

**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

Name of Owner Veridian Homes LLC	Project Description 9 unit town home building	Agent, architect, or engineering firm Knothe & Bruce, LLC
Company (if applies)		No. & Street 7601 University Ave, Suite 201
No. & Street 6801 South Towne Dr	Tenant name (if any)	City, State, Zip Code Middleton, WI 53562
City, State, Zip Code Madison, WI 53713	Building Address 1705-1721 Autumn Lake Parkway	Phone 608-836-3690
Phone 608-226-3100		Name of Contact Person Randy Bruce
e-mail traffic@veridianhomes.com		e-mail rbruce@knothebruce.com

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

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

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:  
See attached.

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.

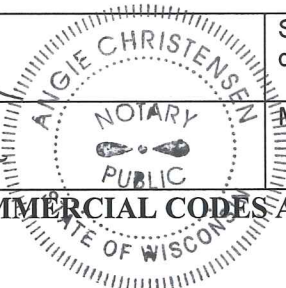
David Simon

\_\_\_\_\_, 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

Notary public

Angie Christensen



Subscribed and sworn to before me this date: 10/9/17

My commission expires: 5-1-20

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

## Petition for Variance

1. **The rule being petitioned reads as follows: IBC 706.1.1 Party Walls.**  
Any wall located on a *lot line* between adjacent buildings, which is used or adapted for joint service between two buildings, shall be constructed as a *fire wall* in accordance with Section 706. Party walls shall be constructed without openings and shall create separate buildings.
2. **The rule cannot be entirely satisfied because:** The rule requires construction requirements that impose an unnecessary cost burden on the future homebuyers.
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:**
  - a. The building project is a 9-unit townhome building located over 9 individual lots. The individual lots are created for ease of ownership and financing.
  - b. The fire wall required under 706.1.1 would be a 2-hour fire wall meeting all the requirements of Section 706. One of the primary reasons the rule is established is to provide protection from an exposure fire from construction on the adjacent lot. The lot line itself does not create the hazard; it is the fact that the respective owners do not control the construction on the adjacent lots and the requirements of a fire wall are necessary.
  - c. The lot lines are established as a method to convey ownership of the townhome units. An alternative method would be to use a condominium plat where each townhome is a condominium unit. If the townhomes were constructed under that ownership method the wall separating the townhome units would only be a 1-hour fire partition meeting the requirements of 709. The 1-hour fire partition is a much lower level of protection than the 2-hour fire wall required under 706.1.1.
  - d. The developer will establish and record a "party wall agreement" that will restrict construction on the lots in a fashion similar to condominium plat.
  - e. The party wall will be constructed as a 1-hour fire barrier providing a higher level of protection than the 1-hour fire partition required under condominium ownership.