



City of Madison
Meeting Minutes - Final
BUILDING CODE, FIRE CODE AND
LICENSING APPEALS BOARD

City of Madison
Madison, WI 53703
www.cityofmadison.com

Tuesday, March 20, 2007

12:15 PM

215 Martin Luther King, Jr. Blvd.
Room LL-110 (Madison Municipal Building)

CALL TO ORDER

The meeting was called to order at 12:15 p.m. by Godding.

ROLL CALL

Present: James I. Statz, Colin L. Godding, Lyle G. Christian, Randall V. Baldwin, Daniel L. Murray and James I. Glueck

Excused: Robert S. Szumski, Paul E. Karow and Paul A. Lippitt

Also Present: Harry Sulzer & Ed Ruckriegel

APPROVAL OF MINUTES

Christian moved approval of the minutes, second by Statz with unanimous approval.

NEW BUSINESS ITEMS

1. 422 N. Henry Street - M-01-2-2007 Stan Kaufman appealing MGO 27.05(2)(h)10. The rule requires that all common doors to common areas have locking mechanisms for public safety. This item was continued from the January 16, 2007 meeting. Also appearing at the request of the Board were Mary Ann Thurber of the Police Department and Al Vorhees of the Inspection Unit. The concept of equivalency was discussed in detail. Mary Ann Thurber indicated that the best defense against crime is a lock. Video cameras do not necessary prevent crime. A motion to deny the variance was made by Statz with a second by Glueck. The motion carried with Dan Murray not participating. The due date was extended to May 1, 2007 for the Official Notice.

2. 25 Turnwood Circle - M-03-27-2007 Kathy Cox appealing MGO 29.30. The rule requires that inground swimming pools be surrounded by a fence or wall. There was considerable discussion as to whether a pool cover was equivalent to a fence. The equivalency could not be found as someone could still fall into the pool if the pool cover was not closed and left unattended. Baldwin moved, Murray seconded to deny the variance. Motion carried unanimously. A second motion to reconsider the variance without a fee was made by Statz, second by Murray and carried unanimously should additional guarantees of safety be found.

3. 2024 Fisher Street - C-03-28-2007 Roger Smith of Design Coalition Inc. appealing IBC 707.2. The rule requires that openings through a floor/ceiling assembly shall be protected with a shaft enclosure. The variance requested is to allow an additional 400 square feet be added to an existing condition. Additional means of safety is being provided with sprinklers per Chapter 9 of the NFPA in the existing 2-story community room and expanded dining room. The Madison Fire Department supports the variance. Murray moved, Statz seconded and motion carried with unanimous approval.

4. 6205 Mineral Point Road - C-03-29-2007 Angus Young Associates appealing Comm

61.1107(6)(b). The rule requires that 2% of the units be accessible A units. The variance requested is to allow the kitchen cabinets to be modified so they can be used for storage rather than a wheel chair space that is not needed at this time. The plumbing and the floor finish is already in place. The owners of the three units provided letters indicating they do not desire a roll-under kitchen sink in their units and Oakwood Lutheran Homes has provided a letter saying they will bear the expense of providing the feature at a later date if requested by a new resident. Murray moved, Baldwin seconded and the motion carried unanimously.

5. 4601 American Pkwy - C-03-30-2007 Jerry Schluter of Lead Dog, LLC appealing IBC 1005.3.2. The rule requires that exit stairways and ramps be enclosed. The current code allows the opening to exist if ten or less people are above the first floor. The new 2006 IBC allows the opening for ten above or ten below. This variance is to allow a kitchen for ten or less below the main floor. There are only two floor levels connected and the building is fully sprinklered. The variance is supported by the Madison Fire Department. Glueck moved, Christian seconded and the variance carried unanimously.

6. 4601 American Pkwy - C-03-31-2007 Jerry Schluter of Lead Dog, LLC appealing Comm 62.1108(2)(c) dining area accessibility. The rule requires that the entire area be accessible without raised or lowered platforms. The variance requested is to allow two small areas to be raised. This will affect 20 out of 150 similar dining seats. There will be one "snug" at the floor level and one raised. In addition, there is a small raised area that architecturally shelters the bathroom. Murray moved, Glueck seconded and the variance carried unanimously.

7. 110 S. Henry Street - C-03-32-2007 Bruce Simonson of SGN+A appealing Comm 62.3408(4). The rule requires when 50% of the square footage is remodeled that the entire building be brought up to code. The current project is the top three floors which will be entirely accessible. The balance of the building is in question due to the many small units. The proposal is to use "technical infeasibility" to allow portions of the remaining units to not be accessible. Randy Baldwin will research the issue and convey to the Board the correct standard to use. A motion by Murray, second by Glueck to approve the totally accessible top three floors carried unanimously.

8. 625 E. Mifflin Street - C-03-33-2007 J. Randy Bruce of Knothe & Bruce Architects LLC appealing Comm 62.1106(5). The rule requires that accessible parking spaces shall be located on the shortest route of travel from adjacent parking to the building entrance. The variance requested is to allow the handicapped van accessible stall to be located approximately 30 feet from the building entrance on the first floor. The site is sloped and there are not any other design alternatives. Glueck moved, Murray seconded and motion carried unanimously.

9. 1919 S. Stoughton Road - C-03-34-2007 Todd Edge of Boumatic appealing IFC 907.2.5. The rule requires in both IBC and IFC a smoke detection system. The Madison Fire Department recommends denial. There is concern about smoke detection as there is welding in the area. Alternative detection systems need to be explored with Fire Prevention. A motion to defer by Statz and second by Glueck carried unanimously.

10. 1919 S. Stoughton Road - C-03-35-4007 Todd Edge of Boumatic appealing IFC 910.2. Under the current code, smoke and heat vents are required. The new IBC will be adopted in September 2007 in Wisconsin and this will no longer be a requirement. Murray moved, Statz seconded and the variance carried unanimously.

Present: James I. Statz, Colin L. Godding, Lyle G. Christian, Daniel L. Murray and James I. Glueck

Excused: Robert S. Szumski, Paul E. Karow, Paul A. Lippitt and Randall V. Baldwin

05869

SUBSTITUTE - Creating Sections 27.05(2)(aa), (bb), and (cc) and Section 29.20(21) of the Madison General Ordinances to require the use of compact fluorescent or light emitting diode bulbs in certain buildings.

Sponsors: David J. Cieslewicz, Austin W. King, Noel T. Radomski, Brenda K. Konkel, Lauren Cnare, Michael E. Verveer, Robbie Webber, Judy K. Olson, Paul J. Van Rooy, Tim Gruber, Brian Benford and Larry Palm

The new ordinance creates a requirement for compact fluorescent and light emitting diodes in residential properties of three or more units. The Board offered the following guidance:

- *The ordinance may be applied to appliances like refrigerators and stoves, exempt them.*
- *CPL's do not work outside in the cold and that is a safety concern.*
- *Need 6 to 12 months to implement.*
- *Provide for alternatives that 55 lumens per watt or greater for efficiency can be used in addition to LED's and CPL's.*
- *Investigate with Department of Commerce about Uniform Multifamily Code at some point and get approval for all buildings irregardless of age to allow the City to specify the type of lamp to be used.*
- *Education should be part of the implementation.*

A motion was made by Murray, seconded by Statz, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

Excused: Szumski, Karow, Lippitt and Baldwin

Aye: Statz, Godding, Christian, Murray and Glueck

ADJOURNMENT

The meeting adjourned at 2:50 p.m.