

**VARIANCE FEES**

MGO \$50.00

COMM \$490.00

Priority - Double above

**PETITION FOR VARIANCE APPLICATION**City of Madison  
Building Inspection  
Division126 S. Hamilton St.  
Madison, WI 53703  
(608) 266-4568

Amount Paid 490

Name of Owner <u>Madison/West Towne, LLC, by CBL &amp; Associates Management, Inc.</u>	Project Description Interior tenant finish to become Box Lunch retail store	Agent, architect, or engineering firm ArcVision Inc
Company (if applies)		No. & Street 1950 Craig Rd., Ste 300
No. & Street 2030 Hamilton Plc Blvd., Ste. 500	Tenant name (if any) Box Lunch	City, State, Zip Code St. Louis, MO 63146
City, State, Zip Code Chattanooga, TN 37421	Building Address 66 West Towne Mall	Phone 314-415-2400
Phone 423/490-8822	Space # A-09	Name of Contact Person Samantha Igou
e-mail skip.alexander@cblproperties.com	Madison, WI 53719	e-mail sigou@arcv.com

1. The rule being petitioned reads as follows: (Cite the specific rule number and language. Also, indicate the nonconforming conditions for your project.)

2009 IBC, Section 1004, Table 1004.1.1 - Maximum floor area allowances per occupant is listed as 30 gross for Mercantile functions at grade floor. This allowance gives us an occupant load greater than 50 which would require a second means of egress from the Sales Area. The area leading from Sales Area to the rear exit door is formatted in a way that does not provide proper means for a second means of egress.

2. The rule being petitioned cannot be entirely satisfied because:

Providing a second means of egress from the Sales Area would eliminate our client's ability to store merchandise in the stocking area, restricting the functionality of the store and it's daily activities.

3. The following alternatives and supporting information are proposed as a means of providing an equivalent degree of health, safety, and welfare as addressed by the rule:

We are proposing a forward thinking resolution to utilize the 2015 IBC, Section 1004, Table 1004.1.2 - Maximum floor area allowances per occupant is listed as 60 gross for Mercantile functions at grade floor. This allowance would give us an occupant load less than 49 which would not require a second means of egress from the Sales Area. All other sections of the 2009 IBC will be utilized as currently adopted by the City of Madison. We would simply like to proactively use this less-restrictive portion of the updated IBC which may be adopted in the near future.

Note: Please attach any pictures, plans, or required position statements.

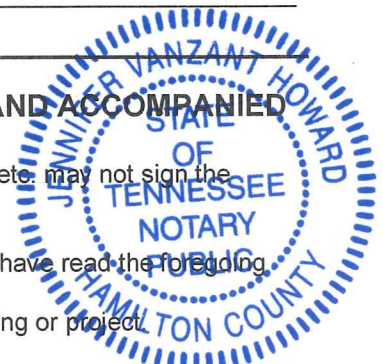
**VERIFICATION BY OWNER - PETITION IS VALID ONLY IF NOTARIZED AND ACCOMPANIED BY A REVIEW FEE AND ANY REQUIRED POSITION STATEMENTS.**

Note: Petitioner must be the owner of the building. Tenants, agents, contractors, attorneys, etc. may not sign the petition unless a Power of Attorney is submitted with the Petition for Variance Application.

Madison/West Towne, LLC, by  
CBL & Associates Management, Inc.

Print name of owner

being duly sworn, I state as petitioner that I have read the foregoing petition, that I believe it to be true, and I have significant ownership rights in the subject building or project.



Signature of owner by: <u>Jeffery V. Curry, Chief Legal Officer</u>	Subscribed and sworn to before me this date: <u>10/30/2017</u>
Notary public <u>State of Tennessee County of Hamilton</u> <u>Jaime Ostlund</u>	My commission expires: My Commission Expires August 22, 2021

**NOTE: ONLY VARIANCES FOR COMMERCIAL CODES ARE REQUIRED TO BE NOTARIZED.**

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Name of Owner Megan Ballard	Project Description Interior tenant finish to become Box Lunch retail store	Agent, architect, or engineering firm ArcVision Inc
Company (if applies) CBL Properties		No. & Street 1950 Craig Rd., Ste 300
No. & Street 66 West Towne Mall	Tenant name (if any) Box Lunch	City, State, Zip Code St. Louis, MO 63146
City, State, Zip Code Madison, WI 53719	Building Address 45 West Towne Mall	Phone 314-415-2400
Phone 608-841-4000		Name of Contact Person Samantha Igou
e-mail megan.ballard@cblproperties.com	Madison, WI 53719	e-mail sigou@arcv.com

1. The rule being petitioned reads as follows: (Cite the specific rule number and language. Also, indicate the nonconforming conditions for your project.)  
2009 IBC, Section 1004, Table 1004.1.1 - Maximum floor area allowances per occupant is listed as 30 gross for Mercantile functions at grade floor. This allowance gives us an occupant load greater than 50 which would require a second means of egress from the Sales Area. The area leading from Sales Area to the rear exit door is formatted in a way that does not provide proper means for a second means of egress.
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Providing a second means of egress from the Sales Area would eliminate our client's ability to store merchandise in the stocking area, restricting the functionality of the store and it's daily activities.
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**VERIFICATION BY OWNER – PETITION IS VALID ONLY IF NOTARIZED AND ACCOMPANIED BY A REVIEW FEE AND ANY REQUIRED POSITION STATEMENTS.**

Note: Petitioner must be the owner of the building. Tenants, agents, contractors, attorneys, etc. may not sign the petition unless a Power of Attorney is submitted with the Petition for Variance Application.

\_\_\_\_\_, being duly sworn, I state as petitioner that I have read the foregoing  
Print name of owner  
petition, that I believe it to be true, and I have significant ownership rights in the subject building or project.

Signature of owner	Subscribed and sworn to before me this date:
Notary public	My commission expires:

**NOTE: ONLY VARIANCES FOR COMMERCIAL CODES ARE REQUIRED TO BE NOTARIZED.**

## City of Madison Fire Department Position Statement

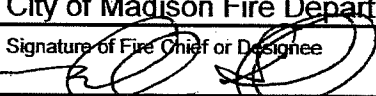
Owner: CBL Properties Megan Ballard	Project Name: BoxLunch	Contact: Samantha Igou ArcVision Inc
Address: 66 West Towne Mall	Building Location: 45 West Towne Mall	Address: 1950 Craig Rad Suite 300 Saint Louis, MO 63146
Owner Phone: 608-841-4000 Email: megan.ballard@cblproperties.com	Building Occupancy or Use: Mercantile M	Phone: 314-415-2400 Email: sigou@arcv.com

**Rule Being Petitioned: IBC 1004 of 2009 Edition. Request use of IBC 1004 of 2015 Edition.**

**I have read the application for variance and recommend:** (check appropriate box)

☐ Approval      ☒ Conditional Approval      ☐ Denial      ☐ No Comment

- MFD recommends that the project complies with all provisions of the 2015 edition of the IBC as the code is designed to function as a system of components inter-related in order to achieve an acceptable level of risk. Additionally, future maintenance and enforcement is streamlined when the entire building follows the same code edition.

Name of Fire Chief or Designee (type or print) Bill Sullivan, Fire Protection Engineer	
City of Madison Fire Department	Telephone Number 608-261-9658
Signature of Fire Chief or Designee 	Date Signed October 30, 2017