

**VARIANCE FEES**

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

**PETITION FOR VARIANCE APPLICATION**

**City of Madison Building Inspection**  
215 Martin Luther King Jr Blvd  
Suite 017 Madison, WI 53703  
(608) 266-4551, ext. 2  
biplans@cityofmadison.com

Amount Paid

Name of Owner Mark Hammond	Project Description New 6-story mixed-use residential building with first floor commercial space and 1 level of underground parking	Agent, architect, or engineering firm Dimension IV Madison
Company (if applies) MSP Real Estate		No. & Street 6515 Grand Teton Plaza, Suite 120
No. & Street 1295 Northland Drive, Suite 270	Tenant name (if any) University Heights	City, State, Zip Code Madison, WI 53719
City, State, Zip Code Mendota Heights, MN 55120	Building Address 2206 University Avenue, Madison WI	Phone 608-829-4463
Phone 612-868-9997		Name of Contact Person Tracey Mac Murchy
e-mail mhammond@msprealestate.com		e-mail tmacmurchy@dimensionivmadison.com

- The rule being petitioned reads as follows: (Cite the specific rule number and language. Also, indicate the nonconforming conditions for your project.)  
IBC 1028.4.2 - First floor window and door openings on the west side within 10 feet of the property line shall be 3/4-hour rated for a distance of 10 feet above the floor of the egress court.  
  
The west side of our building has operable windows located 5'-9" away from the property line.

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

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- 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.

Mark Hammond, 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	Subscribed and sworn to before me this date:
Notary public	My commission expires:

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

# APPLICATION INSTRUCTIONS

1. Fill in the owner's information section. It is important to have a complete address and phone number for communication between the applicant and the department.
2. Fill in the project description box. Explain what the building project is. (Basement alteration, second floor alteration, two-story addition, etc.)
3. If there is an agent working for the owner and the agent is a better contact for information regarding the variance, fill in the agent information area.
4. Answer the three questions.
  1. State the code and section number with a summary of what the code says. Also, indicate what the nonconforming conditions for the project are. (example: COMM 21.04 minimum stair width is 36 inches. We will have 34 inches of stair width.)
  2. State why the rule cannot be satisfied. (example: not structurally feasible)
  3. State what will be done to provide an equivalency to the code. These items should be things that relate to the item the variance is being sought for and exceed code requirements.
5. Print the Owner's name on the line indicating to do so.
6. The owner of the property is required to sign where indicated. If the project is for a one or two family home the form is not required to be notarized. If the project is for a commercial building the form is required to be notarized.

## Variance Procedure

1. Fill out the variance form.
2. If the variance is for a commercial building and is not for an accessibility code contact the fire department so they can fill out a fire department position statement.
3. Submit the application and fee to the building inspection department. Also, where applicable, submit the fire department position statement.
4. A field inspector may visit the site to verify existing conditions and the completeness of the application.
5. If there have previously been at least 5 variances for the same item approved, the variance may be approved on precedence. In this case the applicant will not have to attend a meeting of the building board and will be notified by letter that the variance is approved. The letter will be sent within 7 days after the scheduled meeting.
6. In all other cases the variance will be presented to the building board at a monthly meeting. 7 days before the meeting the supervisor will review the variance for approval to be put on the agenda. 5 days before the meeting the secretary will mail out the agenda to the Appeals Board members and to the applicants.
7. When a variance is heard by the board the applicant or agent must attend the meeting to answer questions.
8. The meeting minutes will be mailed within 7 days after the meeting.