

7/22/2024

Re: Request for Elevator Waiver for 2897 NW 5th Ave, Miami

Dear Accessibility Advisory Council,

I am writing to formally recommend a waiver from the vertical accessibility requirement of the Florida Building Code for the property located at 2897 NW 5th Ave in Miami. The building in question is a small two-story structure that has undergone significant changes since its original construction in 1940.

The second floor of the building, accessed via an external walk-up staircase, was an addition built in 1957 that was originally utilized as office spaces for the mechanic's garage located on the ground floor. Over time, the use of the building has evolved, with the second floor now designated for warehouse storage purposes. The interior configuration of the second floor no longer resembles its original office layout due to the removal of interior walls, a change that occurred with the cessation of truck service activities on the premises.

As part of the ongoing City permitted Level One alteration, 40-year recertification process, it has come to our attention that the City of Miami is requiring compliance with the elevator provision of the Florida Building Code, due to the change in occupancy of the second floor. This is occurring due to the fact that the removal of the interior walls of the second floor cannot be found in the City's permit records. Since the City does not have a record of the change in interior occupancy, it is strictly applying the vertical accessibility requirement. This requirement poses a significant hardship both financially and practically for the building's owner.

Financially, the installation of an elevator system would impose an undue burden on the resources of the client, who did not anticipate such a requirement when acquiring or managing the property. The elevator installation raises the budget for the for the 40-year recertification by 230%, elevating the total cost of construction for \$89,765 to \$206,462. Practically, the building's current use of the second floor does not necessitate vertical connection with the ground floor. The floor below is an independent space from the second floor, accessed from NW 5th Ave, which is not connected with the second floor. Furthermore, the external walk-up staircase provides sufficient access for maintenance personnel and occasional visitors.

In conclusion, I strongly recommend granting a waiver from the elevator requirement for 2897 NW 5th Ave. The building's unique circumstances—historical design and use, existing access, and lack in change in use—justify an exemption from this specific provision of the Florida Building Code. This waiver would alleviate unnecessary financial strain on the property owner and preserve the integrity of the building's current use.

Please feel free to contact me should you require any further information or clarification regarding this matter.

Sincerely,

Jorge Andres Diaz, R.A.
AR100885