

## **EPIC THEATRES STADIUM 14 PALM COAST**

**Issue:** Vertical accessibility to all rows of seats in a 16 theater movie theater complex.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of seating in a new, \$8,000,000 theater project. Estimates were provided indicating it would cost an additional \$955,434 to make all rows accessible. The designer indicates that the seating platforms range from 6 inches to 18 inches between rows, and states all accessible seating will not have sight lines greater than 30 degrees. Adjacent companion seats will be located on the aisles with lift up arms on the seats. The appropriate number of wheelchair seating locations has been provided in the center of each theater with adjacent companion seating.

### **Project Progress:**

The project is under design.

### **Items to be Waived:**

Vertical accessibility to all rows of seats, 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: EPIC Theatres Stadium 14 Palm Coast

Address: Town Center Phase II lot 23 - Central Ave  
Flagler County

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: TK Architects c/o Jack Muffoletto

Applicant's Address: 106 W. 11<sup>th</sup> Street, Suite 1900 Kansas City, MO 64105

Applicant's Telephone: 816-842-7552 FAX: 816-842-1302

Applicant's E-mail Address: jmuffoletto@tkarch.com

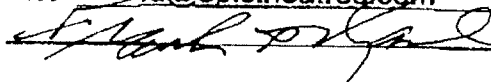
Relationship to Owner: Architect of Record

Owner's Name: EPIC Theatres

Owner's Address: 1798 South Woodland Blvd., P.O. Box 2076 DeLand, FL 32721-2076

Owner's Telephone: 386-736-6830 FAX: 386-738-2596

Owner's E-mail Address: fd@epictheatres.com

Signature of Owner: 

Contact Person: Frank DeMarsh

Contact Person's Telephone: 386-736-6830 E-mail Address: fd@epictheatres.com

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.)

Single Story (with Mezzanine) 48,281 square  
foot, 2234 seat, 14 screen movie theatre  
multiplex with adjacent retail

**5. Project Construction Cost** (Provide cost for new construction, the addition or the alteration):

\$ 8 million

**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.

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

**Issue**

1: 553.509, FLA Stat. (2004) which states the owner shall provide vertical accessibility to all levels above grade and below the occupiable grade level.

**Issue**

2: \_\_\_\_\_

**Issue**

3: \_\_\_\_\_

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.

☒ Substantial financial costs will be incurred by the owner if the waiver is denied.

Please refer to attached letter.

☐ 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.

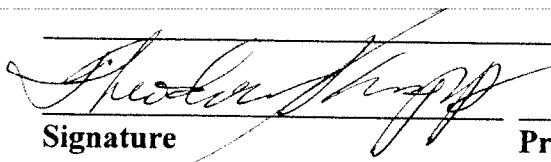
a. Please refer to attached letter in conjunction with attached pricing data.  
\_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

Please refer to attached letter.  
\_\_\_\_\_

\_\_\_\_\_  
 THEODORE KNAPP  
Signature Printed Name

Phone number 811-842-7552

(SEAL)

## 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. 553.509, FLA Stat. (2004) which states the owner shall provide vertical accessibility to all levels above grade and below the occupiable grade level.

b. \_\_\_\_\_

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/Recommendation \_\_\_\_\_

\_\_\_\_\_

Jurisdiction \_\_\_\_\_

Building Official or Designee \_\_\_\_\_

Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Certification Number

\_\_\_\_\_  
Telephone/FAX

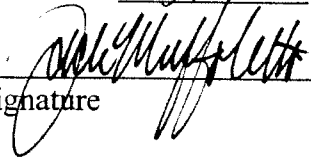
Address: \_\_\_\_\_

\_\_\_\_\_

**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 31 day of October, 2007

  
\_\_\_\_\_  
Signature

Jack Muffoletto  
\_\_\_\_\_  
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.



106 W. 11<sup>TH</sup> STREET SUITE 1900  
KANSAS CITY, MO 64105  
P. 816.842.7552 F. 816.842.1302

AA 000 2411

October 30, 2007

Request for Waiver Form  
Accessibility Requirements  
of Chapter 553, Part V,  
Florida Statutes

Re: Epic Theatres  
Epic Theatres Stadium 14  
TKA – 06046.01/113

Item 8:

Reason for Waiver Request

Substantial financial costs will be incurred by the owner if the waiver is denied.

The Epic Theatres Stadium 14 is a 14-screen stadium seating movie theatre. Stadium seating allows for unobstructed patron viewing of movies and is the issue for consideration of the Accessibility Waiver.

Each of the 14 auditoriums is comprised of tiered seating platforms of varying elevations ranging from 18" to 6" difference between adjacent platforms. Wheelchair accessible seating locations are designed in accessible viewing locations in each auditorium with companion seating and to maximize the view angle to the top of the screen to be less than 30°. Additional ambulatory accessible seating is accommodated by providing lift up arms on all aisle seats. To design this theatre to provide wheelchair accessibility to every row of stadium seating will cause extreme hardship to the Owner as follows:

I (114) chair lifts would be required to access every row of seating:

Vertical Platform Lift Pricing

Mac's Lift Gate, Inc. #PL50 \$5,120

**Planet Mobility #Trust T Lift \$7,760**

Jazzy-Electric-Wheelchairs #Mobilift CX \$8,999

We have chosen the mid-range priced lift.

Per RS Means Construction Cost Data 2006, add 8% of the material cost for installation.

Therefore, (1) Lift, furnished and installed: \$7,760 + \$621 = \$8,381

(114) Lifts furnished and installed: \$8,381 x 114 = \$ 955,434 additional cost

II To design the physical space required for each lift, and access on each side of the lift, an additional 34 square feet per lift must be added to the building footprint.

Therefore: 34 SF x 114 lifts = 3,876 additional SF.

The preliminary building cost estimate is \$125/SF.



Therefore:  $3,876 \text{ SF} \times \$125/\text{SF} = \$484,500$  additional cost.

- III Each row of seating itself, accessed by the lift, must have an accessible route to the wheelchair accessible seating location. Each wheelchair accessible seating location must have minimum clear floor space for a 60" turning diameter or 36" for "T"-shaped turn. Throughout the 114 affected rows in the movie theatre, an additional 11,477 SF must be added to the building footprint.

The preliminary building cost estimate is \$125/SF.

Therefore:  $11,477 \text{ SF} \times \$125/\text{SF} = \$1,434,625$  additional cost.

- IV In Summary:  
Additional building costs for vertical accessibility:

Platform Lifts (114)	\$ 955,434
Material & Labor	

Platform Lift SF	\$ 484,500
Additional 3876 SF	

Accessible Seating Rows (114)	\$ 1,434,625
Additional 17,718 SF	
Total Financial Hardship:	\$ 2,874,559

Compared to the original building cost estimate:


48,281 SF x \$125/SF	=	\$ 6,035,125
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New Total:	\$ 8,909,684
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Or 48% cost increase.

Prepared by,

  
\_\_\_\_\_  
Jack Muffoletto, Principal  
TK ARCHITECTS, INC.  
Applicant

  
\_\_\_\_\_  
Theodore F. Knapp, President  
TK ARCHITECTS, INC.  
Design Professional

JM/jl

EPIC THEATRES STADIUM 16  
TKA 07028.00/113  
October 25, 2007  
Page 3

**Wheelchair Lifts**

<b>Model</b>	<b>Price</b>	<b>Website</b>	<b>Phone</b>
Mobilift CX	\$8,999	<a href="http://www.jazzy-electric-wheechairs.com">www.jazzy-electric-wheechairs.com</a>	800-647-0803
PI50	\$5,120	<a href="http://www.macslift.com">www.macslift.com</a>	800-795-6227
Trust T Lift	\$7,760	<a href="http://www.planetmobility.com">www.planetmobility.com</a>	866-465-4387

**jazzy electric wheelchairs**

1-800-790-5523 · Open 8:30AM to Midnight EST

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Experts standing by 7 days a week 9 to Midnight EST  
**1.800.790.5523**

## Mobilift CX Vertical Lift

[Home](#) > [Wheelchair Lifts](#) > [Vertical Platform Lifts](#) > [Mobilift CX Vertical Lift](#)

### Description

The Mobilift CX is an Economical, Manually Operated lift that facilitates disabled access over Stairs, to Stages, as well as Bleachers. The Unique Manual Operation of the Mobilift permits immediate use, wherever and whenever it's needed. The absence of Batteries, Hydraulic and Electrical Components makes the Mobilift extremely Reliable. Since there are no complicated parts to fail or replace, the lift is virtually maintenance free - a Yearly component Check is all that is required. With a Reasonable purchase price, the Mobilift is an economical way to accommodate Special Needs Visitors at Your Facility. The Mobilift comes ready for use.

[Click Here to Select Options](#)

[Price](#)

\$8,999.00

[Need Financing?](#)

Regular Price \$9,990.00

[Add To Cart](#)

### Features

- 20" Bridge Ramp
- Made of Aluminum and Stainless Steel
- Lift Capacity: 600 LBS.
- Weight: 268 LBS
- Power Requirements: None
- Occupies a 38"x72" Floor Space
- Platform Size 34"x56"
- Elevates To a Height of 60"
- Powder Coated Handrail
- Rough Terrain Features
- Locking Cable
- Operator and Owners Manual
- 2-Year Warranty

1 LOAD



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Phone: 1-800-790-5523 · Fax: 1-800-791-6524



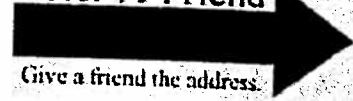
map · Directory



CHECK



Refer-A-Friend

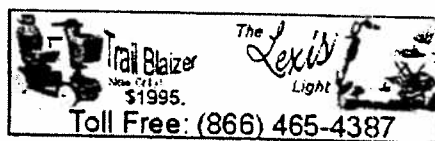
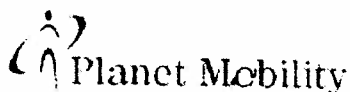


Give a friend the address.

May 15, 2007

[Power Wheelchairs 1](#) [Power Wheelchairs 2](#) [Power Wheelchairs 3](#) [Power Wheelchairs 4](#) [Power Wheelchairs 5](#)  
[Power Wheelchairs 6](#) [Power Wheelchairs 7](#) [Power Wheelchairs 8](#) [Power Wheelchairs 9](#) [Power Wheelchairs 10](#)  
[Power Wheelchairs 11](#) [Power Wheelchairs 12](#)  
[/3-wheel-walker.htm](#) [/4-wheel-walker.htm](#) [/bathtub-transfer-bench.htm](#) [/gell-cell-batteries.htm](#) [/handicap-](#)  
[lift.htm](#) [/hospital-bed.htm](#) [/hospital-beds.htm](#) [/power-wheelchairs.htm](#) [/rollator.htm](#) [/rollators.htm](#)  
[/stairlift.htm](#) [/stairlifts.htm](#) [/stairway-lift.htm](#) [/stairway-lifts.htm](#) [/transfer-bench.htm](#) [/trifold-ramp.htm](#)  
[/vertical-lifts.htm](#) [/wheelchair-lift.htm](#)

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### Commercial Wheelchair Lift



Planet mobility wheelchair lifts allow people with mobility issues to remain active, improving the quality of life. It's there personal freedom, and that is important to us. That is our job.

Safety, comfort and convenience were Planet Mobility's #1 design considerations.

#### Features

- Innovative Soft Touch Control Pads for ease of operation.
- Direct drive Worm-Gear / Screw-Nut Drive for maintenance free operation, incorporating zero load start for cold weather climates (drive system allows motor to get up to full speed before lifting car).
- Expanded Metal Platform allows full under platform visibility.
- Keyed Emergency Stop to control use of lift.

Smooth and quiet performance makes this light weight, dependable and versatile unit perfect for any residential or commercial application.

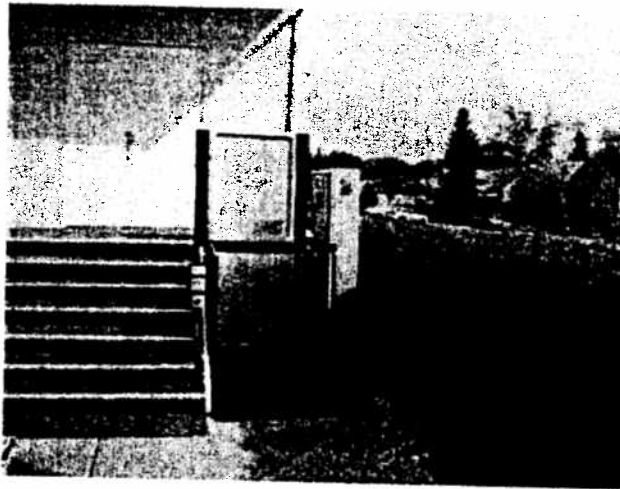
Our High Tower Lift's will go as high as 12' Feet and can be used with many applications.

"Straight Trough": Straight through application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited on the opposite side.

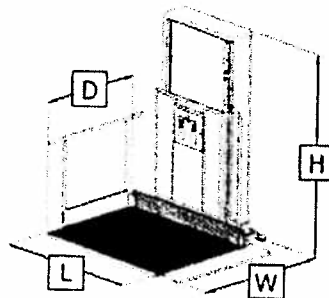
"Adjacent Access": Adjacent access application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited to the right or left.

"Same Side": Same side application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited at the same location it was entered.

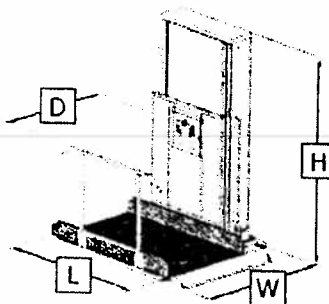
**Design Your Lift Here!**



### Technical Specifications



Adjacent Access

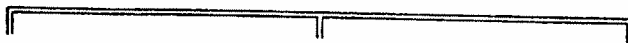


Straight Through Access

### Deck Dimensions (L, D, W)

Access	L Deck Length	D Deck Width	W Total Width
Straight Through Access	54" (1372 mm)	34" (864 mm)	48" (1219 mm)
Adjacent Access	54" (1372 mm)	40" (1016 mm)	54" (1372 mm)

### Tower Dimensions (H)



Total Travel	H Tower Height
28" (711 mm) Lift Height	48" (1219 mm)
52" (1321 mm) Lift Height	72" (1829 mm)
72" (1829 mm) Lift Height	92" (2337 mm)
96" (2438 mm) Lift Height	118" (2997 mm)
120" (3048 mm) Lift Height	142" (3607 mm)
144" (3658 mm) Lift Height	166" (4216 mm)

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#### Technical

- Constant pressure Soft Touch control pads
  - 550 pound (250-kg) lift capacity
  - Constant pressure Soft Touch control pads
  - 8 feet/minute lift speed
  - Direct worm gear/acme screw drive
  - Non-load-bearing backup safety nut on lift shaft
  - Low maintenance
  - Expanded metal platform with full under platform visibility and non skid surface
  - 8" positive action, reversible toe-plate for universal access
  - Emergency manual operation
  - Fuse box accessible from carriage
  - Quick and easy set-up and adjustment
  - Baked on Powder Coat finish
  - Baked on Powder Coat finish
  - Extreme Weather resistant design
  - U.L. and C.S.A. Certified
- 

#### Options

- Under platform safety plate and solid platform
  - Carriage gate
  - Landing gates
  - Portable model
  - Solid Hand Rail
  - 12V DC battery backup
  - 18" extra wide toe plate
  - Remote call stations
  - Electric Interlocks
- 

[View Drawing Spec Sheet #1](#)

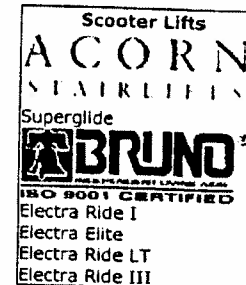
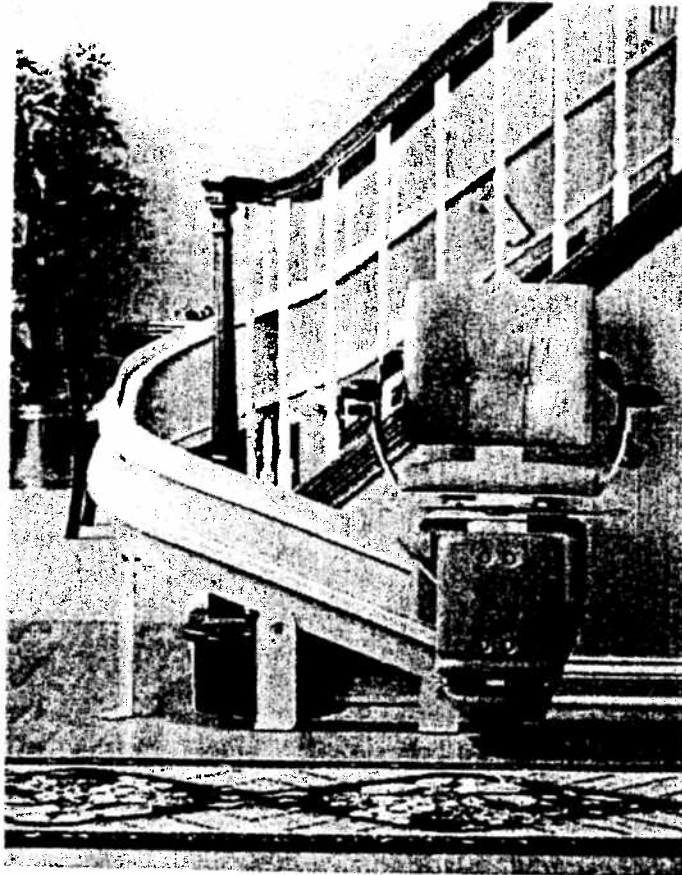
[View Drawing Spec Sheet #2](#)

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Vertical Home Lift  
Mini Vans  
Conversion Vans  
New Vans  
Used Vans  
Wheelchair Lifts  
Ambulance Lift  
Stair Lifts  
Scooter Lifts  
Transfer Lifts  
Used Equipment  
Contact Us  
Directions  
Home

MAC'S Lift Gate Inc.  
2715 Seaboard Lane  
Long Beach, CA  
Zip 90805  
Email  
1-800-795-6227



#### **FREEDOM**

With a Bruno Independent Living Aids **Curved Rail Stairlift** or **Straight Rail Stairlift** you can go up and down stairs effortlessly, anytime you want.

#### **COMFORT**

Unlike ordinary chain or cable driven stairlifts, our units use a rack and pinion system, so there's no slipping or lurching when the unit stops and starts. Your ride is smooth and controlled. Your installer can even set the speed of the unit to suit your personal comfort level.

#### **PERFORMANCE**

All Bruno Straight Rail Stair lifts are designed and manufactured to accommodate rider weights of up to 350 lbs., which positions Bruno stairlift systems as a leader in the industry.

#### **BATTERY-POWERED OPERATION**

Battery operation assures you of access between floors even if an electrical outage occurs. The unit charges automatically when it is parked both at the top or bottom of the stairway.

#### **INSTALLATION**

Because of the battery-powered operation there is no special wiring required for installation. The unit uses a 3-amp charger that will operate on a standard 110 volt wall outlet.

#### **CALL-SEND**



The Bruno Straight Rail Stair lift utilizes a wireless "call-send" control which allows you to call or send the unit to the other end of the stairs. This wireless system can either be mounted on a wall or can be used as a hand held remote.

**QUALITY**

Designed, manufactured and assembled under ISO 9001 standards.



---

**"50 Years of Serving the Disabled Community"**

**MAC'S Lift Gate Inc.**  
2715 Seaboard Lane  
Long Beach, CA 90805

**Phone 1-562-634-5962**

**1-800-795-6227**

**Fax 1-562-634-4291**

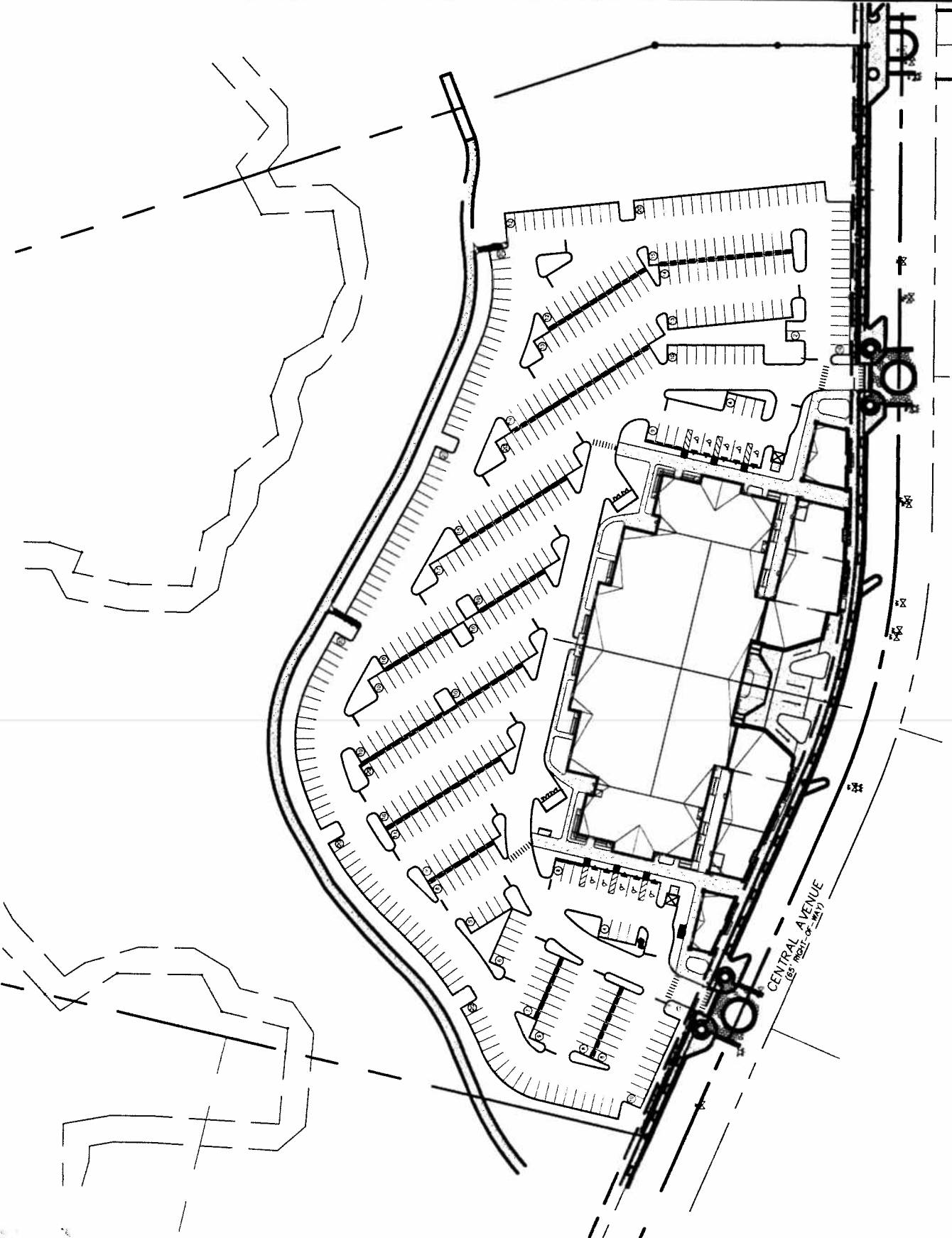
**Contact Us**

**(c) 2006 MAC'S Lift Gate Inc. All Rights Reserved**

EPIC Theatres Stadium 14  
FLAGLER COUNTY, FLORIDA  
EPIC THEATRES

**TK**  
ARCHITECTS INC.  
106 West 11th  
Kansas City, MO  
64105 USA  
Suite 1900  
1 816 842 7552 Fax 1 816 842 1302

SITE PLAN





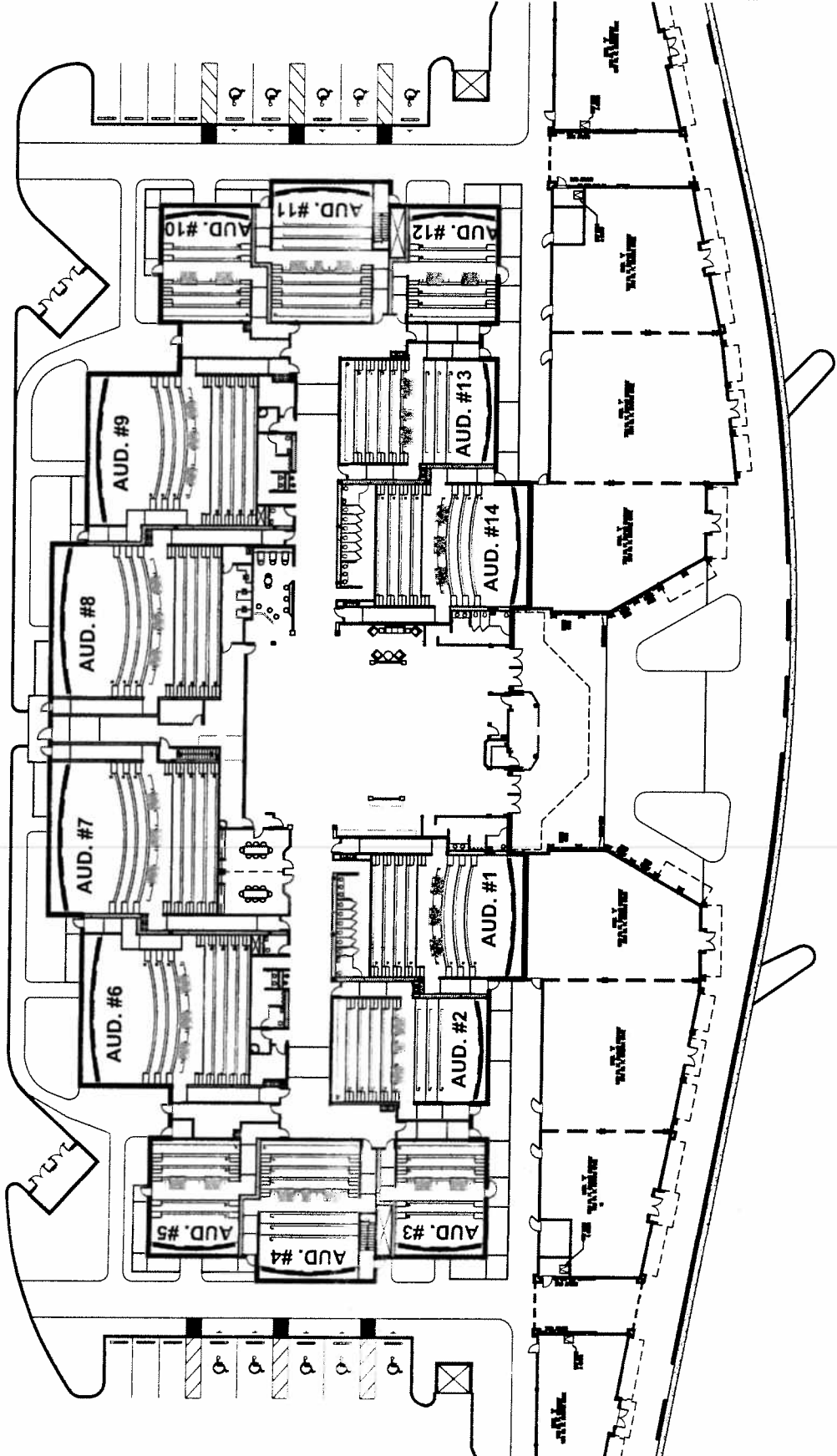
106 West 11th  
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64105 USA  
Suite 1900  
Fax 1 816 842 1302  
1 816 842 7552

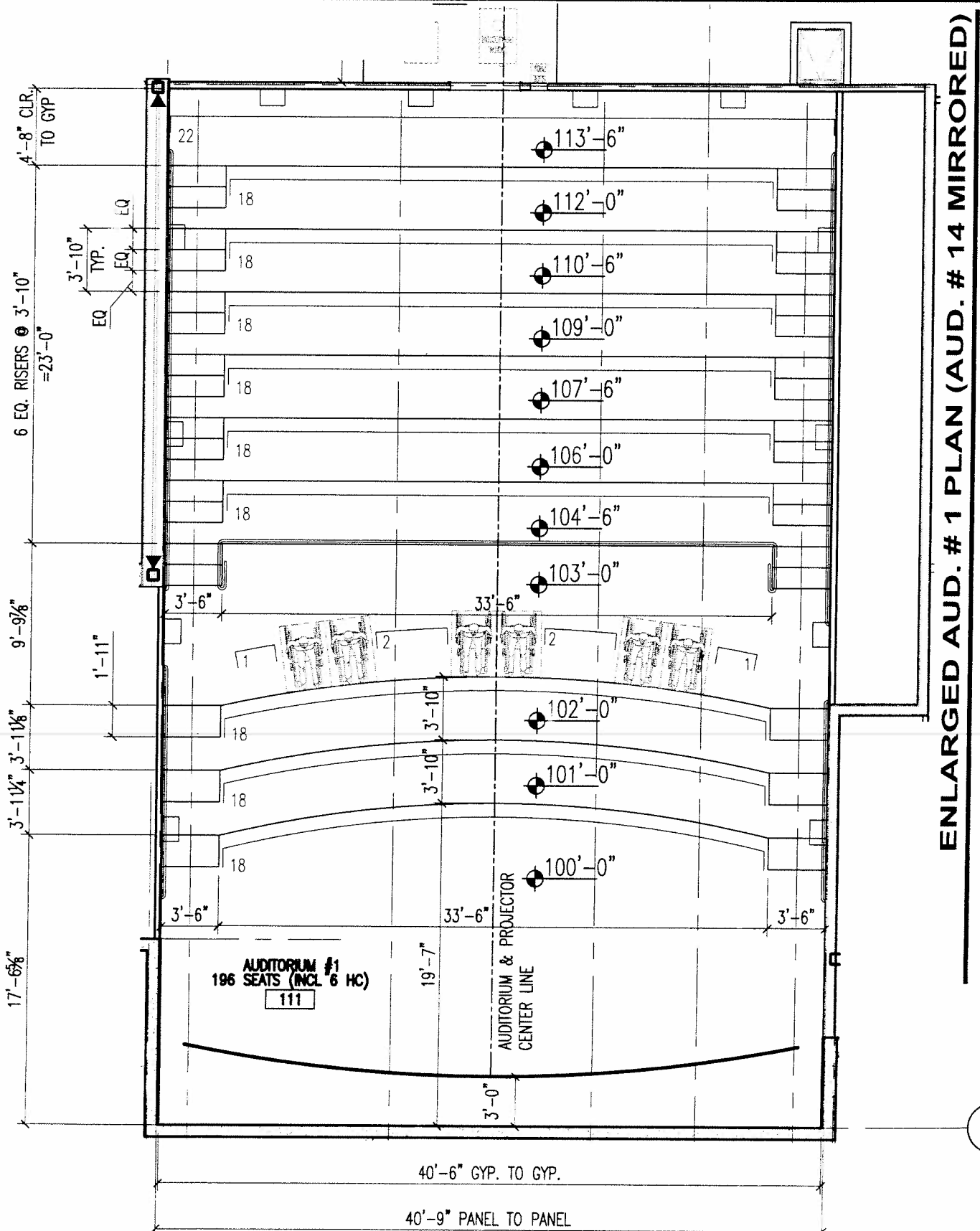
# EPIC Theatres Stadium 14 FLAGLER COUNTY, FLORIDA EPIC THEATRES

DATE 11/09/07  
PRJ. No. 06046.01  
SHEET No. AC-2  
REFERENCE: 1/A101

## PLAN

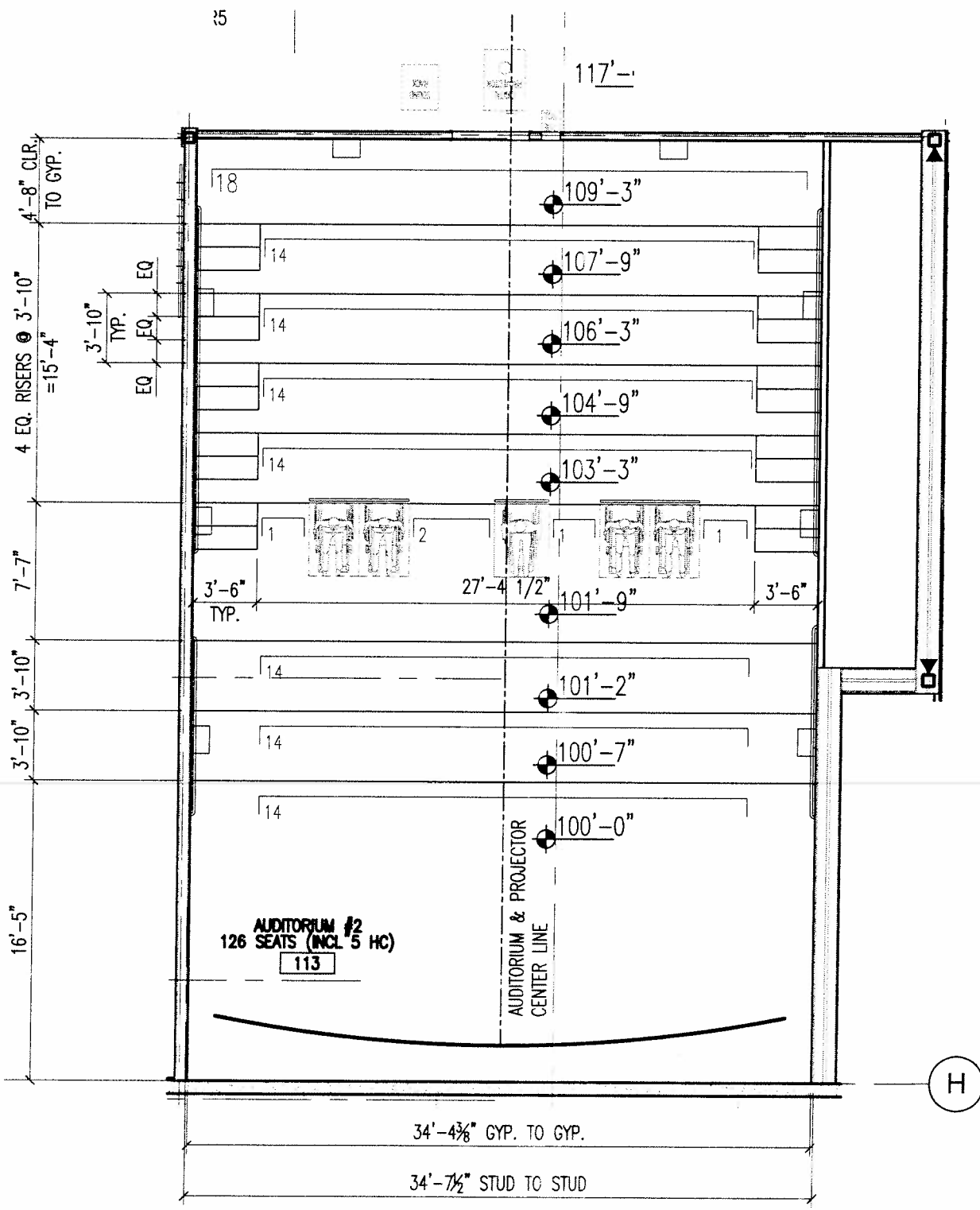
### FLOOR PLAN





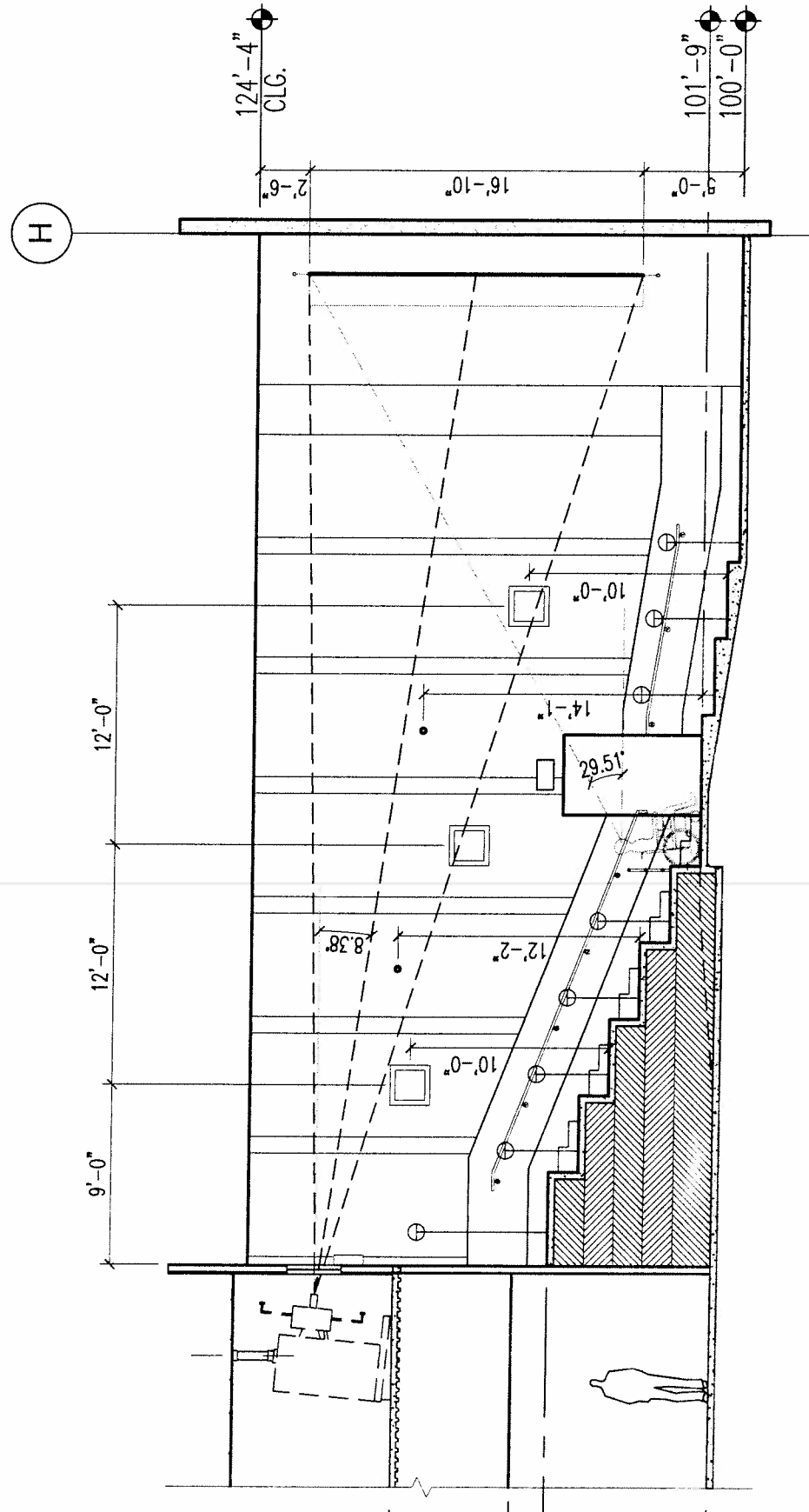
Architectural section drawing of a building interior, showing a large auditorium (111) and a women's restroom (112). The drawing includes dimensions for room sizes and structural elements. The auditorium is labeled "AUDITORIUM 1 199 SEATS (INCL 6 HC)" and the women's restroom is labeled "WOMEN 112". Dimensions include 12'-0" for room width, 9'-0" for room depth, and 103'-0" for total length. A circular callout "J" is present in the upper left corner.

**EPIC Theatres Stadium 14**  
 FLAGLER COUNTY, FLORIDA  
 EPIC THEATRES

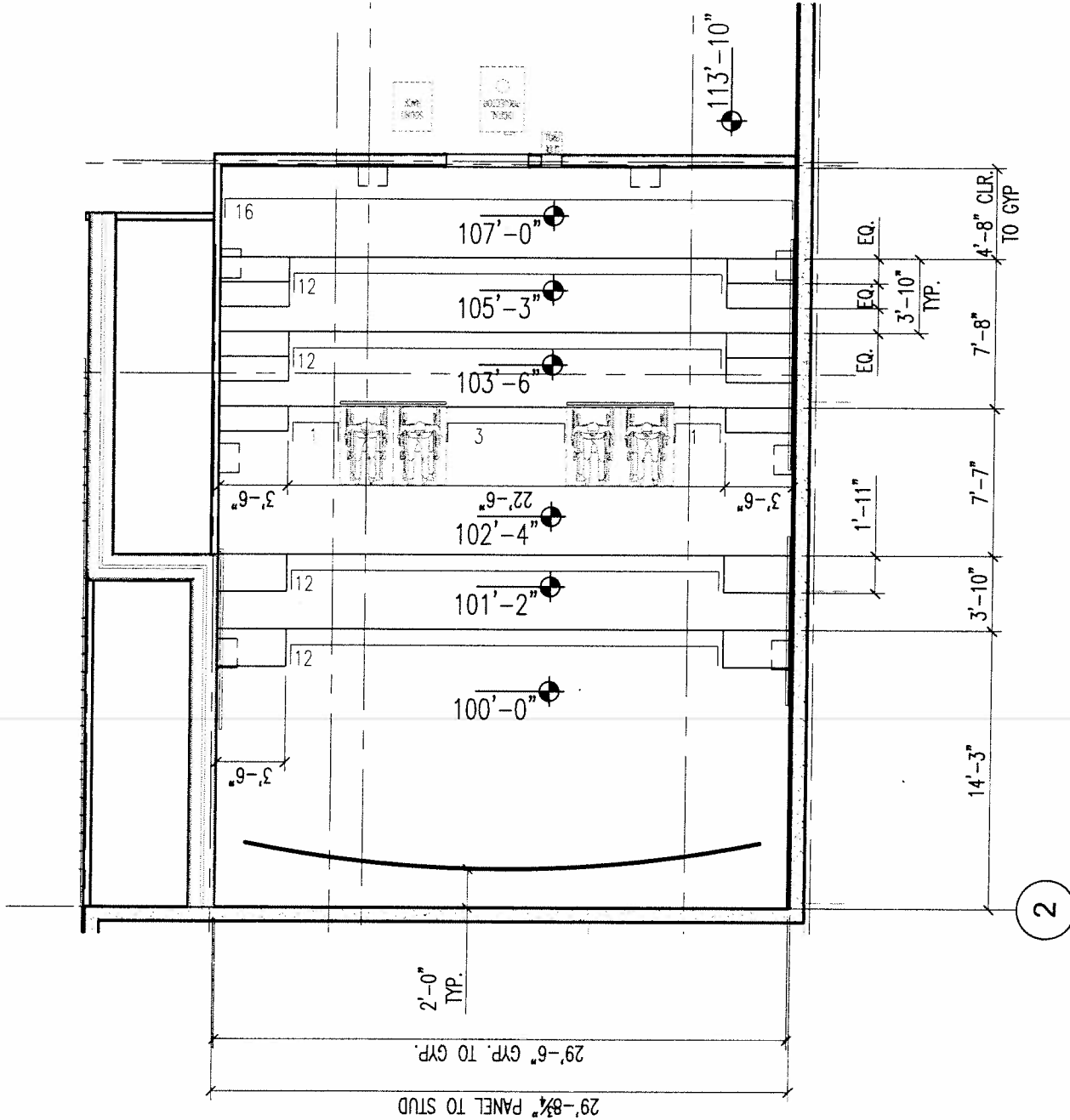


**ENLARGED AUD. #2 PLAN (AUD. #13 MIRRORED)**

EPIC Theatres Stadium 14  
FLAGLER COUNTY, FLORIDA  
EPIC THEATRES



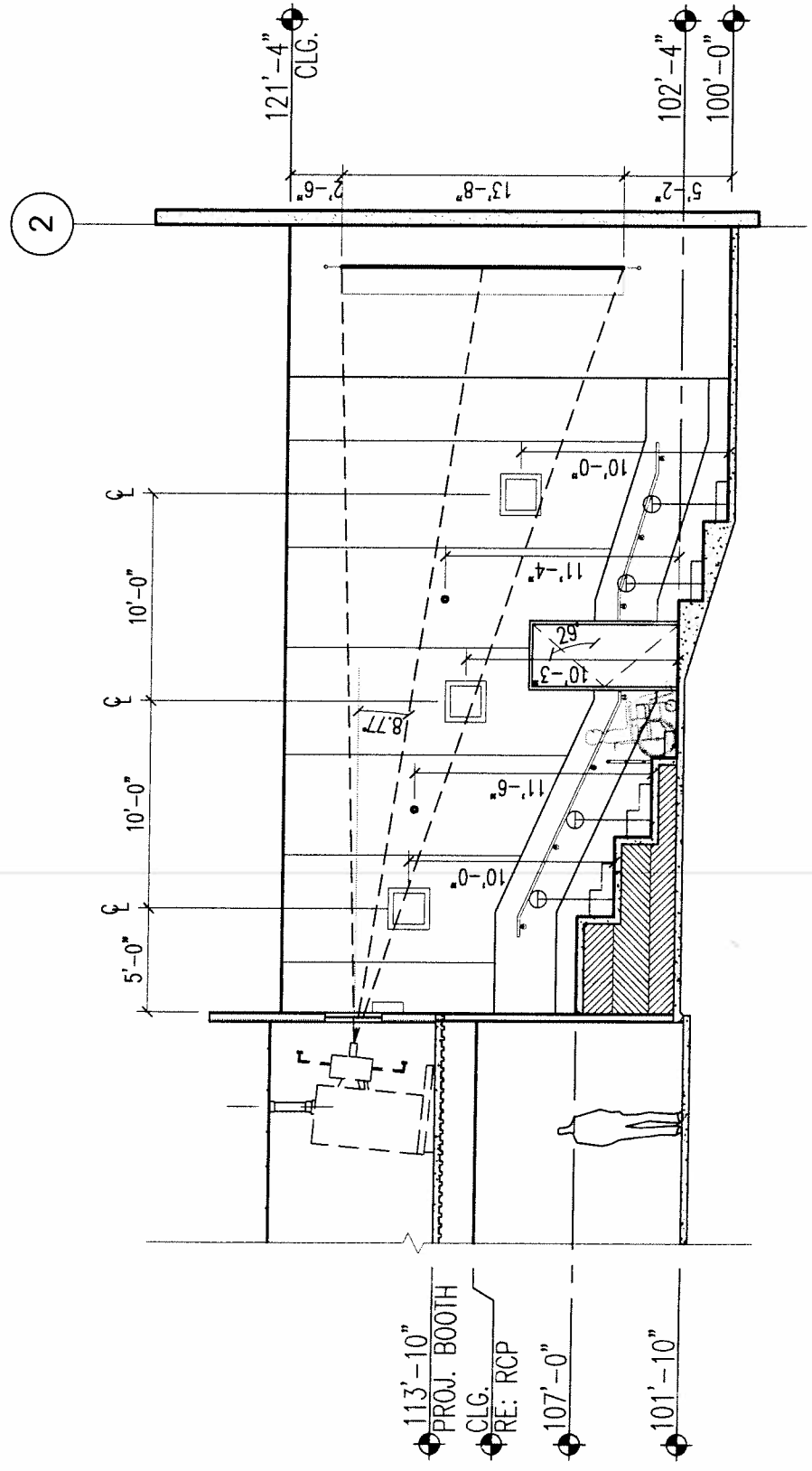
EPIC Theatres Stadium 14  
 FLAGLER COUNTY, FLORIDA  
 EPIC THEATRES



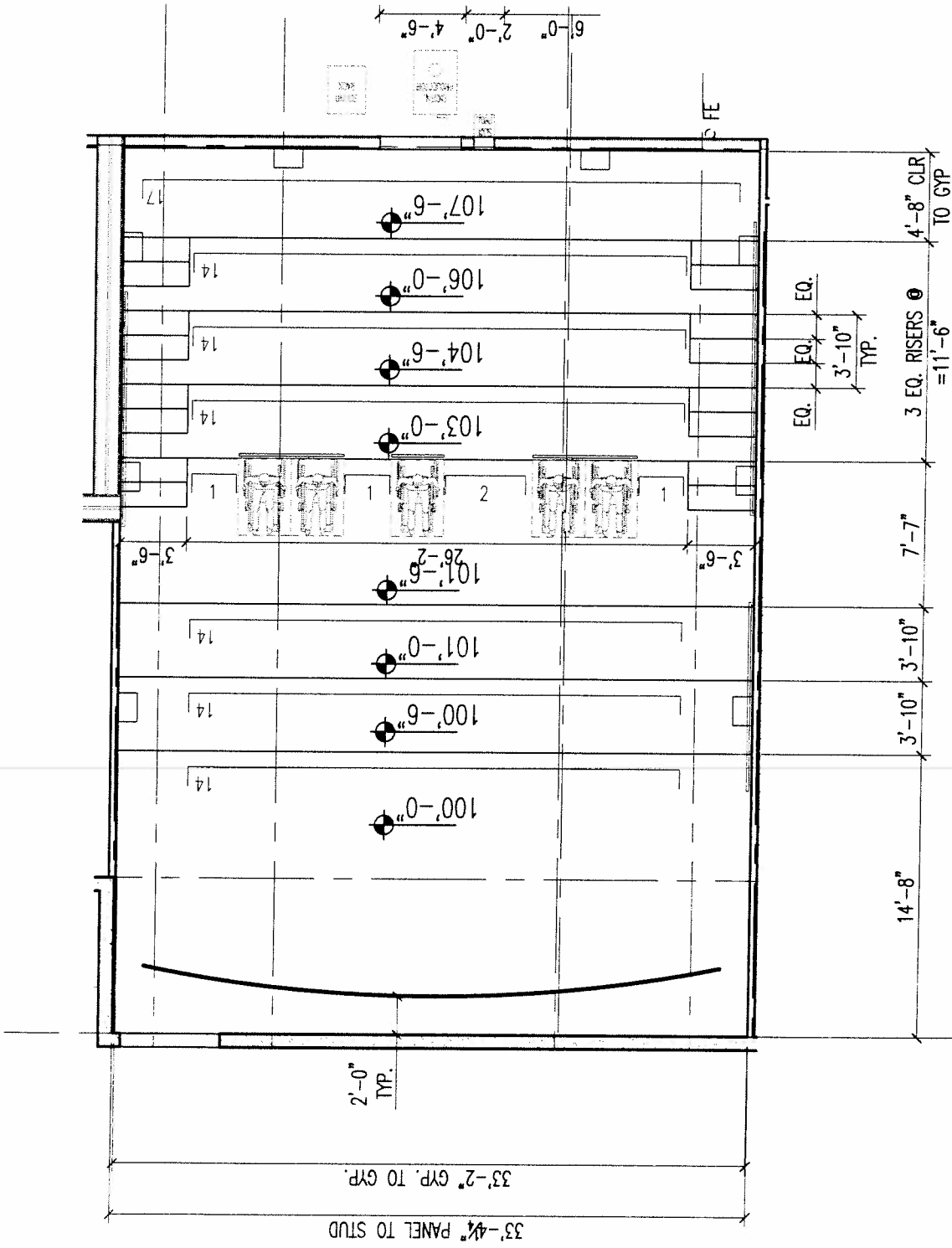
ENLARGED AUD. #3 PLAN (AUD. #12 MIRRORED)



EPIC Theatres Stadium 14  
 FLAGLER COUNTY, FLORIDA  
 EPIC THEATRES



SECTION @ AUD. #3 (AUD. #12 MIRRORED)

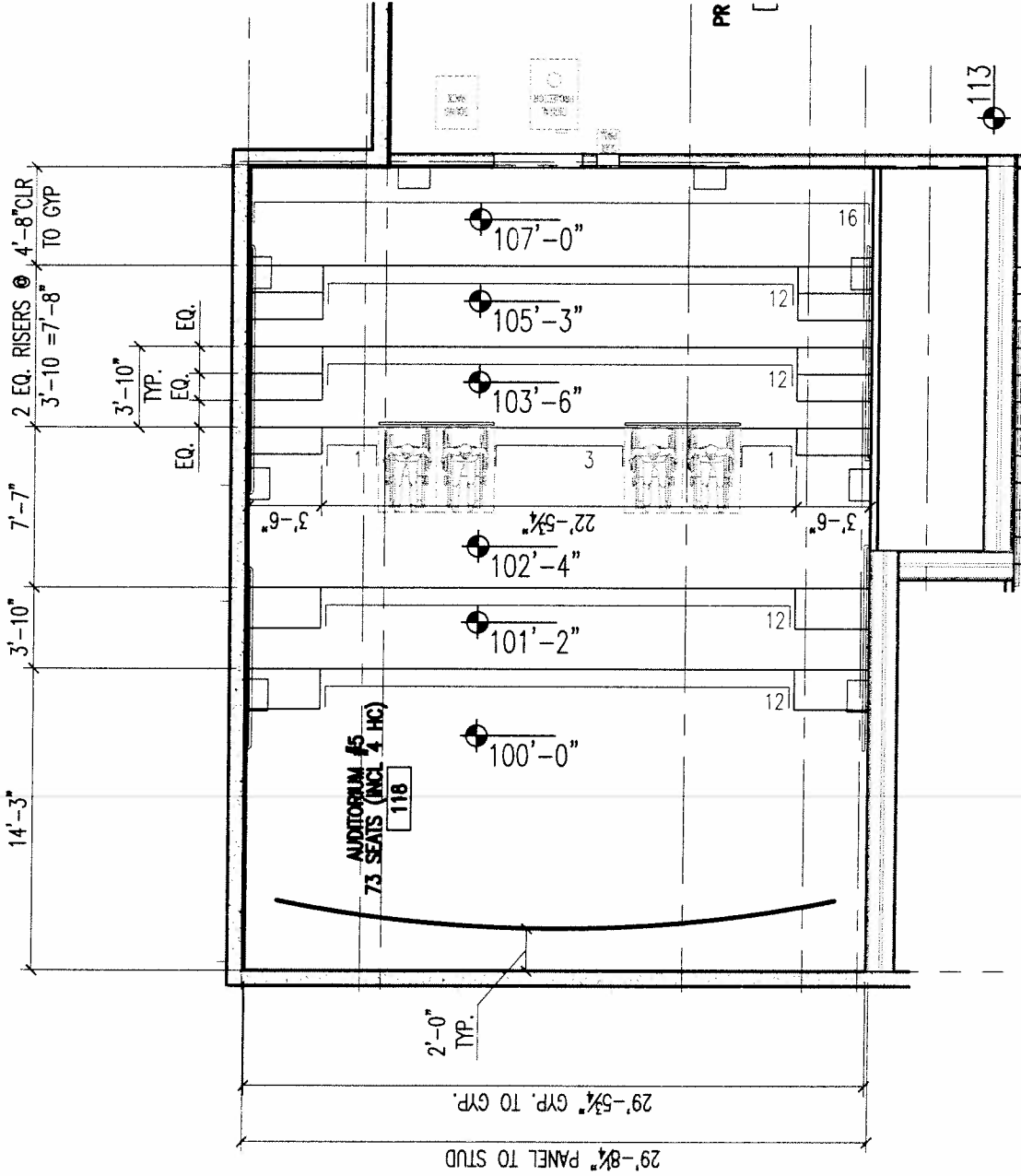


**ENLARGED AUD. #4 PLAN (AUD. #11 MIRRORED)**

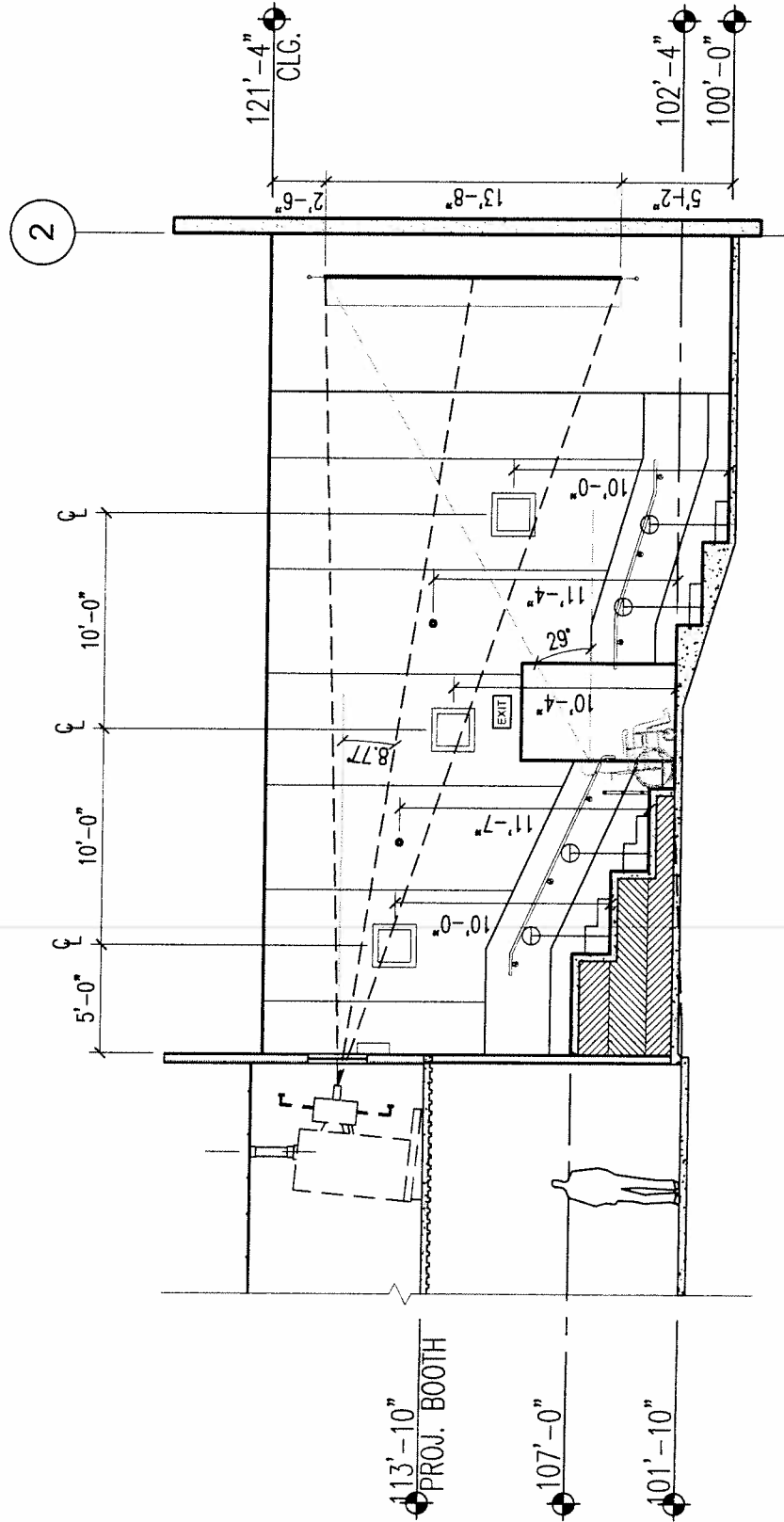


**EPIC Theatres Stadium 14**  
 FLAGLER COUNTY, FLORIDA  
 EPIC THEATRES

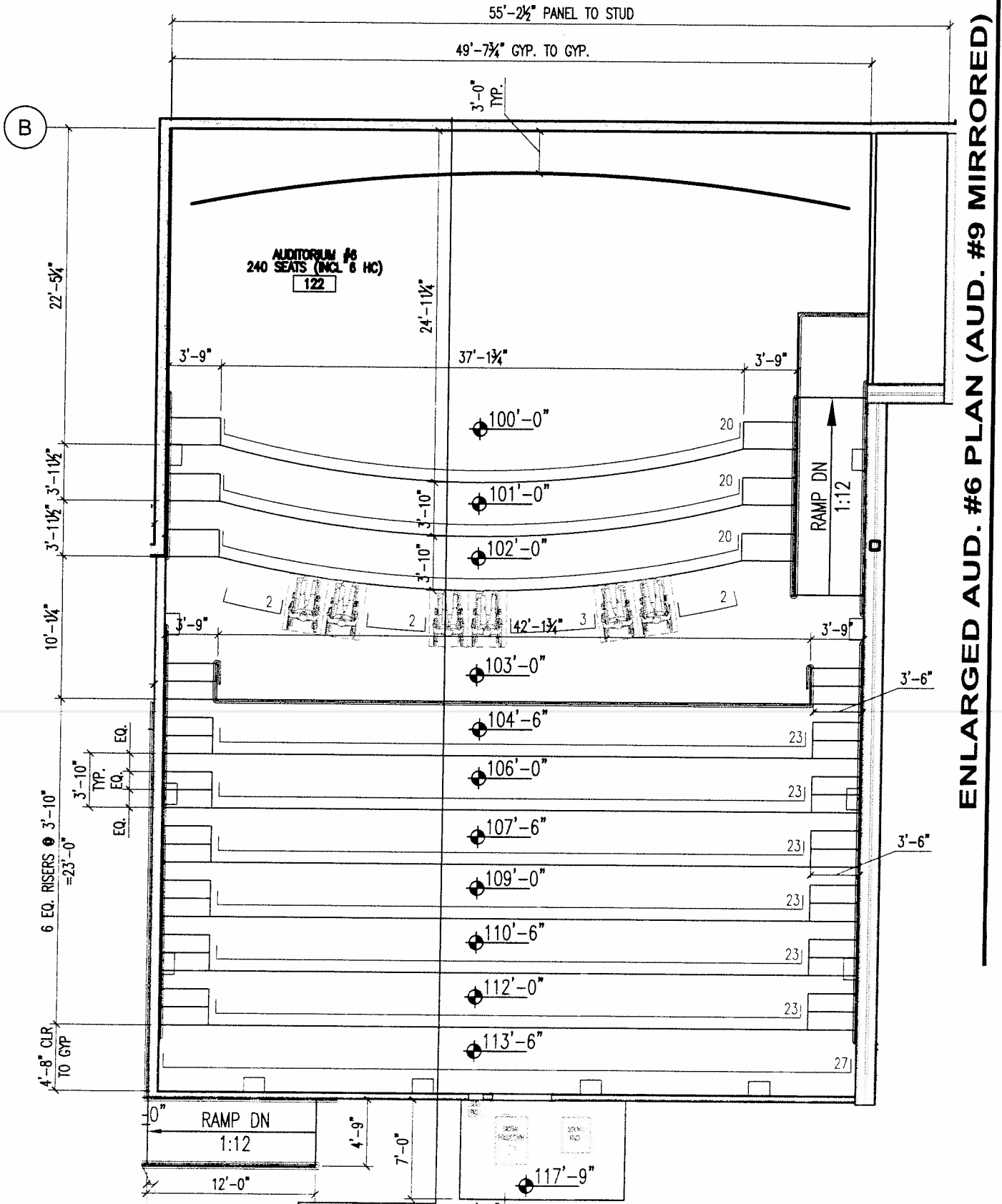
**TK ARCHITECTS INC.**  
 Suite 1800  
 64105 USA  
 1 816 842 7552 Fax 1 816 842 1302  
 106 West 11th  
 Kansas City, MO



**ENLARGED AUD. #5 PLAN (AUD. #10 MIRRORED)**



SECTION @ AUD. #5 (AUD. #10 MIRRORED)

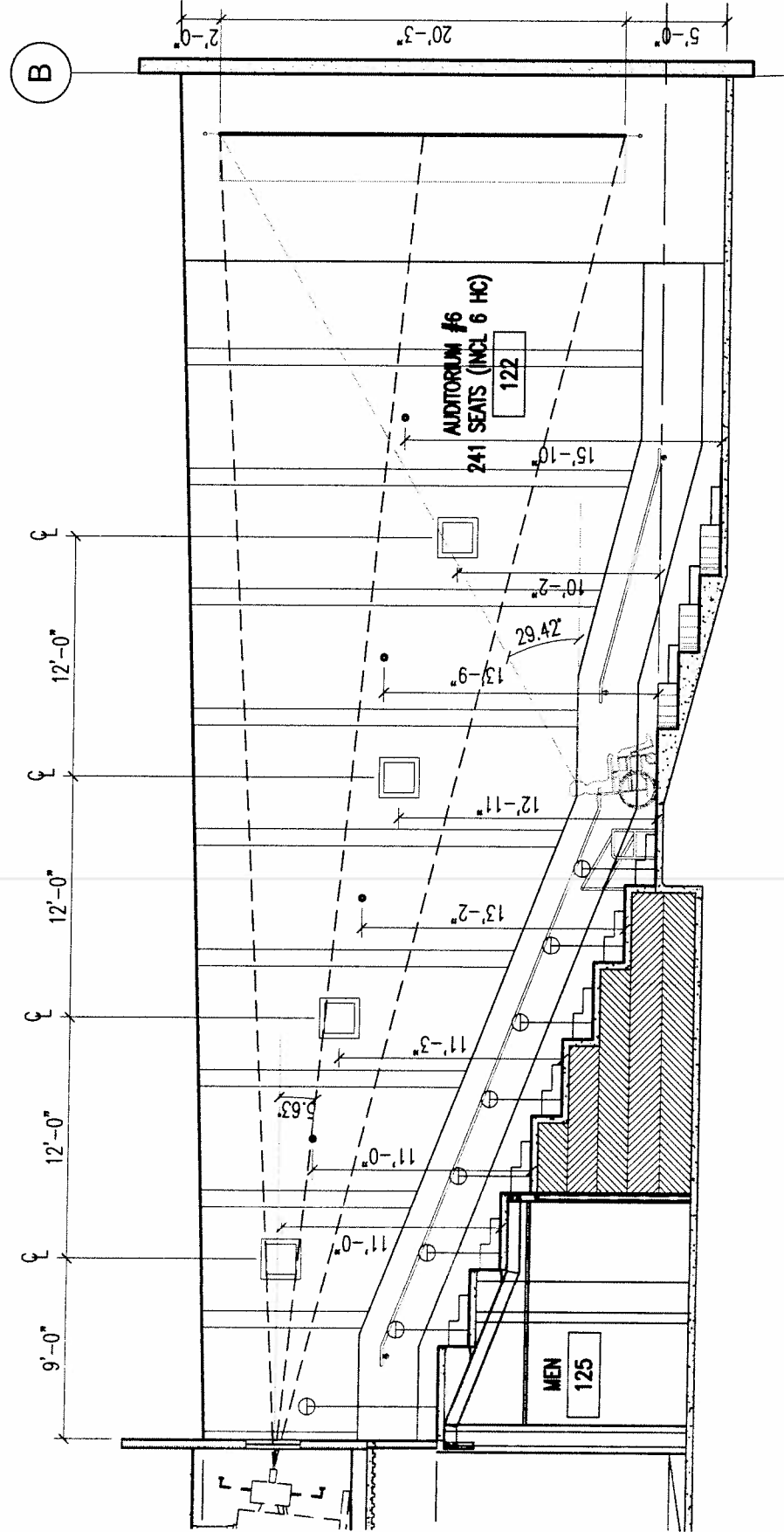




106 West 11th  
Kansas City, MO  
64105 USA  
Suite 1900  
84105 USA  
1 816 842 7552 Fax 1 816 842 1302

EPIC Theatres Stadium 14  
FLAGLER COUNTY, FLORIDA  
EPIC THEATRES

DATE 11/09/07  
PRJ. No. 06046.01  
AUD. 6 + 9  
SHEET No. AC-14  
REFERENCE: 11/A4.12



SECTION @ AUD. #6 (AUD. #9 MIRRORED)







SECTION @ AUD. #7 (AUD. #8 MIRRORED)