

## **MY LITTLE ANGELS DAYCARE**

**Issue:** Water closet mounting height in toilets for children.

**Analysis:** The applicant is requesting a waiver from providing water closets for children mounted at a height of 17 to 19 inches. The project is a new, 4,650 square foot one story concrete block structure. According to the applicant, cost is not the issue, but a concern for safety of small children having to use water closets designed for adults. Safety, rather than a financial burden is the concern.

### **Project Progress:**

The project is under construction.

### **Items to be Waived:**

Water closet mounting height from 17 to 19 inches, as required by Section 11-4.16.3 of the Accessibility Code.

**11-4.16.3 Height.** The height of water closets shall be 17 inches to 19 inches measured to the top of the toilet set. Seats shall not be sprung to return to a lifted position.

**Waiver Criteria:** There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

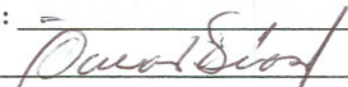
REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
CHAPTER 553, PART V, FLORIDA STATUTES

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the 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: MY LITTLE ANGELS DAYCARE  
Address: 29400 OLD DIXIE HIGHWAY  
HOMESTEAD, 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: OMAR DIAZ  
Applicant's Address: 1091 N.E. 36 AVE. HOMESTEAD, FL. 33033  
Applicant's Telephone: (305) 247-2500 FAX \_\_\_\_\_  
Applicant's E-mail Address: -  
Relationship to Owner: OWNER  
Owner's Name OMAR DIAZ  
Owner's Address: 1091 N.E. 36 AVE. HOMESTEAD, FL. 33033  
Owner's Telephone: (305) 247-2500 FAX -  
Owner's E-mail Address: -  
Signature of Owner:   
Contact Person: OMAR DIAZ  
Contact Person's Telephone: 305-247-2500 E-mail Address: -

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

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

Issue

1: 1 TOILET HANDICAP. FULL BATHROOM  
AND THE REST TO BE THE SEMEN WITH 'SMALL TOILET'  
Issue FOR CHILDREN UNDER 5 YEARS OLD

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.

HANDICAP TOILETS ARE TOO BIG FOR CHILDREN

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.

MOVING IS NOT THE PROBLEM IS THE TOILET  
IS TOO BIG FOR THE CHILDREN.