

PALM BEACH COUNTY FIRE RESCUE STATION NO. 32

Issue: Vertical accessibility to the second floor of a fire station.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to the second floor of a new \$2,500,000 fire station. The second floor will be occupied only by firefighters who must demonstrate a high level of physical strength and agility, required by both state and federal regulations. The firefighters area will provide quarters for six occupants. According to the applicant, the owner has chosen to design and build the facility in accordance with the Uniform Federal Accessibility Requirements which permit areas not open to the public and in which persons with physical disabilities cannot perform the physical duties required to be constructed without vertical access.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to the second floor, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

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.

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: Palm Beach County Fire Rescue Station No. 32

Address: 4022 Charleston Street

Lake Worth, Florida 33467

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: Chief Herman W. Brice

Applicant's Address: 50 South Military Trail, Suite 101, West Palm Beach, FL 33415

Applicant's Telephone: 561-616-7000 **FAX:** 561-616-7080

Applicant's E-mail Address: See Contact Person Below

Relationship to Owner: Fire Rescue Administrator

Owner's Name: Palm Beach County

Owner's Address: 50 South Military Trail, Suite 101, West Palm Beach, FL 33415

Owner's Telephone: 561-616-7000 **FAX:** 561-616-7080

Owner's E-mail Address: See contact Person Below

Signature of Owner: _____

Contact Person: Randy Sheppard, Deputy Chief

Contact Person's Telephone: 561-616-7003 **E-mail Address:** rsheppard@co.palm-beach.fl.us

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.)

The building will be a two-story, 8,739 sq. ft. fire station. The fire station is operational 24 hours a day and its occupants are firefighters as defined by meeting the requirements of Florida Statutes

633.30-633.35. This facility will serve the community with a full array of emergency response services.

The station will replace an existing station on the same site that has reached the end of its utility.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$ 2,500,000.00

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.

The project is in plan review and is awaiting the outcome of this application in order to move forward.

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

Issue

1: This code shall apply to state and local government facilities, pursuant to Section 553.503, Florida Statutes.

Issue

2: Florida Statutes Title XXXVIII Regulation of Trade, Commerce, Investments and Solicitations Chapter 553, Part II, Accessibility by Handicapped Persons 553.509 Vertical Accessibility.

Issue

3: Chapter 11, Florida Accessibility Code or Building Construction, Part A, (1-4 Accessible Elements and Spaces: Scope and Technical Requirements, 11-4.1.3 (1) & 11-4.1.3 (5).

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.

A fire station facility is used mainly to house firefighting equipment and fire firefighters. The minimum requirements to qualify are outlined in Florida Statutes 633.30-633.35. These statutes govern all firefighters. These statutes dictate that a firefighter be in good physical condition as outlined by the National Fire Protection Association (NFPA) Standard 1582. Under no circumstance would an individual with a disability be qualified to be a firefighter. Therefore, making this requirement for an elevator, to be installed, along with any other type of vertical accessibility, to the non-public areas of the fire station as the accessibility code does, is impractical.

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.

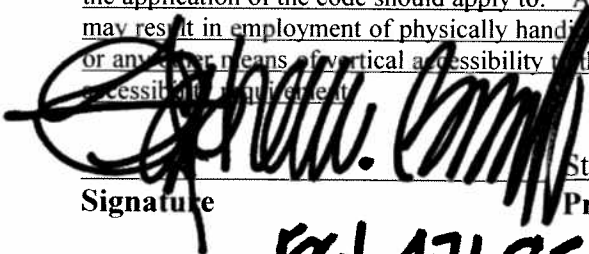
a. See attached estimate and note the area of building construction necessary for the elevator is not a part of this cost. This is approximately 140 sq ft and could cost an additional \$ 40,000.00.

b. _____

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.

The following comments pertain to the new Fire Station #32, 4022 Charleston Street, Lake Worth, Florida 33467. In accordance with the Florida Building Code, Accessible buildings, Section 11.4.1.3(5) 3 "occupiable spaces and rooms that are not open to the public and that house no more than five persons including, but not limited to, equipment control rooms and projection booths" and Section 11.4.1.3(5), Exception 1, "Elevators are not required in facilities that are less than three stories or that have less than 3,000 square feet per story unless the building is a shopping center, a shopping mall, or the professional office of a health care provider, or another type of facility as determined by the Attorney General" we are requesting a waiver. Based on this code section and the requirement that under Florida Statutes 633.30-633.35, specifically F.S. 633.34 (5) these facilities shall not have any firefighter that is either temporarily or permanently disabled, we contend that building does not need to comply with the accessibility code requirement of an elevator or any other means of vertical accessibility to the second floor.

As per the Federal Registrar 28 CFR Part 35 Section 35.151 and 36 CFR Par 1191, the Department of Justice's Title II Regulation give state and local governments the option of choosing between designing, constructing or altering their facilities in conformance with UFAS or with ADAAG. We choose to use UFAS which includes an Occupancy Classification Section that is not included in the ADA. This Section 4.1.4(5) deals with fire stations and states that the application of the code should apply to: "All areas for which the intended use will require public access or which may result in employment of physically handicapped person". Based on this code we again contend that an elevator or any other means of vertical accessibility to the second floor, for the firefighters, does not need to comply with the accessibility requirement.



Stephen L. Boruff

Signature

Printed Name

Phone number

561-471-8520

(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 6 day of Sept., 2007

Herman Brice
Signature

Chief Herman W. Brice
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. 2004 Florida Building Code Section 11-4.1.3 (5)
- b. The second floor has six beds which exceeds the limit 5 persons per 11-4.1.3 (5) (3)
- 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/Recommendations I support PBC Fire Rescue's attempt to get the vertical accessibility waived by the Florida Building Commission.

Jurisdiction: Palm Beach County

Building Official or Designee:


Signature

Rebecca Caldwell
Printed Name

BU 626
Certification Number

561-233-5100
Telephone/FAX

Address: 2300 N. Jog Road West Palm Beach, Florida 33411-2741

Owner & Builder Consultants, Inc.
 5689 Native Dancer Road South
 Palm Beach Gardens, FL 33418-7733

Probable Cost

Date	Estimate #
9/4/2007	70402
Customer	Job
Stephen L. Boruff	Fire Station #32

Customer Information
Stephen L. Boruff Stephen Boruff Architects, Inc. 901 Northpoint Parkway, Suite 101 West Palm Beach, FL 33407

Description	Qty	Rate	Amount
OWNER and BUILDER CONSULTANTS, INC.			
Elevators and Lifts, Subcontract Elevators for apartments or commercial buildings, hydraulic vertical cab, meets code requirements for public buildings, 2,500 pound capacity, to 13 passengers. Includes side opening sliding door, illuminated controls, emergency light, alarm, code-approved fire service operation, motor control unit, wiring in hoistway, cab and door design options. Basic, 2 stop elevator. 150 feet per minute			
Subcontract, per LS	1	48,308.83	48,308.83
Add for hall position indicator			
Subcontract, per Ea	2	423.22	846.44
Add for car position indicator			
Subcontract, per Ea	2	423.22	846.44
Add for car direction light & tone			
Subcontract, per Ea	2	412.90	825.80
Add for hall lantern with audible tone			
Subcontract, per Ea	2	423.22	846.44
<hr/>			
*Project Subtotal			51,673.95
10.00% Overhead	1	5,167.40	5,167.40
10.00% Profit	1	5,684.13	5,684.13
*Markup Charges			10,851.53
*Project Total			62,525.48
		Total	62,525.48

Stephen Boroff, AIA
 Architect : Partner, Inc.
 AAC 002226
 Architecture
 Planning
 Interior Architecture

801
 Northport Parkway
 Suite 301
 West Palm Beach
 Florida 33407



PBC Fire
 Rescue
 Station
 No. 32

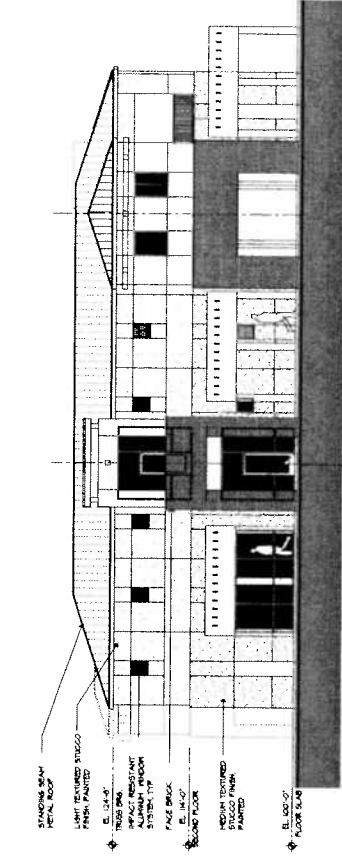
Palm Beach County
 Project No. 07204



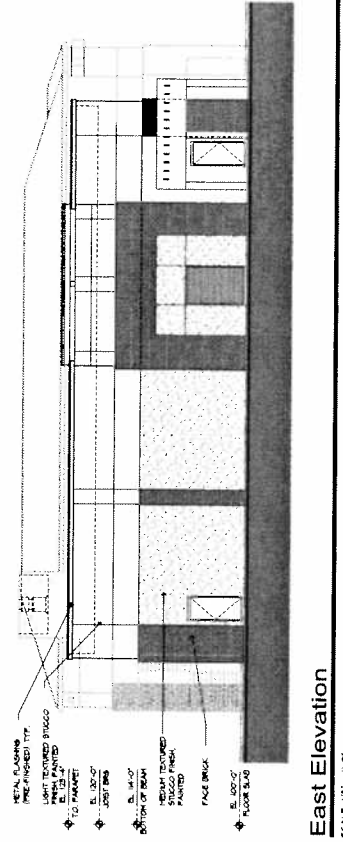
Charleston Road,
 Lake Worth, Florida

Project No. 06-009
 22 May 2007

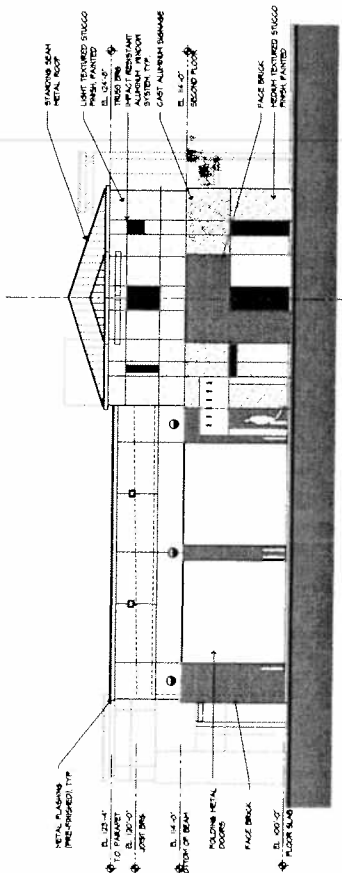
A
 4
 of 6



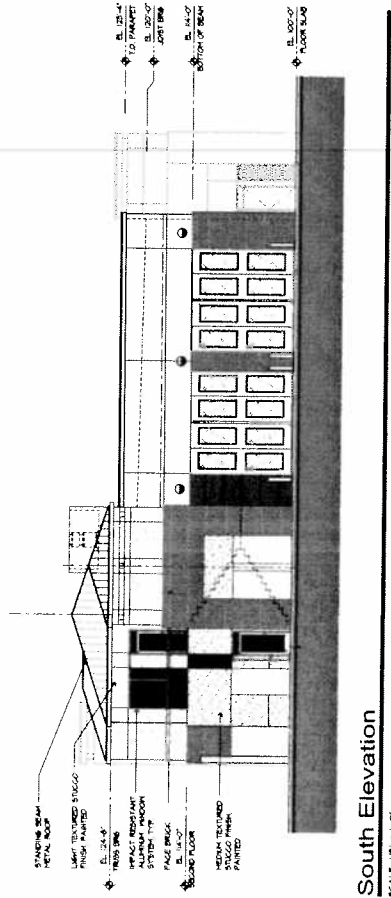
West Elevation
 SCALE 1/8" = 1'-0"



East Elevation
 SCALE 1/8" = 1'-0"

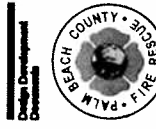


North Elevation
 SCALE 1/8" = 1'-0"



South Elevation
 SCALE 1/8" = 1'-0"

108
 Hamilton Group, Inc.
 1400 Collins
 Jacksonville
 Florida 32202
 Project Architects
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525
 526
 527
 528
 529
 530
 531
 532
 533
 534
 535
 536
 537
 538
 539
 540
 541
 542
 543
 544
 545
 546
 547
 548
 549
 550
 551
 552
 553
 554
 555
 556
 557
 558
 559
 560
 561
 562
 563
 564
 565
 566
 567
 568
 569
 570
 571
 572
 573
 574
 575
 576
 577
 578
 579
 580
 581
 582
 583
 584
 585
 586
 587
 588
 589
 590
 591
 592
 593
 594
 595
 596
 597
 598
 599
 600
 601
 602
 603
 604
 605
 606
 607
 608
 609
 610
 611
 612
 613
 614
 615
 616
 617
 618
 619
 620
 621
 622
 623
 624
 625
 626
 627
 628
 629
 630
 631
 632
 633
 634
 635
 636
 637
 638
 639
 640
 641
 642
 643
 644
 645
 646
 647
 648
 649
 650
 651
 652
 653
 654
 655
 656
 657
 658
 659
 660
 661
 662
 663
 664
 665
 666
 667
 668
 669
 670
 671
 672
 673
 674
 675
 676
 677
 678
 679
 680
 681
 682
 683
 684
 685
 686
 687
 688
 689
 690
 691
 692
 693
 694
 695
 696
 697
 698
 699
 700
 701
 702
 703
 704
 705
 706
 707
 708
 709
 710
 711
 712
 713
 714
 715
 716
 717
 718
 719
 720
 721
 722
 723
 724
 725
 726
 727
 728
 729
 730
 731
 732
 733
 734
 735
 736
 737
 738
 739
 740
 741
 742
 743
 744
 745
 746
 747
 748
 749
 750
 751
 752
 753
 754
 755
 756
 757
 758
 759
 760
 761
 762
 763
 764
 765
 766
 767
 768
 769
 770
 771
 772
 773
 774
 775
 776
 777
 778
 779
 780
 781
 782
 783
 784
 785
 786
 787
 788
 789
 790
 791
 792
 793
 794
 795
 796
 797
 798
 799
 800
 801
 802
 803
 804
 805
 806
 807
 808
 809
 810
 811
 812
 813
 814
 815
 816
 817
 818
 819
 820
 821
 822
 823
 824
 825
 826
 827
 828
 829
 830
 831
 832
 833
 834
 835
 836
 837
 838
 839
 840
 841
 842
 843
 844
 845
 846
 847
 848
 849
 850
 851
 852
 853
 854
 855
 856
 857
 858
 859
 860
 861
 862
 863
 864
 865
 866
 867
 868
 869
 870
 871
 872
 873
 874
 875
 876
 877
 878
 879
 880
 881
 882
 883
 884
 885
 886
 887
 888
 889
 890
 891
 892
 893
 894
 895
 896
 897
 898
 899
 900
 901
 902
 903
 904
 905
 906
 907
 908
 909
 910
 911
 912
 913
 914
 915
 916
 917
 918
 919
 920
 921
 922
 923
 924
 925
 926
 927
 928
 929
 930
 931
 932
 933
 934
 935
 936
 937
 938
 939
 940
 941
 942
 943
 944
 945
 946
 947
 948
 949
 950
 951
 952
 953
 954
 955
 956
 957
 958
 959
 960
 961
 962
 963
 964
 965
 966
 967
 968
 969
 970
 971
 972
 973
 974
 975
 976
 977
 978
 979
 980
 981
 982
 983
 984
 985
 986
 987
 988
 989
 990
 991
 992
 993
 994
 995
 996
 997
 998
 999
 1000

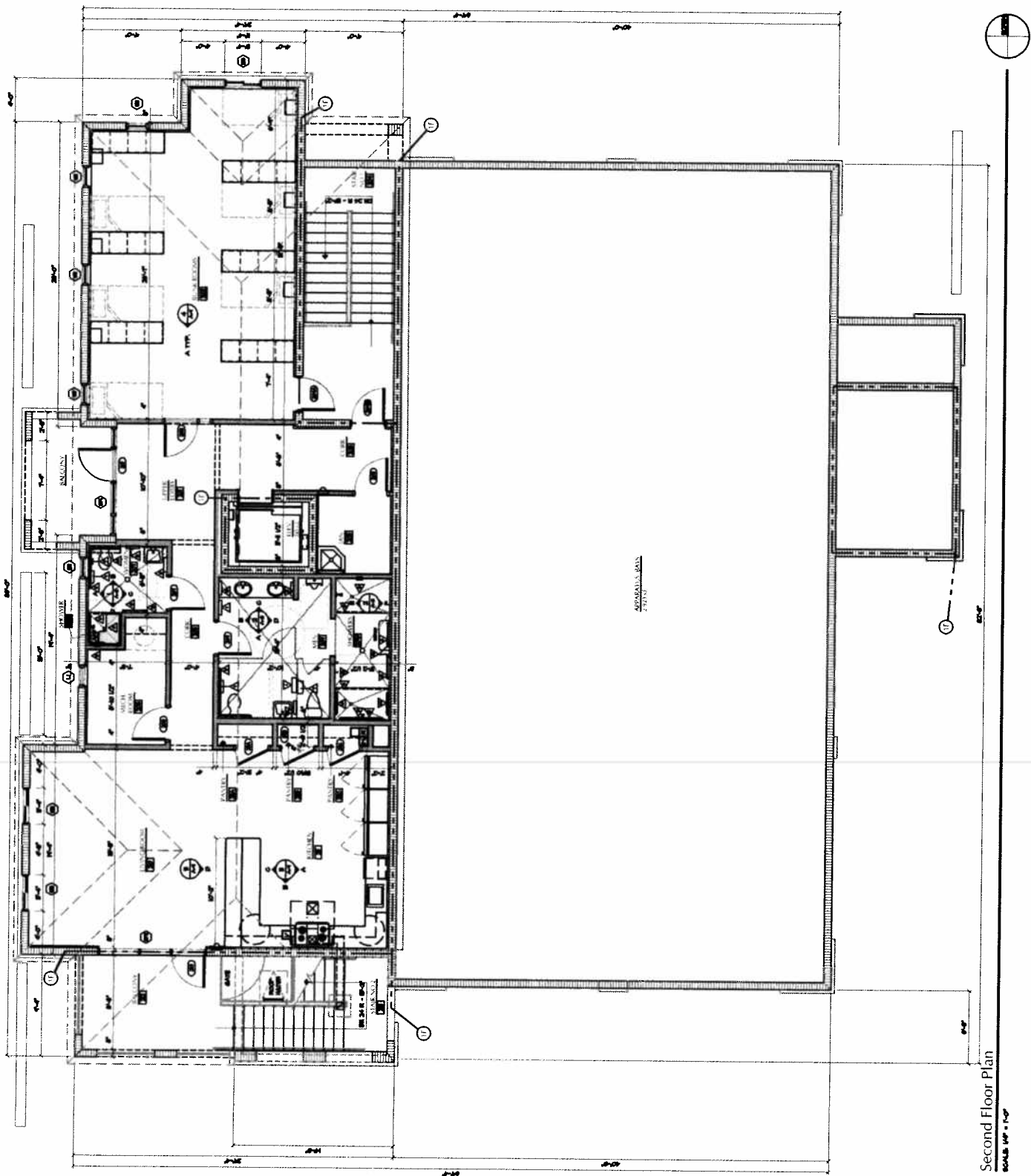


PBC Fire
Rescue
Station
No. 32



Project No. 08-008
 14 August 2007

A 3



Second Floor Plan
 SCALE: 1/4" = 1'-0"

General notes:

- Phase A
- 1 Existing structure to be removed
 - 2 Existing structure to be removed
 - 3 Existing structure to be removed
 - 4 Existing structure to be removed

- 5 Existing LP gas tank to be removed
- 6 Remove existing sign post
- 7 Remove existing utility pole
- 8 Remove existing utility pole

- Phase B
- 9 Existing structure to be removed
 - 10 Existing structure to be removed
 - 11 Existing structure to be removed
 - 12 Existing structure to be removed

- 13 Existing structure to be removed
- 14 Existing structure to be removed
- 15 Existing structure to be removed

Legend:

- 16 Lot or block
- 17 Easement
- 18 Easement
- 19 To be removed

Sketchy Bay Off. LLC
Architect: Sketchy Bay Off. LLC
AAC 000226
Architects
Planning
Harris Architecture

201
Northpoint Parkway
Suite 301
West Palm Beach
Florida 33407



**PBC Fire
Rescue
Station
No. 32**

Palm Beach County
Project No. 072004

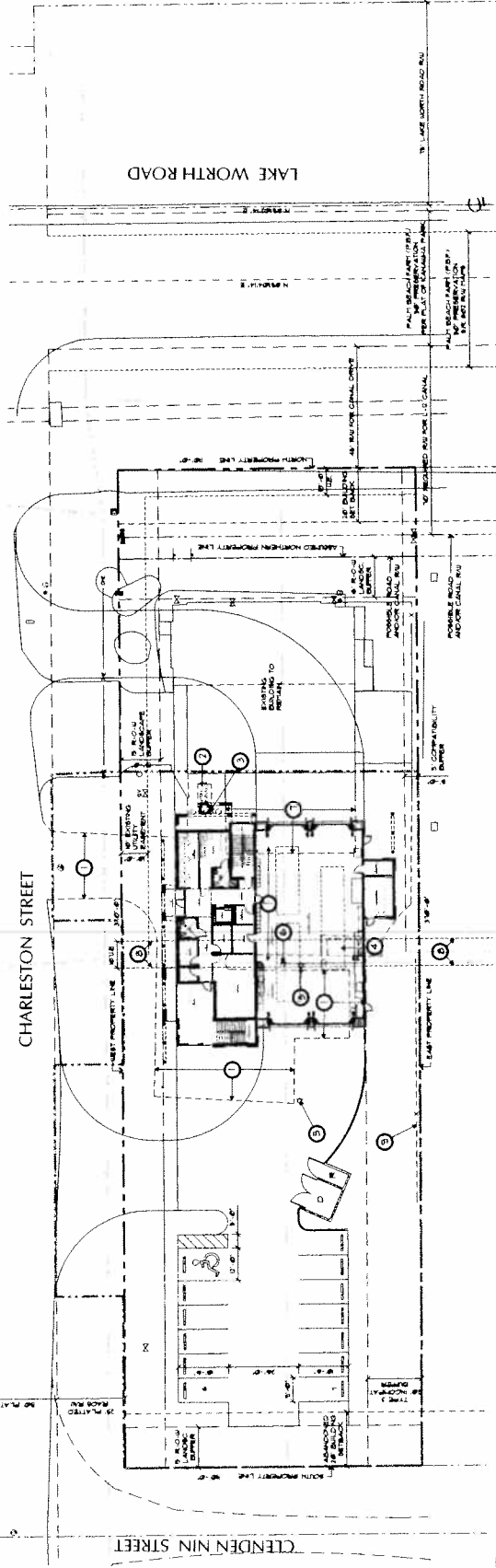


Charleston Road,
Lake Worth, Florida

Project No. 05-099
22 July 2007

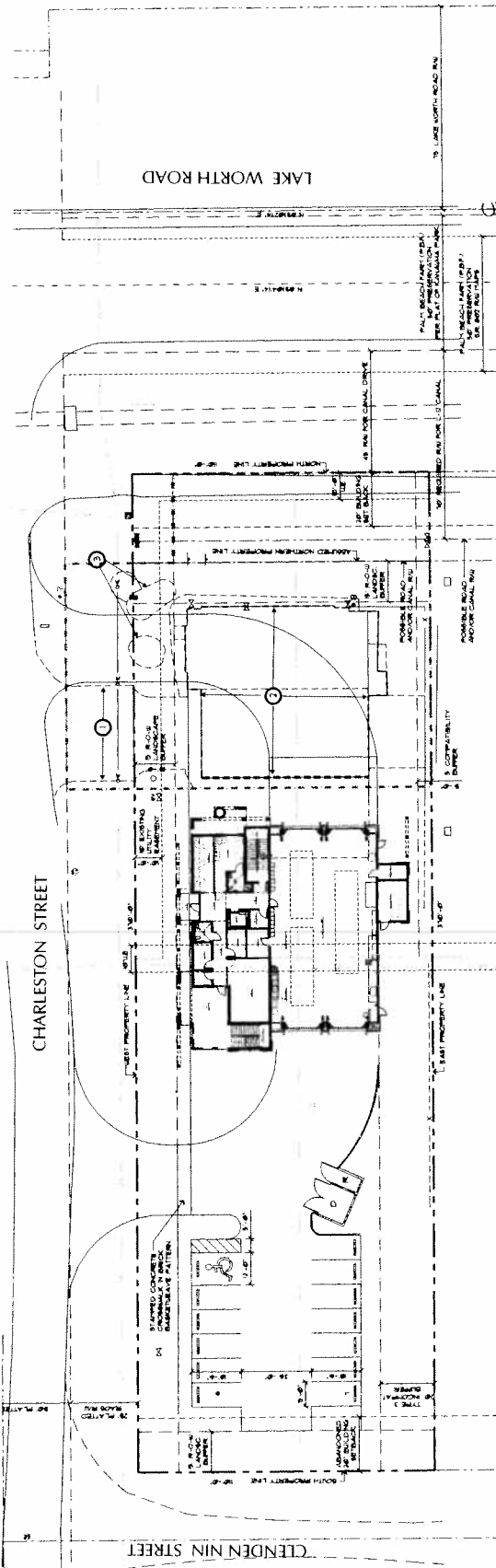
SPA
1

of 1



Phasing Plan A

SCALE: 1" = 30'-0"



Phasing Plan B

SCALE: 1" = 30'-0"