

VARIANCE FEES

MGO \$50.00
 COMM \$490.00
 Priority – Double above

PETITION FOR VARIANCE APPLICATION

City of Madison
 Building Inspection
 Division
 126 S. Hamilton St.
 Madison, WI 53703
 (608) 266-4568

Amount Paid \$490 ^{216/19} _{SCD}

Name of Owner Realty Income Properties19, LLC	Project Description Multiple additions to the existing facility. Relocate docks, mfg. & warehouse expansions.	Agent, architect, or engineering firm Boldt Technical Servcies
No. & Street 11995 El Camiono Real	Tenant name (if any) Amcor Flexibles	No. & Street 2525 Roemer Road
City, State, Zip Code San Diego, CA	Building Address 4101 Lien Road	City, State, Zip Code Appleton, WI 54912
Phone 858-284-5000		Phone 920-225-6177
e-mail		Name of Contact Person Roger Schregardus
		e-mail roger.schregardus@boldt.com

1. The rule being petitioned reads as follows: (Cite the specific rule number and language. Also, indicate the nonconforming conditions for your project.)
 Per IFC 3206.6.1, code requires a fire department access door to High piled storage rooms. We are providing these doors, and are requesting that landings at the interior side of the doors to be 12" deep, instead of 44" per IBC 1010.1.6

2. The rule being petitioned cannot be entirely satisfied because:
 Owner would like to be able to extend the container racking as much as possible for maximum use.

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:

These landings are required because the rooms are required to have liquid containment. The storage room has a 17" containment height, and the mixing room has a 15" containment height. The door sills are at this containment level. We already have required exiting out of these rooms per IBC 1017.2. We have already discussed this with the MFD and they have stated that they do not object to a standard 12" landing or the higher stair rise, which only occurs in the mixing room.

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.

Mark W. Pearson, 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 <u>Mark W. Pearson</u>	Subscribed and sworn to before me this date: <u>02/05/2019</u>
Notary public <u>Barbara A. Fiedl</u> <u>Barbara A. Fiedl</u>	My commission expires: <u>07/20/2022</u>

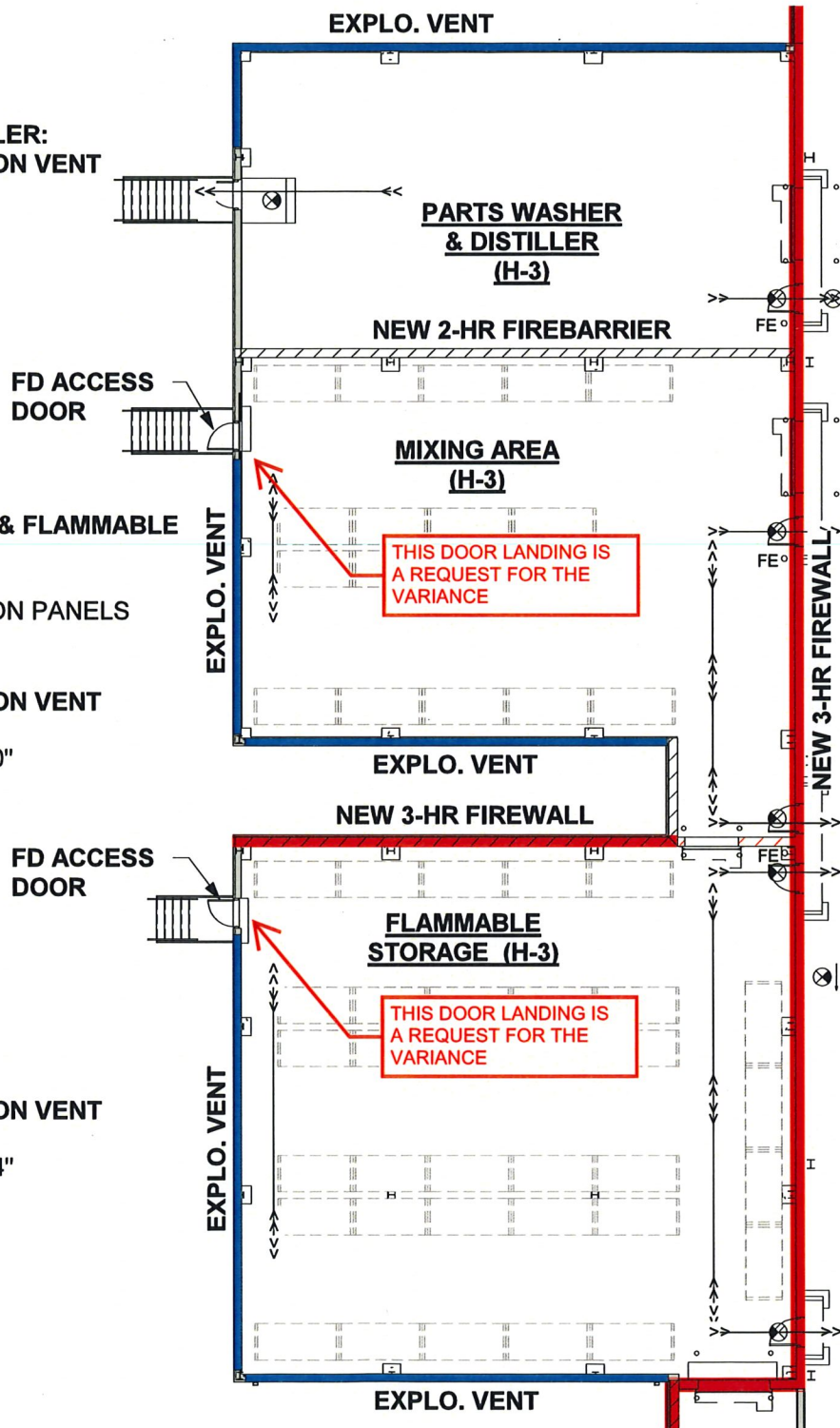
NOTE: ONLY VARIANCES FOR COMMERCIAL CODES ARE REQUIRED TO BE NOTARIZED.

PARTS WASHER & DISTILLER:
DEFLAGRATION EXPLOSION VENT
 1313 sqft REQ.
 62'-6" x 21'-0"
 1313 sqft PROVIDED
CONTAINMENT
 12" REQ.
 12" PROVIDED

**PARTS WASHER, MIXING, & FLAMMABLE
 STOR. CONTAINS:**
 SPILL CONTROL
 DEFLAGRATION EXPLOSION PANELS

MIXING ROOM:
DEFLAGRATION EXPLOSION VENT
 1600 sqft REQ.
 30'-8" x 21'-0" + 47'-4" x 21'-0"
 1638 sqft PROVIDED
CONTAINMENT
 9" REQ.
 12" PROVIDED

STORAGE:
DEFLAGRATION EXPLOSION VENT
 2001 sqft REQ.
 48'-8" x 21'-4" + 47'-4" x 21'-4"
 2048 sqft PROVIDED
CONTAINMENT
 6.37" REQ.
 8" PROVIDED



REALTY INCOME

The Monthly Dividend Company™

Thomas Peterson | Property Manager
Realty Income Corporation
11995 El Comino Real, San Diego, CA 92130
New York Stock Exchange Symbol "O"
Direct Dial: 858-284-5193
E-mail: tpeterson@realtyincome.com

May 23, 2018

Mark Pearson
Manufacturing Director
Amcor
4101 Lien Rd.
Madison, WI 53704

Re: Amcor
4101 Lien Rd., Madison, WI 53704 ("Premises")
Our File #5701

Sbj: Parking lot construction and building expansion ("Expansion Project")

Dear Mark:

Amcor Flexibles LLC, as "Tenant" under that certain Lease dated June 23, 2017 (if and as amended, the "Lease"), proposes to construct a new parking lot on or about the Premises, all as more particularly set forth in that certain Letter of Intent for the Proposed Expansion and Lease Extension of the Amcor Facility Located at 4101 Lien Rd., Madison, WI, RI#5701, dated April 24, 2018.

Subject to all applicable private and public restrictions of any kind and the limitations described herein, Realty Income Corporation ("Realty Income"), on behalf of itself or as manager of the fee owner of the Premises and "Landlord" under the Lease, authorizes Tenant to execute any and all submittals and applications required or desired to be made to the City of Madison, Planning Division, or any other governmental agency in connection with obtaining the permits and authorizations required in connection with the Expansion Project; provided however, that Tenant shall not be authorized to execute on Realty Income's behalf any document or instrument that imposes restrictions or conditions that will affect the Premises beyond the term of the Lease without Realty Income's prior written approval. Moreover, in the event Tenant requests Realty Income to execute any documentation in connection with the Expansion Project, any such execution shall be subject to the conditions of the Lease and this letter.

Under no circumstances shall Realty Income or the Landlord be liable under any contract or agreement, written or otherwise, entered into by Tenant, except as may be provided in a separate written agreement executed by an authorized officer of Realty Income or the Landlord. Without limiting any indemnification by Tenant of Landlord under the Lease, Tenant shall indemnify Landlord from and against any and all suits, claims, actions, damages, liability, and expenses in connection with Tenant's use and occupancy of the Premises, the Expansion Project, and Tenant's exercise of the authorization granted pursuant to this letter.

Tenant acknowledges and agrees that (i) in no event shall Landlord's authorization diminish, amend, or waive any of the duties, liabilities and obligations of Tenant under the Lease; (ii) this letter is not an amendment or modification to the Lease; and (iii) this letter supplements, and does not supersede or replace, any other letter issued by Landlord to Tenant.

Please sign below in acceptance of the above and return a copy to my attention.


Sincerely,

REALTY INCOME CORPORATION

BY: 

NAME: Thomas Peterson

TITLE: Property Manager

Approved As To Form
Legal Department

Y. Giller

ACKNOWLEDGED AND AGREED TO BY:

AMCOR FLEXIBLES LLC,
a Washington limited liability company

BY: 

NAME: DANIEL SURIA

TITLE: GENERAL COUNSEL

DATE: 5/23/18

City of Madison Fire Department Position Statement

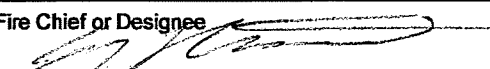
Owner: Realty Income	Project Name: AMCOR Flexibles	Contact: Roger Schregardus
Address: 11995 El Camiono Real San Diego, CA	Building Location: 4101 Lien Rd	Address: 2525 N. Roemer Road // Appleton, WI 54912-0419
Owner Phone: Email:	Building Occupancy or Use: H-3 Flammable Liquids Use, Storage and Handling	P: 920-225-6177 // C: 920-948-7975 E: roger.schregardus@boldt.com

Rule Being Petitioned: IFC 3206.6.1

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

☒ **Approval** ☐ Conditional Approval ☐ Denial ☐ No Comment

The City of Madison Fire Department supports this variance provided the outside of the doors are labeled to indicate there is not a landing inside the door and the floor is 11"/15" below the door sill. As stated in the Petition, the doors do not serve as a required means of egress.

Name of Fire Chief or Designee (type or print) Ed Ruckriegel, Fire Marshal	
City of Madison Fire Department	Telephone Number 608-266-4457
Signature of Fire Chief or Designee 	Date Signed 02-06-19