

**VARIANCE FEES**

MGO \$50.00  
 COMM \$490.00 ✓  
 Priority - Double above

**PETITION FOR VARIANCE APPLICATION**

City of Madison  
 Building Inspection  
 Division  
 215 Martin Luther King Jr. Blvd.  
 Madison, WI 53703  
 (608) 266-4568

Amount Paid  
\$490

|  |  |  |
|--|--|--|
| Name of Owner<br>Michael Maldonado<br>Jared Marx       | Project Description<br>Convert 2-unit house to<br>3-unit house.                                    | Agent, architect, or engineering firm<br>Conor Nolan |
| Company (if applies)                                   |  | No. & Street<br>222 S. Main St.                      |
| No. & Street<br>4310 Mohawk Dr                         | Tenant name (if any)<br>n/a  | City, State, Zip Code<br>East Atkinson, WI 53538     |
| City, State, Zip Code<br>Madison, WI 53711             | Building Address<br>4310 Mohawk Dr. Madison, WI 53711  | Phone<br>(920) 568-9530                              |
| Phone<br>(608) 358-4435                                | Aldermanic District (can be found on the City<br>of Madison Assessor's homepage)<br>10, Mr. Checks | Name of Contact Person<br>Conor                      |
| e-mail marx.jared@gmail.com<br>mmaldonado@uwalumni.com |  | e-mail<br>cnolan@coldspringdesign.net                |

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

IBC 1208.2 Min. 7'6" Ceiling Height.

2. The rule being petitioned cannot be entirely satisfied because:  
 We have two foundational support beams in the basement lower than code. One at 70.5" just for a doorway (40" long). The other beam is 7'3.5" tall, (Primary Support)

Remediation of the rule would be cost prohibitive and require extravagant measures (raising entire house/floor).

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:

- Installation of a water sprinkler system - Fire Protection System per our conditional use change from 2-unit to 3-unit.
- Will add caution sign and beams contrast in color to the ceiling.
- Bringing all aspects up to commercial code, including fire protecting the main stairway, fire rated doors, fire rated sheet rock between siding, and slope modification of the main stairway. This was all approved by Building Inspection on 2016-11-28.

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.

Michael Maldonado, being duly sworn, I state as petitioner that I have read the foregoing  
 Print name of owner  
 petition, that I believe it to be true, and I have significant ownership rights in the subject building or project.

|                        |   |
|------------------------|---|
| Signature of owner<br> | Subscribed and sworn to before me this date:<br>12/8/2016 |
| Notary public<br>      | My commission expires:<br>7/17/2020                       |

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.

## City of Madison Fire Department Position Statement

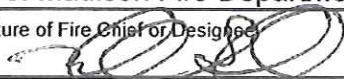
|  |  |   |
|--|--|---|
| <b>Owner:</b><br>Michael Maldonado<br>Jared Marx                       | <b>Project Name:</b><br>Convert 2-unit to 3-unit Apartment       | <b>Contact:</b><br>Conor Nelan  |
| <b>Address:</b><br>4310 Mohawk Dr<br>Madison, WI 53711                 | <b>Building Location:</b><br>4310 Mohawk Dr<br>Madison, WI 53711 | <b>Address:</b><br>222 S Main St<br>Fort Atkinson, WI 53538             |
| <b>Owner Phone:</b> 608-358-4435<br><b>Email:</b> marx.jared@gmail.com | <b>Building Occupancy or Use:</b><br>Residential Group R-2       | <b>Phone:</b> 920-568-9530<br><b>Email:</b> cnelan@coldspringdesign.net |

**Rule Being Petitioned: IBC 1208.2 Minimum Ceiling Height**

**I have read the application for variance and recommend:** (check appropriate box)

Approval     
  **Conditional Approval**     
  Denial     
  No Comment

- MFD does not object to a beam located at 7 ft 3.5 " above the finished floor.
- MFD does have concerns with obstructions below 6-0ft, especially if located in an egress path.

|  |                                  |
|--|----------------------------------|
| Name of Fire Chief or Designee (type or print)<br><b>Bill Sullivan, Fire Protection Engineer</b>                           |                                  |
| City of Madison Fire Department  | Telephone Number<br>608-261-9658 |
| Signature of Fire Chief or Designee<br> | Date Signed<br>December 12, 2016 |

## Sulzer, Harry

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**From:** Michael Maldonado [mmaldonado@uwalumni.com]  
**Sent:** Tuesday, December 13, 2016 3:56 PM  
**To:** Sullivan, William  
**Cc:** Conor Nelan P.E.; The House Company; Sulzer, Harry; Jared Marx  
**Subject:** RE: Final drawings

Hi Bill,

Thank you for the position statement.

We will putting an egress window in the bedroom of the 3rd unit, which will have direct access from the front of the house and will not require entry under the 6' beam.

With guidance from Building Inspection, we will ensure the beams are of a contrasting color to its surroundings, as well as place a warning sign above the 6' beam. If you have any further recommendations or suggestions, Jared and I would happily and gratefully accept them.

Kind regards,  
Michael

On Dec 13, 2016 15:44, "Sullivan, William" <[WSullivan@cityofmadison.com](mailto:WSullivan@cityofmadison.com)> wrote:

Here is the MFD position statement.

Let me know if you have any questions.

Bill Sullivan

Fire Protection Engineer

City of Madison Fire Department

314 W Dayton Street

Madison, WI 53703

[608.261.9658](tel:608.261.9658)

[wsullivan@cityofmadison.com](mailto:wsullivan@cityofmadison.com)

[www.madisonfire.org](http://www.madisonfire.org)