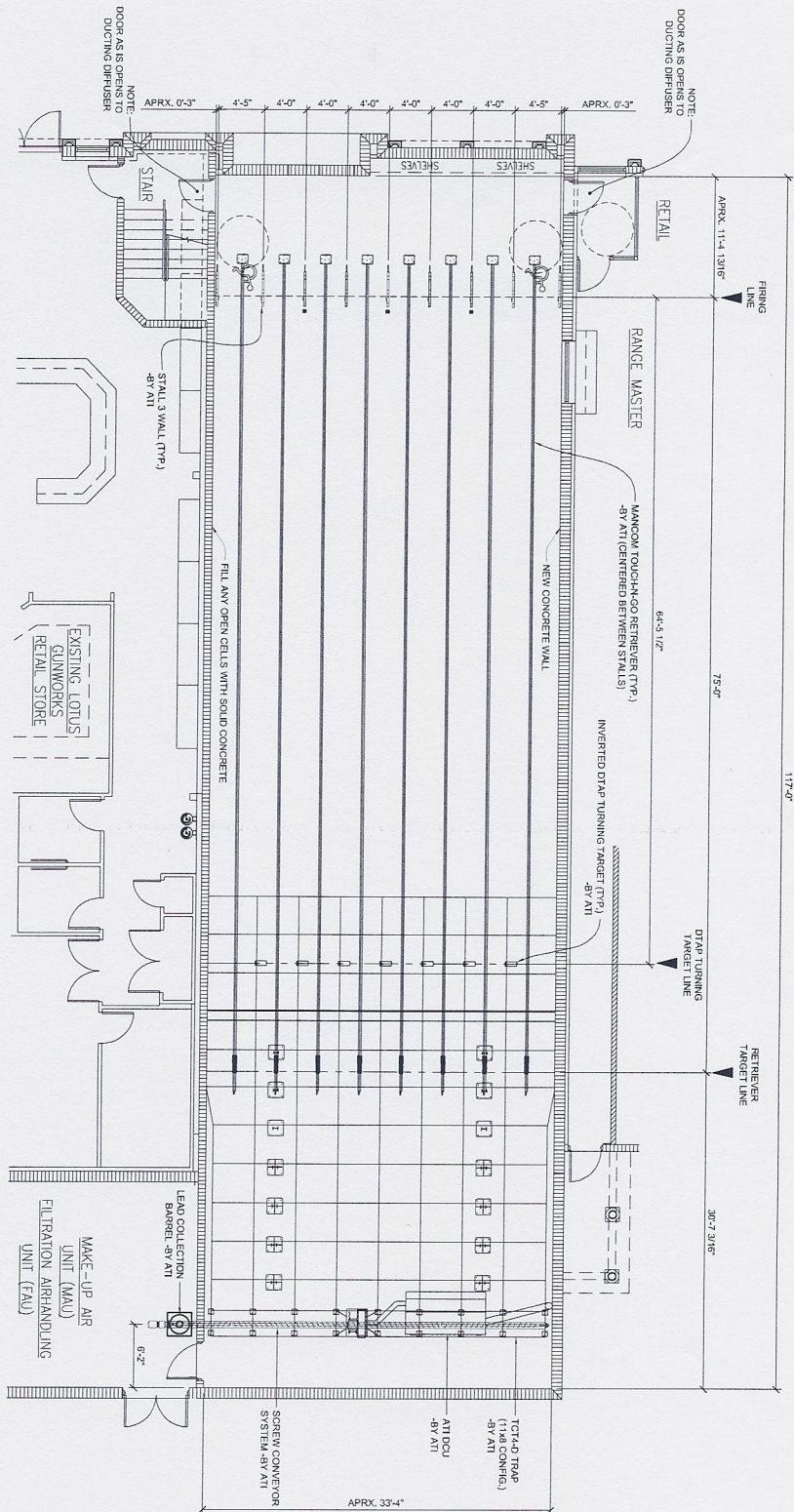
Based upon the information provided, we are asking you to render an opinion in this regard. We are hoping that you will agree with our assessment that, according to the provisions of the FAC2010, the owner is not required to provide handicap access, or has provided sufficient Equivalent Facilitation, to the second level firing positions in this facility. If you so determine, please complete the attached document for submittal to the Department of Community Affairs, Florida Building Commission in support of our opinion.

Thank you for your assistance in this matter.

Very truly yours,

THE SHAFFER GROUP, INC.

Fredrick D. Shaffer P.E.
President
Fla. Reg. No. 26694
Ohio Reg. No. 41903



RANGE PLAN VIEW 1ST FLOOR
SCALE: 3/8" = 1'-0"

DRAWING NUMBER
FR101

DRAWING TITLE
RANGE PLAN VIEW
1ST FLOOR

LOTUS GUN WORKS

NO	BY	REVISION	DATE
1	CGB	REVISED TO 75% SUBMITTALS	02/25/12
2	CGB	REVISED TO 100% SUBMITTALS	03/05/12
3			
4			
5			

DESIGNED BY: STEVE TIBBALS
PROJECT MANAGER: ROBB ANDERSON
ARCHITECT: JAMES SOVINE
CLIENT: COLT BALT
DATE: DECEMBER 12, 2011

NOTES
BAFFLE NOT SHOWN FOR CLARITY

100% SUBMITTAL
DRAWINGS

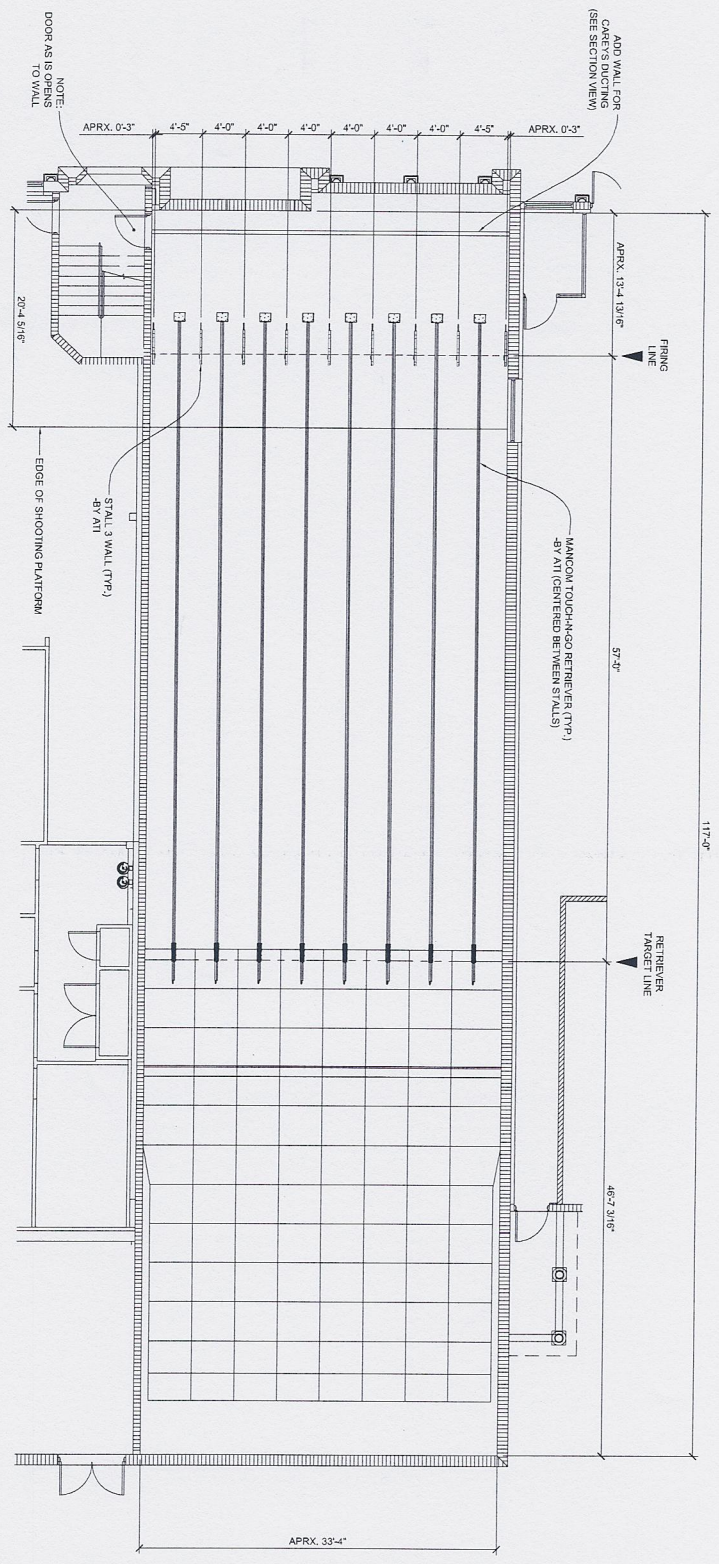
ACTION TARGET

P O Box 636
Provo UT, 84603

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⊙ RANGE PLAN VIEW 2ND FLOOR
 SCALE: 3/8" = 1'-0"

DRAWING NUMBER:

FR102

DRAWING TITLE:

RANGE PLAN VIEW 2ND FLOOR

LOTUS GUN WORKS

NO.	BY	REVISION	DATE
1	COB	REVISED TO 75% SUBMITTALS	02/25/12
2	COB	REVISED TO 100% SUBMITTALS	03/05/12
3			
4			
5			

NOTES

BAFFLE NOT SHOWN FOR CLARITY

100% SUBMITTAL
DRAWINGS

**ACTION
TARGET**

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DRAWING NUMBER:
FR301

