

**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 H 6.12.18

Name of Owner <u>Noah &amp; Julie Przybylski</u>	Project Description <u>Occupancy Approval for Restaurant in former retail space</u>	Agent, architect or engineering firm <u>Jeffrey Spruill</u>
Company (if applies) <u>Nook Fine Dining</u>	No. & Street <u>6 Shea Court</u>	City, State, Zip Code <u>Madison, WI 53717</u>
No. & Street <u>4307 Maher Ave</u>	Tenant name (if any) <u>Nook Fine Dining</u>	Phone <u>608-445-1777</u>
City, State, Zip Code <u>Madison, WI 53704</u>	Building Address <u>2138 Atwood Ave.</u>	Name of Contact Person <u>Jeff Spruill</u>
Phone <u>773-607-9799</u>	Madison, WI 53716	e-mail <u>jspruill2541@gmail.com</u>
e-mail <u>noahandjulieprz@gmail.com</u>		

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

IBC 906.1: Provide accessible route to areas with new occupancies.

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

It is financially infeasible to modify existing conditions to provide accessible route to all areas with new occupancies.

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:

Areas with new occupancies that are currently not along an accessible route are limited to the 'back of house' portions of the basement, namely the office, dishwashing, storage and physical plant.

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.

JULIE PRZYBYLSKI & NOAH PRZYBYLSKI

Print name of owner

, being duly sworn, I state as petitioner that I have read the foregoing

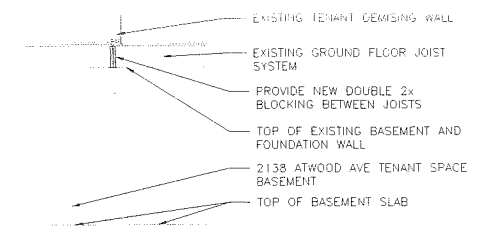
petition, that I believe it to be true, and I have significant ownership rights in the subject building or project.

Signature of owner 	Subscribed and sworn to before me this date: <u>6-8-18</u>
Notary public 	My commission expires: <u>7-7-19</u>

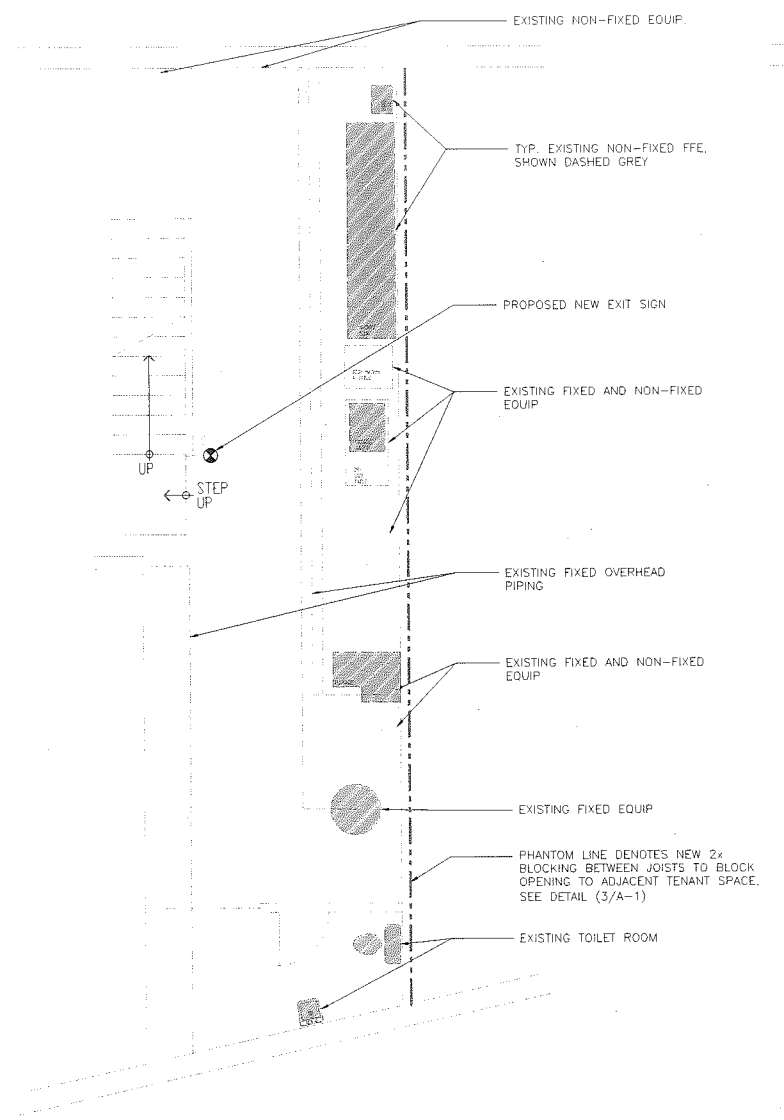
**NOTE: ONLY VARIANCES FOR COMMERCIAL CODES ARE REQUIRED TO BE NOTARIZED.**

**CODE:**  
 PREVAILING CODE: 2009 IBC, 2009 IEBC  
 BUILDING OCCUPANCY: B - BUSINESS  
 EXISTING CONSTRUCTION: VB - COMBUSTIBLE, UNPROTECTED  
 EXISTING FIRE PROTECTION: NONE

**AREA:**  
 GROUND LEVEL = 549sf  
 LOWER LEVEL = 549sf  
 TOTAL OCCUPANCY AREA = 1,098sf



3 BASEMENT DEMISING WALL - BLOCKING  
 1/4" = 1'-0"

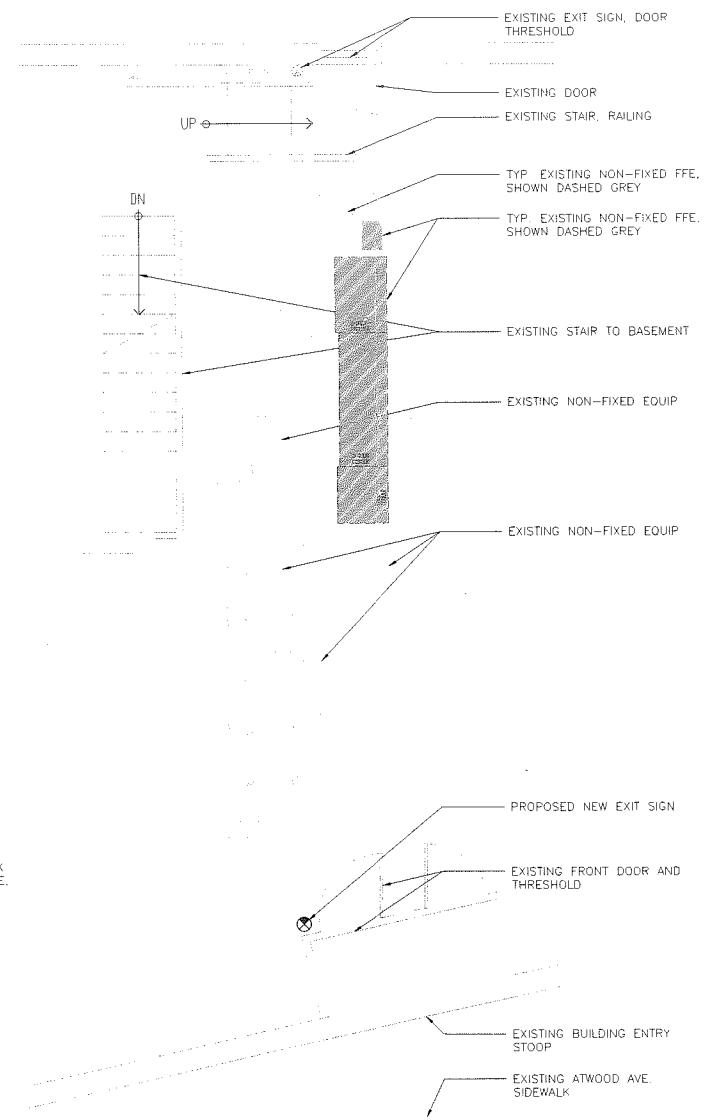


2 BASEMENT LEVEL PLAN  
 1/4" = 1'-0"

**PROJECT NARRATIVE:** Condo Owner seeks Occupancy Permit for a limited-seating boutique Restaurant in space previously occupied as Business / Retail. Since the Restaurant will have a maximum occupancy well-below 50 occupants IBC 303.1, Exception 1 applies, allowing the new occupancy to be classified as B-Occupancy, and therefore is not an change of occupancy.

The existing main building entrance is typical of retail buildings of it's vintage and is not strictly compliant with accessibility codes. However, Atwood Avenue is scheduled for a renovation that includes sidewalk reconstruction to remedy this condition. The rear door exits to elevated grade, which required the existing stair. The existing toilet room is in the basement with no elevator access. The size and layout of the building makes compliance technically infeasible.

Owner improvements include proposed addition of exit lights in the basement and at the front door, as well as a Central Station monitored Fire Alarm System. In addition, the owner is providing 2x blocking between above foundation wall between joists to block existing opening to adjacent tenant space.



1 GROUND LEVEL PLAN  
 1/4" = 1'-0"

**SPRULL**  
 architecture+design  
 planning & photography  
 6 Shea Court  
 Madison, WI 53717  
 P.608.831.6202 C.608.445.1777  
 www.SprullStudio.org jnsprull@charter.net

PROJECT NAME:  
**NOOK FINE DINING**  
 PROJECT ADDRESS:  
 2338 ATWOOD AVE  
 MADISON, WI

REVISION NO:	DATE:

PROJECT NO:	-
SCALE:	AS NOTED
PHASE:	PLAN REVIEW
DATE:	03.29.2018

PLAN REVIEW FOR OCCUPANCY PERMIT

SHEET  
**A-1**  
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