Westtown Township



BY

Zoning Hearing Board Application

Township Use Only	
Date Received:	Project No.:
Parcel ID:	Zoning Dist:
Date Paid:	PC Date:
Hearing Date:	Property Posted:
Dates Advertised:	
Reviewed by:	



P: 610.692.1930 F: 610.692.9651 www.westtownpa.org

Applicant & Owner Information

Applicant1646 Slate Building LLC	Phone	
Property Address <u>Unit 6, 1646 West Chester Pk.</u>	City <u>Wst Chester</u> ,	_ Zip _19382
E-mail		
Property Owner Same as applicant	Phone	
Mailing Address	City,	_ Zip
(in different from Froperty Address)		

Request

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Please select all that apply and provide a brief description of the requested relief or approvals sought. *i.e.* 6 *ft encroachment into rear yard, or Special Exception for construction of ADU.*

Section 2104: Appeals from the Zoning Officer
Section 2105: Challenge to the validity of theZoning Ordinance or Map
Section 2106: Challenge to the Flexible
Section 2107: Variances
Section 2108: Special Exceptions Addition to non-conforming premises see the attached plan

		ovide a narrative of your r g documentation.	equest in an atl	achment that incl	ludes all require	d information	and any other
		rty information	Setbacks of ovic	sting primary or acc	secon structure	(c)	
		•t Size:		_ Side (R):	•	. ,	<u> </u>
		kisting property use:					
		kisting structure(s): 1 build					
2.	reason parking structu	ption of all proposed improv nably exact, dimensional ske g, loading, lighting, utility sy ures. For physical changes t sks to property lines, materia	etch showing the stems, and sidev o the lot or struc	placement and us valks, including the tures, indicate the s	e of the proposed ose within 250 fee size of all propose	l buildings and t of adjoining p ed improvemer	details of properties or
3.	For VA	RIANCES , provide a respo	nse to each of th	e following hardsh	ip standards:		
	A.	That there are unique phy shallowness of lot size or particular property and tha or conditions generally cre which the property is locat	shape, or except at the unnecessa eated by the prov	tional topographica ry hardship is due	I or other physica to such condition	I conditions pe s, and not the	eculiar to the circumstances
	B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the area and bulk regulations or design standards of the Zoning Ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property, but shall not allow a change in use to one not permitted by right in that district.						
	C.	That such unnecessary ha	ardship has not b	een created by the	e applicant.		
	D.	That the variance, if autho the property is located, no adjacent property, and not	t substantially or	permanently impa	ir the appropriate		
	E.	That the variance, if autho the least modification poss			ariance that will a	afford relief and	l will represent
4.	For SP	ECIAL EXCEPTIONS, prov	ide a response t	o how the propose	d use impacts ea	ch of the follow	ving:
	Α.	Relationship to the Compr proposed use will be consi Comprehensive Plan, inclu	stent with the pu	irposes and objecti	ves of the Westto	wn Township	
	Β.	Suitability of the tract. Con environmental conditions, which the proposed use is conditions.	highway access,	and availability of	sewer and water	service, and o	f the extent to
	C.	Impact on existing neighbore exception will alter unduly effectiveness of proposed development in the area su that the proposal, if approv	the character of or potential mitig urrounding the lo	the existing neighb ation measures; co cation of the propo	orhood and adjac onsideration of the osed special exce	cent tracts, and e character and	i the d type of
	D.	Impact on circulation. Conspatterns and volumes, acc			ed special except	ion may have o	on traffic
	E.	Economic impact. Conside revenue for the Township a				oosed in terms	of generating

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Applicant shall deposit with the Township a fee deemed sufficient to pay the Hearing expenses. These costs may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs, and necessary administrative overhead connected with the Hearing. Funds deposited in excess of the actual cost of the requested hearing shall be returned to the applicant upon completion of the proceedings.
FEE SCHEDULE Variance, Special Exception — \$1,000 Appeal from the Zoning Officer, Challenge to the Flex Development Procedure — \$1,000 Challenge to the Zoning Ordinance/Map — \$2,500
$\varphi_{2,000}$
CERTIFICATION
Please review and certify the following information.
In the event that the costs of the hearing exceed the funds deposited, the Applicant shall pay to the Township funds equal to such excess costs within thirty (30) days of the Township's request. Failure to deposit the additional funds shall be just reasons for terminating the proceedings.
I agree to pay additional funds (if necessary) as requested by the Township.
The Zoning Officer and Zoning Hearing Board may request additional information and documentation to prepare for said hearing.
By checking this box, I certify that the information presented in this application and all attachments is true and correct.
Please ensure the following documents have been included in your application packet:
Completed and signed application form
Check in the amount of the applicable application fee
Narrative responding to all applicable prompts
Proof of property ownership (Copy of Deed or Agreement of Sale)
Six (6) copies of plans or sketch of the proposed improvements
Plan drawings are preferred, but not required, to be prepared by a registered engineer, architect, or surveyor. Any measurements/setbacks should be accurate and clearly depicted on provided plot plans or elevations. If the applicant's plans are larger than 11" x 17", the applicant must submit one set of plans reduced to no larger than 11" x 17". Digital copies of plan sets shall be submitted if available.
Any additional photos or supporting documentation (optional)
Applications may be submitted in person, mailed, or electronically as a PDF. The application fee must be submitted before an application can be accepted for review.
Signature of APPLICANT Date Date
Print Name Richard Ranalli
Signature of OWNER Applicant is the Owner Date

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MEMORANDUM ACCOMPANYING THE SPECIAL EXCEPTION APPLICATION OF 1646 SLATE BUILDING LLC

The building on which the 1,700+/- sq. ft. addition is proposed is a nonconforming use building, Unit 6 (UPI # 67.3-132.9) of a 7-unit commercial condominium, the 1646 Condominium Association, Inc., a non-profit Pennsylvania corporation (see 1646 West Chester Pike Condominium Plan prepared by Verdanrtas, attached, the "Verdantas Plan:"). The building itself before he addiction is approximately 280 ft. long by 90 ft wide, total square feet is approximately 25,200. sq.ft. The addition would increase the size of the building to 26,900 sq.ft.

The building called the PNY Sports Arena is a premier single sheet ice rink located in West Chester, PA equipped with full-service cafe, pro shop run by Top Shelf Sports, skate rental, and party rooms. The facility offers a full range of programs such as **Just Skate** (a Learn-to-Skate program), **Learnto-Play Hockey**, **Public Skating**, **Open Hockey**, **Hockey Clinics**, and **Summer Camps**. PNY is also the home to the Quakers Youth Hockey Club, West Chester Wolves, Marple Newtown Hockey Club, and Devon Prep Hockey Club.

The addition will be outfitted as a locker room with shower facilities for young ice hockey players.

No variance for parking is required. Please see note 13 to the Vertanas Plan.

Part of the reason for the addiction is to provide young hockey players with their own locker room and associated facilities, which in part will remove them from the parking lot while waiting to suit up, and play.

Special Exception Criteria:

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A. Relationship with the Comprehensive Plan. Consideration that the size, scope, extent, and character of the proposed use will be consistent with the purposes and objectives of the Westtown Township Comprehensive Plan, including protection and promotion of the public health, safety, and welfare.

The Property is a community-oriented facility offering ice skating to the entire Westtown community and local youth who participate in the youth hockey programs provided by the facility. It is believed that the use for which special exception approval is sought is consistent with the Comprehensive Plan. The addition will not impact the public health safety or welfare of the neighborhood in which the facility is located.

B. Suitability of the tract. Consideration of the suitability of the proposed tract including, as applicable, environmental conditions, highway access, and availability of sewer and water service, and of the extent to which the proposed use is susceptible to regulatory restriction through the imposition of appropriate conditions.

The Property has been successfully utilized for several years as an ice rink. Highway access to the Property has not proven to be problematic and the Property is served by adequate sewer and water facilities.

C. Impact on existing neighborhood character. Consideration of the extent to which the proposed special exception will alter unduly the character of the existing neighborhood and adjacent tracts, and the effectiveness of proposed or potential mitigation measures, consideration of the character and type of development in the area surrounding the location of the proposed special exception, and a determination that the proposal, if approved, will constitute an appropriate use in the area.

. No major changes are proposed to the existing use of the Property by way of this Application.

D. Impact on circulation. Consideration of the effects the proposed special exception may have on traffic patterns and volumes, access, and parking.

No changes are proposed by way of this Application to the existing traffic patterns and volumes, access, or parking.

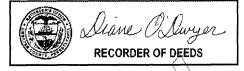
E. Economic impact. Consideration of the character and type of development proposed in terms of generating revenue for the Township and imposing demands on municipal services.

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The addition will not increase the demand on the municipal services. It is not anticipated that the addition will generate revenue for the Township.

12012958 B: 11177 P: 673 DEE 03/06/2024 09:53:29 AM Page 1 of 4 Rec Fees: \$153.75 Local: \$60,000.00 State: \$60,000.00 Diane O'Dwyer Recorder of Deeds, Chester County, PA

Prepared by and Return to: Neshaminy Abstract, LLC 540 Pennsylvania Avenue, Suite 307 Fort Washington, PA 19034 (215) 348-1848



Premises:

1646 West Chester Pike, West Chester, PA 19382

Unit 6 UPI 67-3-132.9 formerly part of Parcel No 67-03-0132 UPI 67-3-132 1638 Green Lane, West Chester, PA 19382

Unit 7 UPI 67-3-132.3A formerly part of Parcel No. 67-03-0132.030 UPI 67-3-132.3

 Consideration:
 \$6,000,000.00

 State Tax:
 \$600,000.00

 Municipal Tax:
 \$600,000.00

Order No. FN-87586-PA

This Indenture, made the 27th day of February, 2024.

Between

Spencer D. Qualls

(hereinafter called the Grantor), of the one part, and

1646 Slat Building, LLC, a Pennsylvania Limited Liability Company

(hereinafter called the Grantee), of the other part,

Witnesseti, that the said Grantor for and in consideration of the sum of SIX MILLION AND 00/100 (\$6,000,000.00) lawful money of the United States of America, unto him well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, in fee

ALL THAT CERTAIN Unit in the property known, named and identified as 1646 Condominium, located in Westtown Township, County of Chester and Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act, 68 PA C.S. 3101 et seq by the recording in the Chester County Recorder of Deeds a Declaration of Condominium of 1646 Condominium dated 1/2/23 and recorded 1/4/24 in Record Book 11156 page 481, being and designed as Unit No. 6, together with a proportionale undivided interest in the Common Elements (as defined in such Declaration).

ALL THAT CERTAIN Unit in the property known, named and identified as 1646 Condominium, located in Westtown Township, County of Chester and Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act, 68 PA C.S. 3101 et seq by the recording in the Chester County Recorder of Deeds a Declaration of Condominium of 1646 Condominium dated 1/2/23 and recorded 1/4/24 in Record Book 11156 page 481, being and designed as Unit No. 7, together with a proportionate undivided interest in the Common Elements (as defined in such Declaration).

Unit 6 Parcel No. 67-3-132.9 formerly part of Parcel No 67-03-0132 UPI 67-3-132 BEING the same premises which Chester County Industrial Development Authority, by Indenture dated 9/8/86 and recorded 9/12/86 in the Office of the Recorder of Deeds in and for the County of Chester in <u>Record Book 442 page 101</u>, granted and conveyed unto Spencer J. Qualls, in fee.

AND BEING the same premises which Spencer J. Qualls, by Indenture dated 12/28/21 and recorded 1/4/22 in the Office of the Recorder of Deeds in and for the County of Chester in <u>Record Book 10781 page 36</u>, granted and conveyed unto Spencer D. Qualls, in fee.

Unit 7 Parcel No. 67-3-132.3A formerly part of Parcel No. 67-03-0132.030 UPI-67-3-132.3 BEING the same premises which Selma W. Thomson, by Indenture dated 12/31/86 and recorded 12/31/86 in the Office of the Recorder of Deeds in and for the County of Chester in <u>Record Book 579</u> page 193, granted and conveyed unto Spencer J. Qualls, in fee.

AND BEING the same premises which Spencer J. Qualls, by Indenture dated 12/28/21 and recorded 1/4/22 in the Office of the Recorder of Deeds in and for the County of Chester in <u>Record Book 10781</u> page 41, granted and conveyed unto Spencer D. Qualls, in fee.

AND uninterrupted right to use the common area as defined in the recorded Condominium Declarations in Book 11156 page 481.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of him, the said grantor, as well at law as in equity, of, in and to the same.

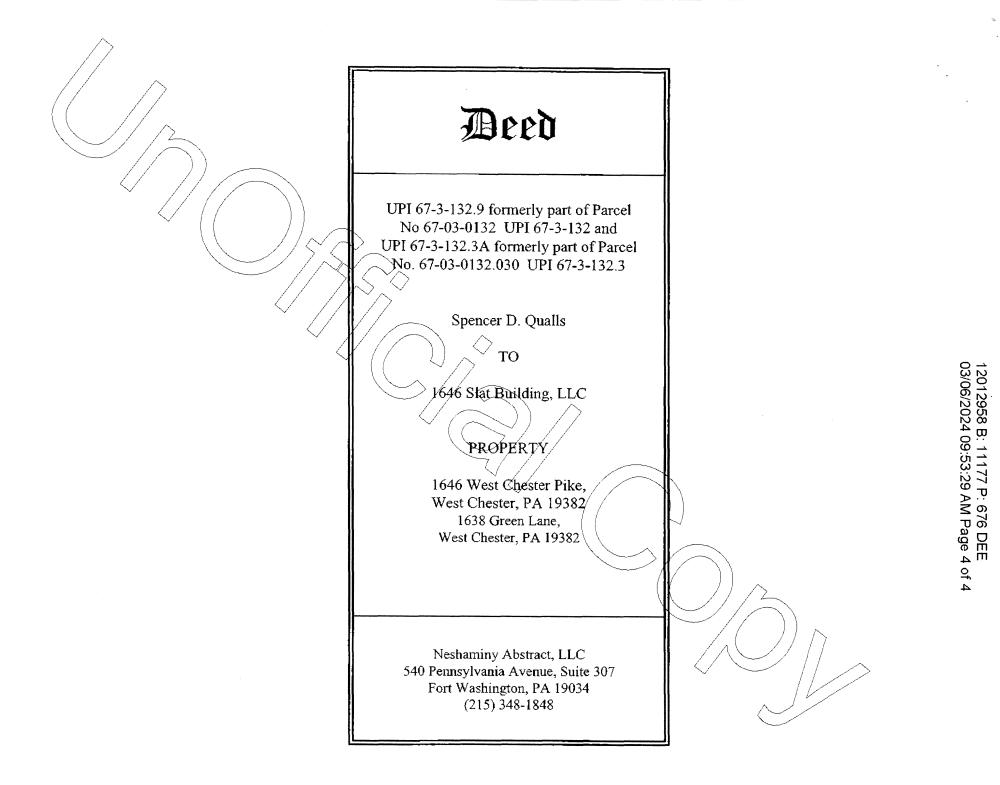
To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns, forever.

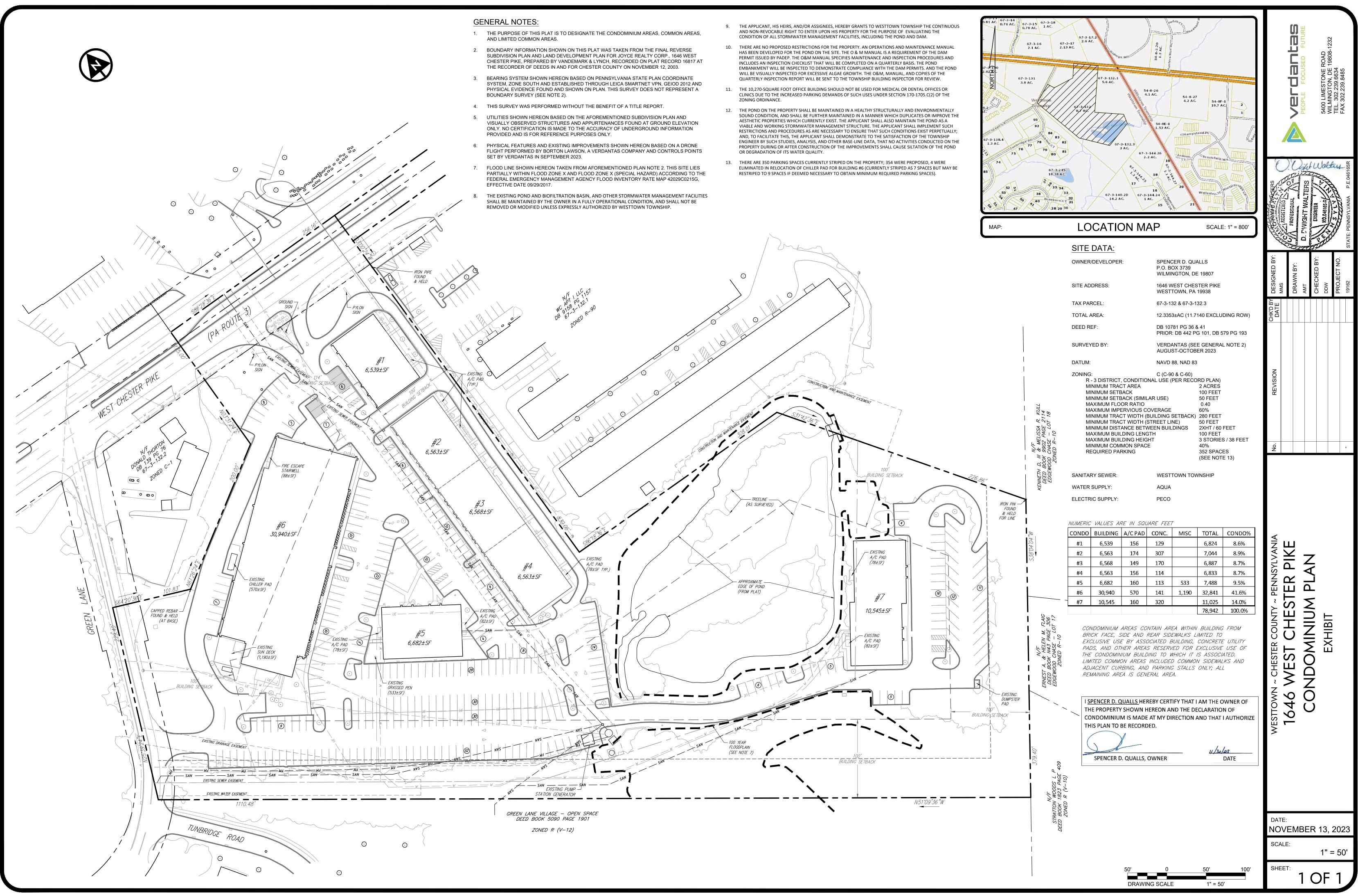
AttD the said Grantor, for himself and his heirs, executors and administrators, does, by these presents, covenants, grants and agrees, to and with the said Grantee its successors and assigns, that he, the said Grantor, and his heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against him, the said Grantor, and his heirs, will warrant and defend against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

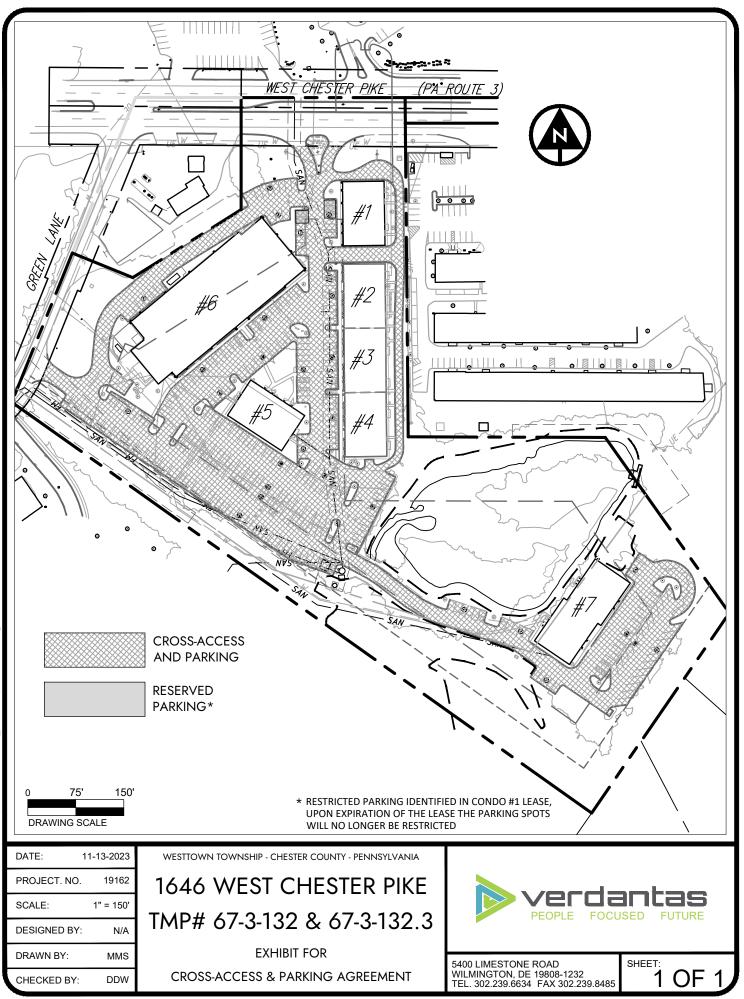
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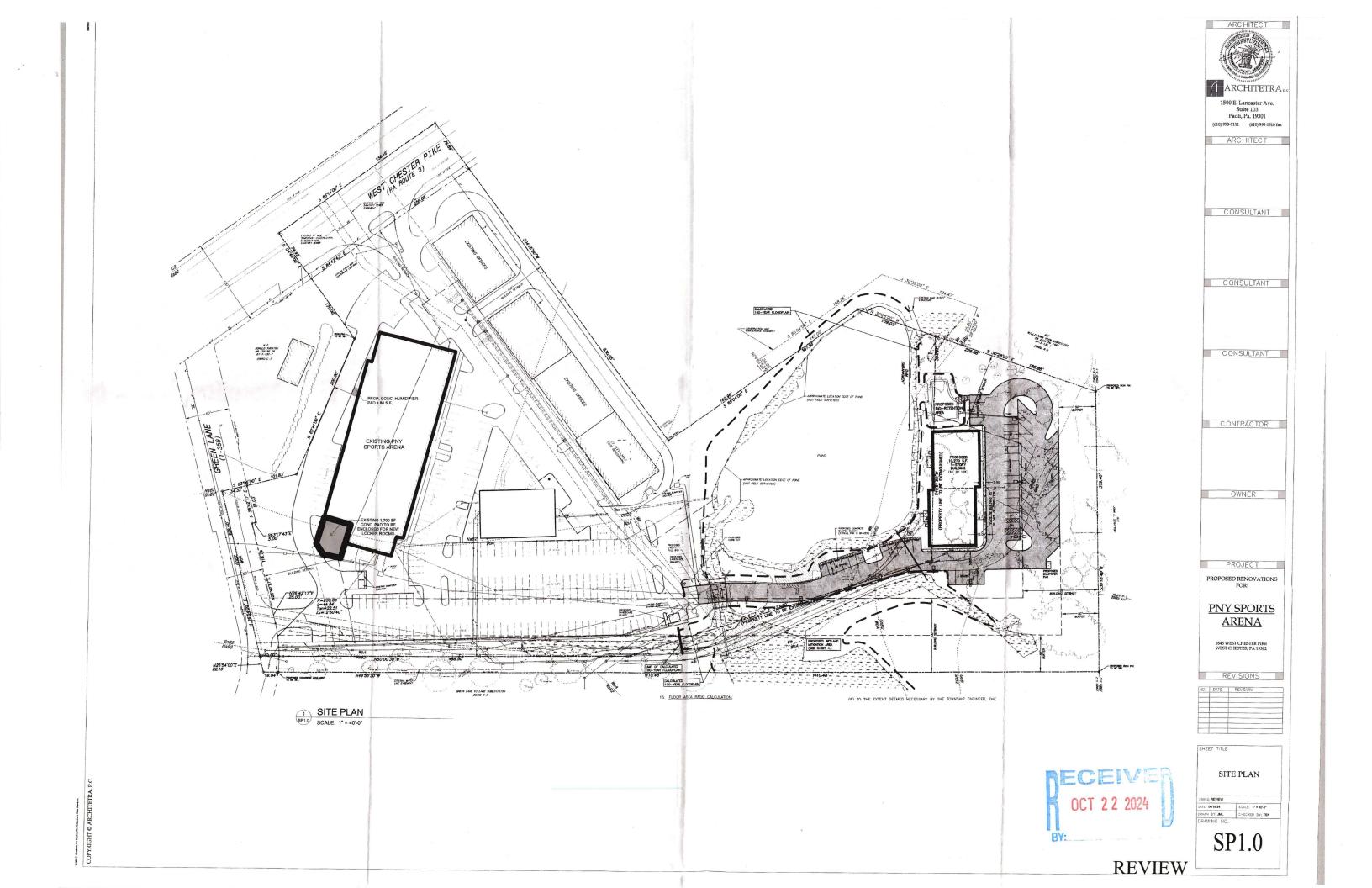
In Witness Whereof, the party of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered IN THE PRESENCE OF US:	
COMMONWEALTH OF PENNSYLVANIA COUNTY OF <u>Chester</u> On this, the <u>77th</u> day of <u>Februaly</u> , 2024, before me, the undersigned officer, personally appeared, Spencer D. Qualis known to me (or satisfactorily proven) to be the person whose	
matting appeared, Spencer D. Qualis known to me (or satisfactority proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained. In witness whereof, I hereunto set my hand and official seals. Matting Matting Notary Public Notary Public	
The precise residence and the complete post office address of the above-named Grantee is: 1646 W. CHESTER PIKE UNITE WESTOWN, PA. 14387 <u>100-010 Forge Lanker Kennett Square PA 19348 (ITC)</u> On behalf of the Grantee	
John T. Croke	
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PROPOSED RENOVATIONS FOR:

PNY SPORTS ARENA

1646 WEST CHESTER PIKE WEST CHESTER, PA 19382

PNY SPORTS ARENA - CONCEPT PERSPECTIVE 1 A0.1 SCALE: 12" = 1'-0"

OWNER ARCHITECT ARCHITETRA, P.C. 1500 E. LANCASTER AVE. SUITE 103 PAOLI, PA 19301 PNY SPORTS ARENA 1646 WEST CHESTER PIKE WEST CHESTER, PA 19382 RICH RANALLI 609.780.6924 rranalli@zrmbuilders.com JOSEPH M. LOMBARDI, AIA 610.993.9111 jmlombardi@architetra.com

 \bigcirc LOCATION MAP (NOT TO SCALE)

Google Maps 1646 West Chester Pike



Sheet Number	Sheet Name	
SP1.0	SITE PLAN	
A0.1	COVER SHEET GENERAL NOTES & CODE SUMMARY	
A2.0	FLOOR PLANS	

GENERAL NOTES

1. THE WORK IS DESIGNED TO BE IN COMPLIANCE WITH THE INTERNATIONAL BUILDING CODE (IBC) 2018 EDITION. CONSTRUCTION TYPE: 28 SPRINKLERED

USE GROUP: A-4, ASSEMBLY (RESTAURANT)

CONDITIONS, LAWS, RUIES, RECULATIONS, AND ORDINANCES OF FEDERAL, STATE, COUNTY, OR AUTHORITIES RELATING THERE-TO. NO WORK SHALL BEGIN AT THE SITE LWTIL APPLICABLE APPROVALS AND REQURED PERMITS HAVE BEEN OFTAINED COVERNS SUCH YORK AND SUBCONTRACTORS ARE TO VERRY AND ASSURE PROPER CODE COMPLIANCE FOR ALL ASPECTS OF CONSTRUCTION WITHIN THEIR RESPECTIVE TRADES. PERMITS TO BE PART OF WORK.

PERMITS TO BE PART OF WORK. I.B.C. 2018 EDITION, CHAPTER 11 "ACCESSIBILITY", THE AMERICAN'S WITH DISABILITIES ACT TITLE III (ADA). THE AMERICAN NATIONAL STANDARDS INSTITUTE, INC. (ANSI) A117.1 - 2017 EDITION.

THE SOOPE OF THE PROJECT INCLUDES ALL WORK SHOWN OR REASONABLY INFERRED ON THE DRAWINGS AND SPECIFICATIONS TO BE PERFORMED BY THE GENERAL CONTRACTOR AND QUALIFIED SUBCONTRACTORS.

- 5. THE GENERAL CONTRACTOR AND HIS SUBCONTRACTORS SHALL REVEW THE ENTITE DRAWING SET AND SHALL BE RESPONSIBLE FOR ALL UNK SHOWN OR RESOLVEN VIERBED ON AIL DRAWINGS, INCLUENS BUT NOT LIMITED TO ARCHTECTURAL DRAWINGS, INCLUENS BUT NOT LIMITED TO ARCHTECTURAL STRUCTURAL, HECHANACAL, ELECTICAL AND FLAMBING. THE COMPACT DE SET ANTIL AND THE SATE DATA COMPACT DE SET ANTIL AND THE SATE DATA COMPACT DE SET ANTIL SATE SHALL HOT DE ISJEED AS AN WORK ON THE PROJECT.
- 6. THE GENERAL CONTRACTOR WILL: A. AT ALL TIMES PROTECT THE PROPERTY OF THE OWNER, TENANT AND ADJOINING PROPERTIES.
- B. VERIFY ALL DIMENSIONS IN THE FIELD AND BE RESPONSIBLE FOR THEIR ACCURACY; ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE STARTING WORP

C. PROTECT AND STORE ALL FIXTURES AND HARDWARE AS WELL AS OTHER EQUIPMENT SPECIFIED HEREIN FOR THE DURATION OF THE JOB AS DIRECTED BY TENANT

D. COORDINATE WITH LOCAL UTILITIES FOR WATER, DRAINAGE GAS, HEATING, ELECTRICAL SERVICE, ETC., AS MAY BE REQUIRED.

- 7. DO NOT SCALE DRAWINGS. NOTIFY THE ARCHITECT IN CASE OF DISCREPANCIES OR CLARIFICATION'S BEFORE PROCEEDING WITH WORK.
- 8. EXTERIOR DIMENSIONS ARE TAKEN TO OUTSIDE FACE OF MASONRY OR OUTSIDE FACE OF STUD WALL FRAMING UNLESS OTHERWISE NOTED.
- INTERIOR DIMENSIONS ARE TO ROUGH CONSTRUCTION UNLESS
 OTHERWISE NOTED.
- 10. THESE DOCUMENTS ARE FOR THE ALTERATIONS AND RENOVATIONS

11. THE CONTRACTOR WILL BE HELD TO HAVE EXAMINED THE JOB SITE TO BECOME FAMILIAR WITH AND BE SATISFIED AS TO THE CONDITIONS UNDER WHICH HE WILL BE OBLIGED TO OPERATE IN PERFORMING THE WORK

12. CONTRACTOR SHALL PREPARE AND DISTRIBUTE TO OWNER A CONSTRUCTION SCHEDULE OF EACH TRADE ENGAGED FOR THE DURATION OF THE WORK.

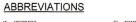
13. THE CONTRACTOR SHALL SUBMIT SAMPLES TO THE OWNER FOR APPROVAL AS FOLLOWS BUT NOT LIMITED TO: -FINISHES -MILLWORK & CABINETRY

-FLOORING TILE & GROUT FINISHES -WALL PAINT COLORS

14. PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED PER THE 15. THESE DOCUMENTS ARE FOR THE ALTERATIONS AND RENOVATIONS TO AN EXISTING SPACE. VORKIS TO BE COMPLETE IN ALL RESPECTS BY CONTRACTOR FOR USE BY THE OWNER. 14. PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED PER THE INTERNATIONAL REP COMPLETE IN ADDITIONAL DEPENDENCIES 14. PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED PER THE INTERNATIONAL REP COMPLETE IN ADDITIONAL DEPENDENCIES 15. THE OWNER. 15. THE OWNER. 16. DOCUMENTS AND COMPLETE IN ADDITIONAL DEPENDENCIES AND COMPLETE ADDITIONAL DEPENDENCIES AND COMPLETE ADDITIONAL DEPENDENCIES 16. DOCUMENTS AND COMPLETE ADDITIONAL DEPENDENCIES ADDITIONAL DEPENDENCIES AND COMPLETE ADDITIONAL DEPENDENCIES ADDITIONAL D

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16. SEE MECHANICAL, PLUMBING AND ELECTRICAL DRAWINGS FOR ALL MECHANICAL, PLUMBING AND ELECTRICAL WORK.



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IT SHALL BE THE RESPONSIBILITY OF THE MECHANICAL, ELECTRICAL AND PLUVAING SUBCONTRACTORS, TO VERIFY COMPLANCE WITH REQUIREMENTS OF THE GOVERNME CODES AND TO COORDINATE THEIR WORK WITH THE ARCHTECTURAL DRAWINGS WHICH ARE PROPRETART. THE GENERAL CONTRACTOR SHALL NOTIFY THE ARCHTECT / ENGINEER OF MY CONFLICTS.

17. EXISTING SPACE IS EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM. CONTRACTOR TO PROVIDE SHOP DRAWINGS AND HYDRAULIC CALCULATIONS FOR ANY REQUIRED MODIFICATIONS FOR CODE OFFICIAL REVIEW. SPRINKLER DRAWINGS BY OTHERS.

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		REQUIREMENTS
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CHAPTER 8 - FRE PROTECTION SYSTEMS		
SECTION 405 - AUTOMATIC SPREAKLER SYSTEMS		
SECTION IRS.2.1.4 - OROUP A-4		
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SECTION SCT - FIRE ALARM AND DETECTION SYSTEMS		
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BECTION 1007.1.1 TWO BRT ADDEBE DOORWAYS	3 REQUIRED, 6 PROVIDED	
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SECTION 1029 ACCESSIBLE MEANS OF EGAILSS SECTION 1010 DOORS, GATES AND TURNETLES 1010 1 1 SEC OF DOORS 1010 12 DOOR SHAND	EXISTING PROVIDED TO REMAN	
1013.1.1 BLZC OF DOORS 1013.1.2 DOOR SWWG	32' MAN, 36' PROVIDED SIDE HINGED SWINDIND	
RECTION 10010.1.10 PANIC & FRIE EUT HARDWARE	DOORS BERVING ROOMS OR SPACES WITH AN OCCUPANT LOW WITH A LATCH OR LOCK OTHER THAN PANIC HARDWARE OR FIRE FX	D OF M OR MORE IN A GROUP A DCOUPANCY BHALL NOT BE PROVIDED IT HARDWARE.
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		DOMS, CLOSETS OR BRACES USED FOR SMILAR FURPOSES.
BOTION 1016 EXIT ACCESS 10152 EGRESS THROUGH INTERVENING BRACES	& EGRESS SHALL NOT FASS THROUGH KITCHING, STORAGE PL	
WITH BRENGER SYSTEM	1	
WITH GUT ACCESS TRAVEL DUTATE WITH GPIENALIZE SYSTEM TABLE 1017.2 - EXIT ACCESS TRAVEL DUTATE	A-4 220 FT	
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