

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 \$490.00 7-2-10

| | | |
|--|--|---|
| Name of Owner <u>Sonya Newenhouse</u> | Project Description <u>OLD FASHIONED EXPANSION</u> | Agent, architect, or engineering firm <u>ROBERT WHEAT / SEHEKTEKTS LLC</u> |
| Company (if applies) <u>CRESCENT, LLC</u> | <u>23 & 25 N. PINCKNEY</u> | No. & Street <u>2123 16TH ST.</u> |
| No. & Street <u>25 N. PINCKNEY</u> | Tenant name (if any) <u>PROVISIONS & MERCANTILE</u> <small>DBA: THE OLD FASHIONED</small> | City, State, Zip Code <u>MONROE, WI, 53566</u> |
| City, State, Zip Code <u>MADISON, WI, 53703</u> | Building Address <u>25 N. Pinckney, Madison, WI</u> | Phone <u>608.325.3872</u> |
| Phone <u>608.220-8029</u> | | Name of Contact Person <u>ROB WHEAT</u> |
| e-mail <u>Sonya@madisonenvironmental.com</u> | | e-mail <u>RWHEAT@SEHEKTEKTS.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.)

(SEE ATTACHED)

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

(SEE ATTACHED)

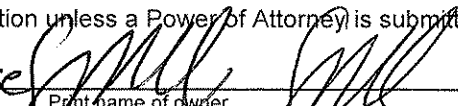
3. The following alternatives and supporting information are proposed as a means of providing an equivalent degree of health, safety, and welfare as addressed by the rule:

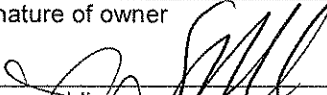
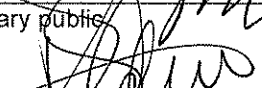
(SEE ATTACHED)

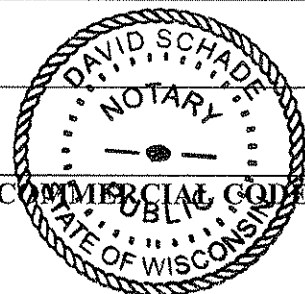
Note: Please attach any pictures, plans, or required position statements. (ATTACHED)

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.

Sonya Newenhouse  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>6.30.2010</u> |
| Notary public  | My commission expires: <u>11.27.2011</u> |



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

Petition For Variance Attachment

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

**IEBC Chapter 6 (ACCESSIBILITY)
Section 605.1 General.**

A building, facility or element that is altered shall comply with the applicable provisions in Sections 605.1.1 through 605.1.12, Chapter 11 of the *International Building Code* and ICC A117.1 unless it is technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent that is technically feasible.

A building, facility or element that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 605.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing buildings and facilities.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities.
4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units and shall comply with the applicable provisions in Chapter 11 of the *International Building Code* and ICC A117.1.

**IBC Chapter 11 (ACCESSIBILITY)
Section 1104.3 Connected spaces.**

When a building or portion of a building is required to be accessible, an accessible route shall be provided to each portion of the building, to accessible building entrances connecting accessible pedestrian walkways and the public way.

Exception: In assembly areas with fixed seating required to be accessible, an accessible route shall not be required to serve fixed seating where wheelchair spaces or designated aisle seats required to be on an accessible route are not provided.

Conditions of this project: The Old Fashioned located at 23 N. Pinckney will be renting the soon to be vacated café and restaurant space of 25 N. Pinckney (current tenants are Café Soleil and L'Etoile). For this expansion a previous variance was granted permitting the creation of two openings between the two properties. One opening is intended to connect the two existing kitchens and one opening to connect the two dining areas. There is an approximate 12 ¼" vertical difference between the existing floor levels of the 2 respective addresses.

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

There is effectively only a relatively narrow area in which the previously approved openings can occur between 23 & 25 N. Pinckney short of relocating the existing bar at 23 N. Pinckney or an existing required stair to the basement of 25 N. Pinckney. As such, the effective area required to

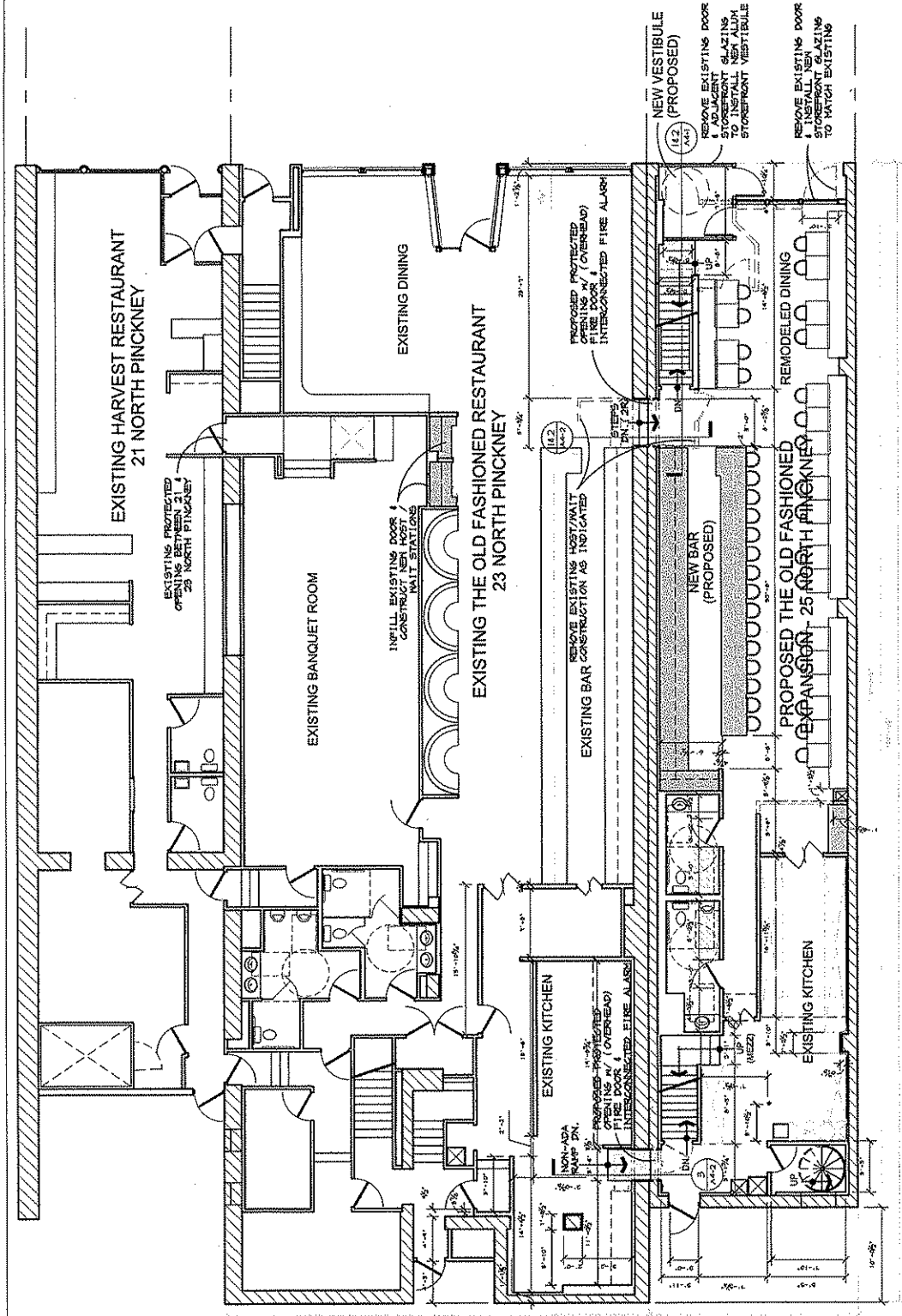
create an ADA compliant ramp between the two floor elevations along with required landings would encroach upon existing required stair landings and circulation routes.

(see attached drawings)

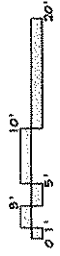
3. The following alternatives and supporting information are proposed as a means of providing an equivalent degree of health, safety, and welfare as addressed by the rule.

Both addresses individually and independently provide equivalent facilities with respect to the public and accessibility. Both 23 & 25 N. Pinckney have and will maintain accessible entries from the public way that provide for accessible routes within each building to all primary functions for that address. The primary function of both buildings is, in fact, a duplication of each other. Both addresses contain / will contain; a bar, a dining area, ADA compliant public restrooms and a non-public commercial kitchen.

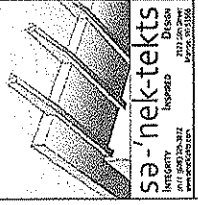
The menu service will be the same in either dining space / building address when both sides are open. While no doubt, people will circulate internally between the addresses (wait staff and table bussing at the very least), there is inherently no public need or requirement to do so.



1 PROPOSED FIRST FLOOR PLAN
3/32" = 1'-0"



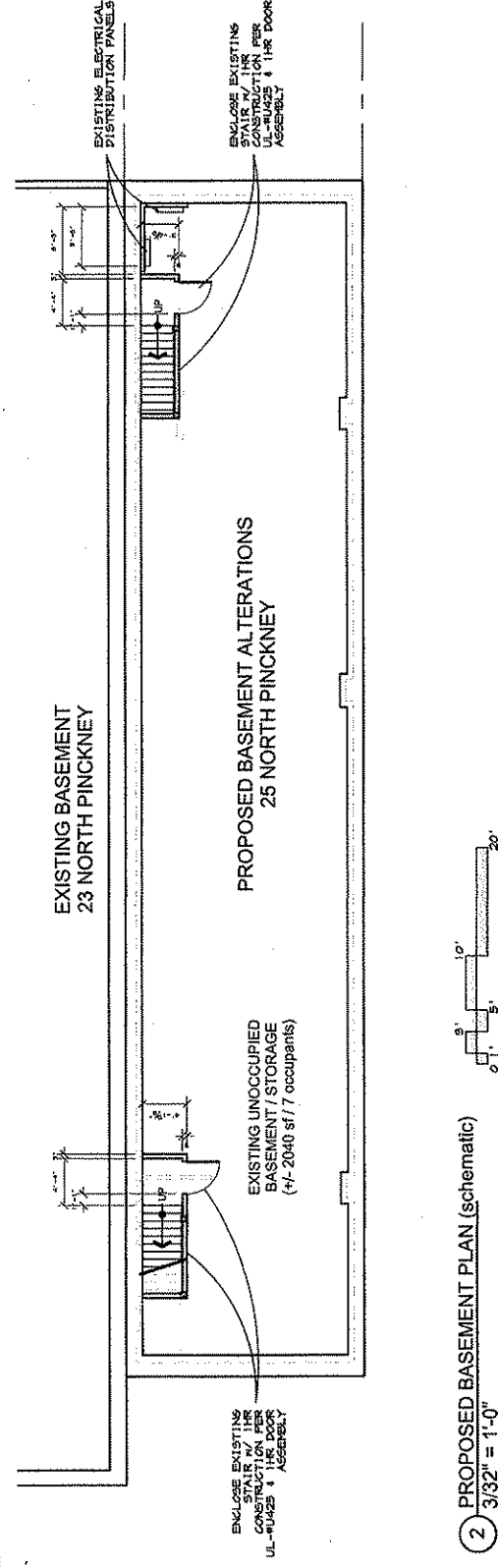
PROPOSED ALTERATIONS FOR:
23-25 NORTH PINCKNEY ST.



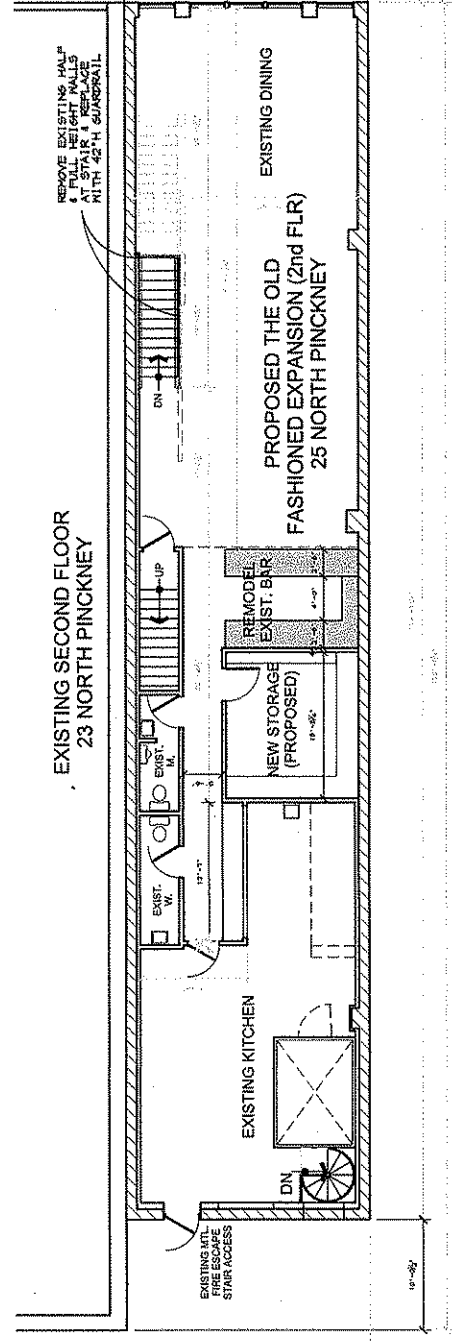
25 North Pinckney Street
Madison, Wisconsin 53703

Project # 10003
Date: 07.01.2010

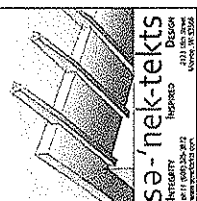
A2.1
3/32" = 1'-0"

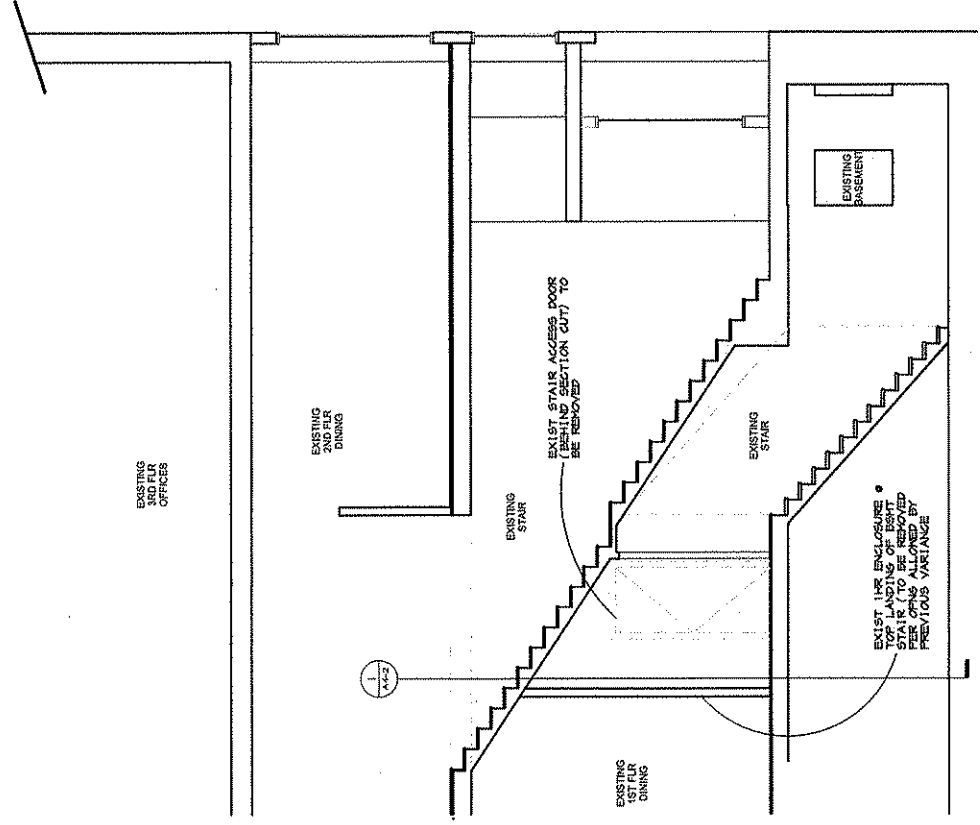


2 PROPOSED BASEMENT PLAN (schematic)
3/32" = 1'-0"

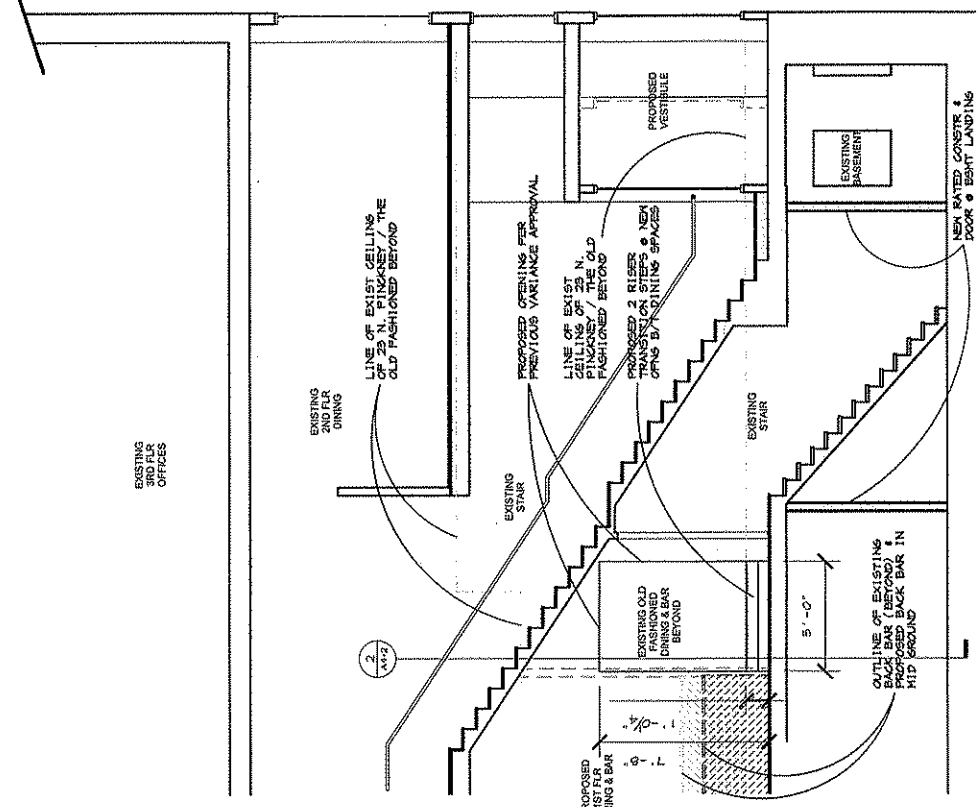


1 PROPOSED SECOND FLOOR PLAN
3/32" = 1'-0"





1 EXISTING BUILDING SECTION (PARTIAL)
3/16" = 1'-0"



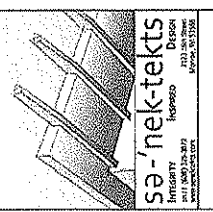
2 PROPOSED BUILDING SECTION (PARTIAL)
3/16" = 1'-0"

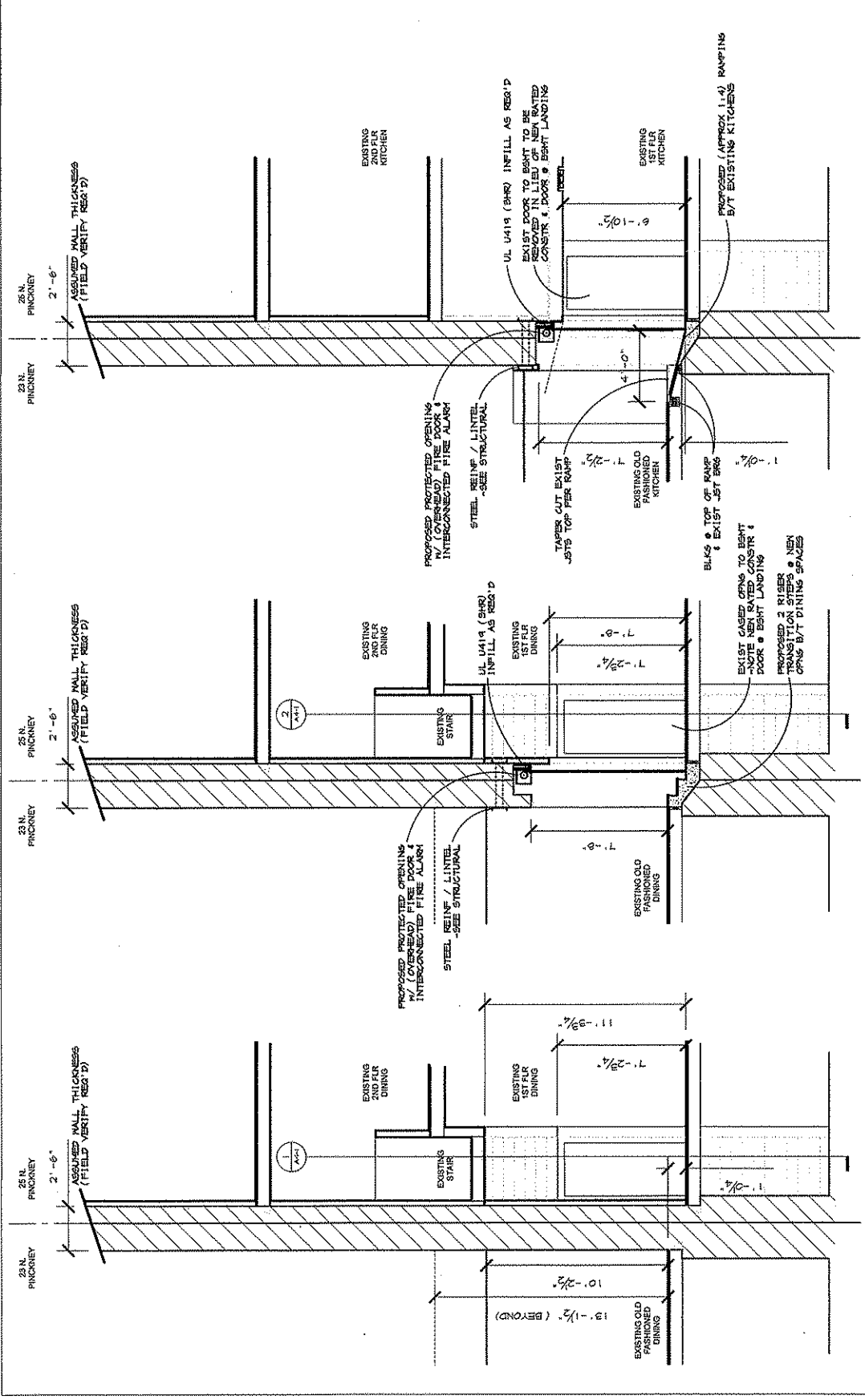
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23-25 NORTH PINCKNEY ST.

Project # 10003
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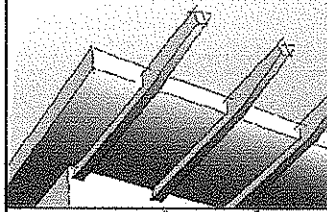
25 North Pinckney Street
Madison, Wisconsin 53703

A4.1
3/16" = 1'-0"





1 EXISTING SECTION (FRONT) 3/16" = 1'-0"
 2 PROPOSED SECTION (FRONT) 3/16" = 1'-0"
 3 PROPOSED SECTION (REAR) 3/16" = 1'-0"



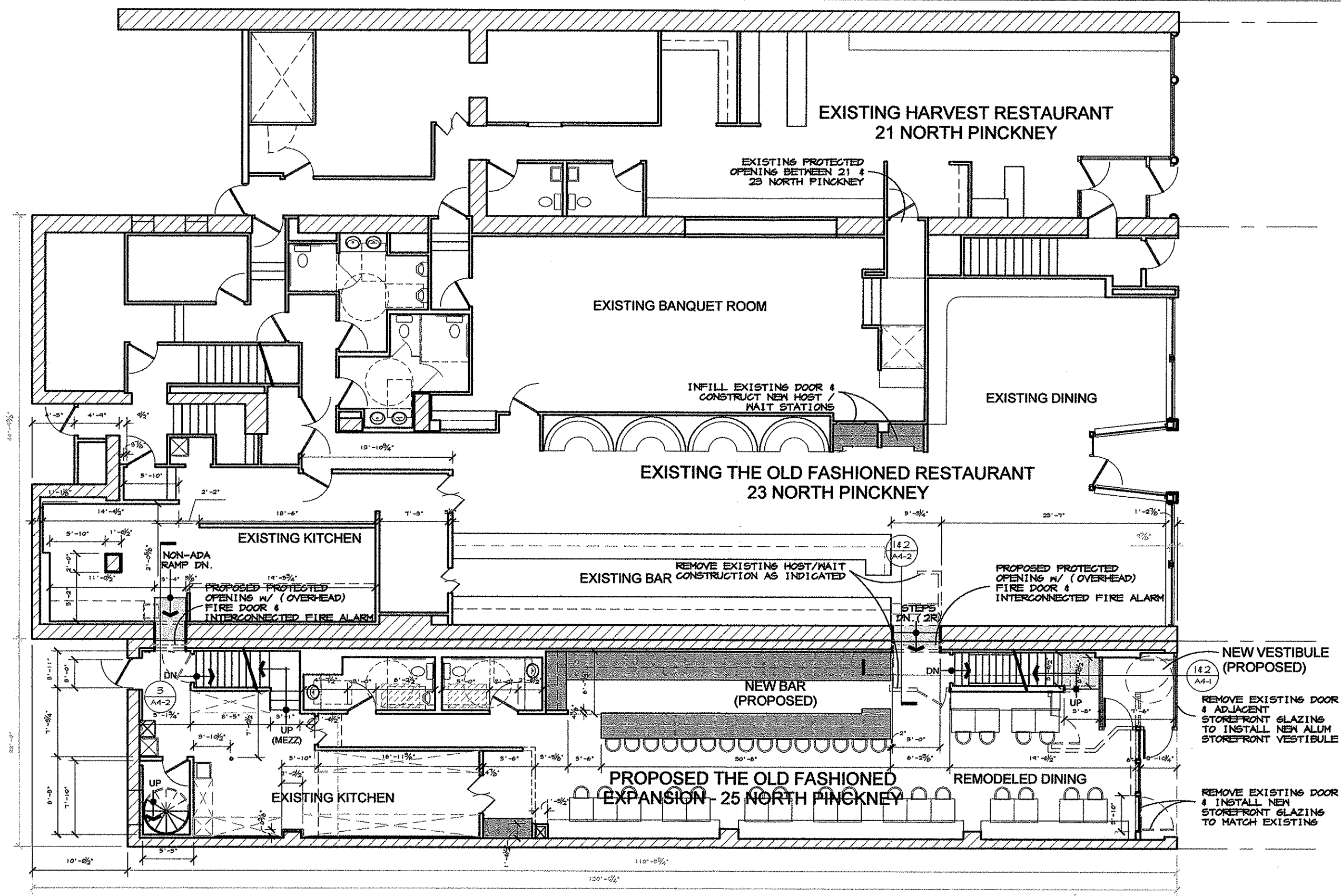
sa-'nek-tekts
 INTEGRITY INSPIRED DESIGN
 ph / 1 (608) 325-3872 2123 16th Street
 www.sanekekteks.com Maroa, WI 53566

PROPOSED ALTERATIONS FOR:
23-25 NORTH PINCKNEY ST.

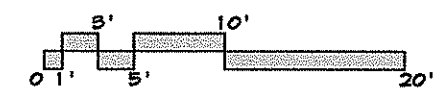
25 North Pinckney Street
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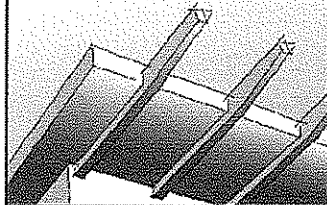
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A2.1
 3/32" = 1'-0"

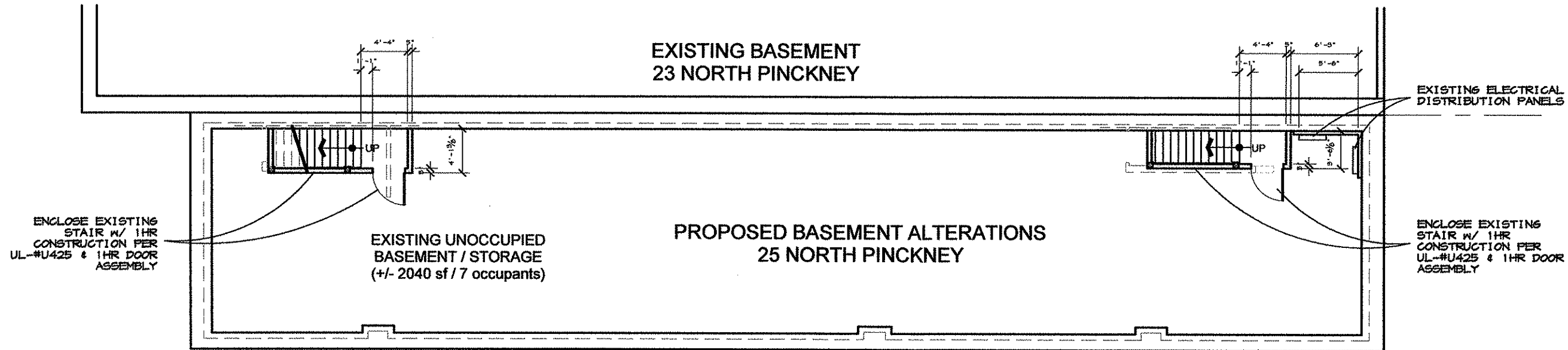


1 PROPOSED FIRST FLOOR PLAN
 3/32" = 1'-0"

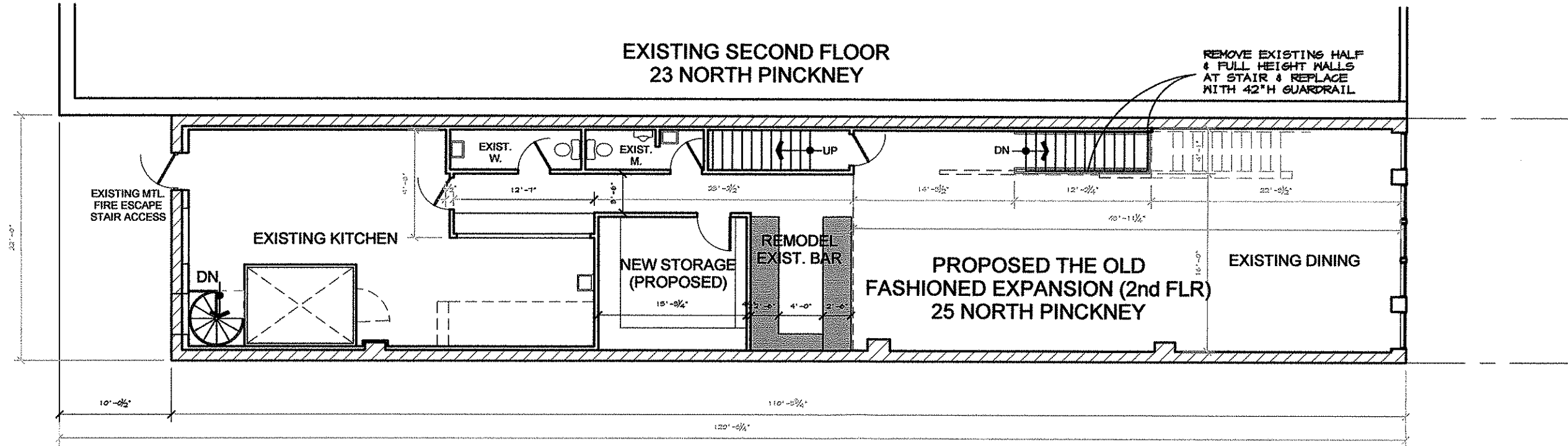
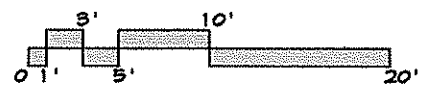




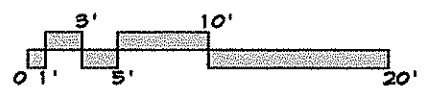
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 ph #1 (608) 325-3872 2123 16th Street
 www.sanektteks.com Monroe, WI 53566



2 PROPOSED BASEMENT PLAN (schematic)
 3/32" = 1'-0"



1 PROPOSED SECOND FLOOR PLAN
 3/32" = 1'-0"



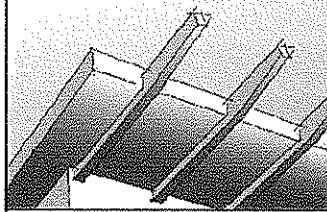
PROPOSED ALTERATIONS FOR:

23-25 NORTH PINCKNEY ST.

25 North Pinckney Street
 Madison, Wisconsin 53703

Project # 10003
 Date : 07.01.2010

A2.2
 3/32" = 1'-0"



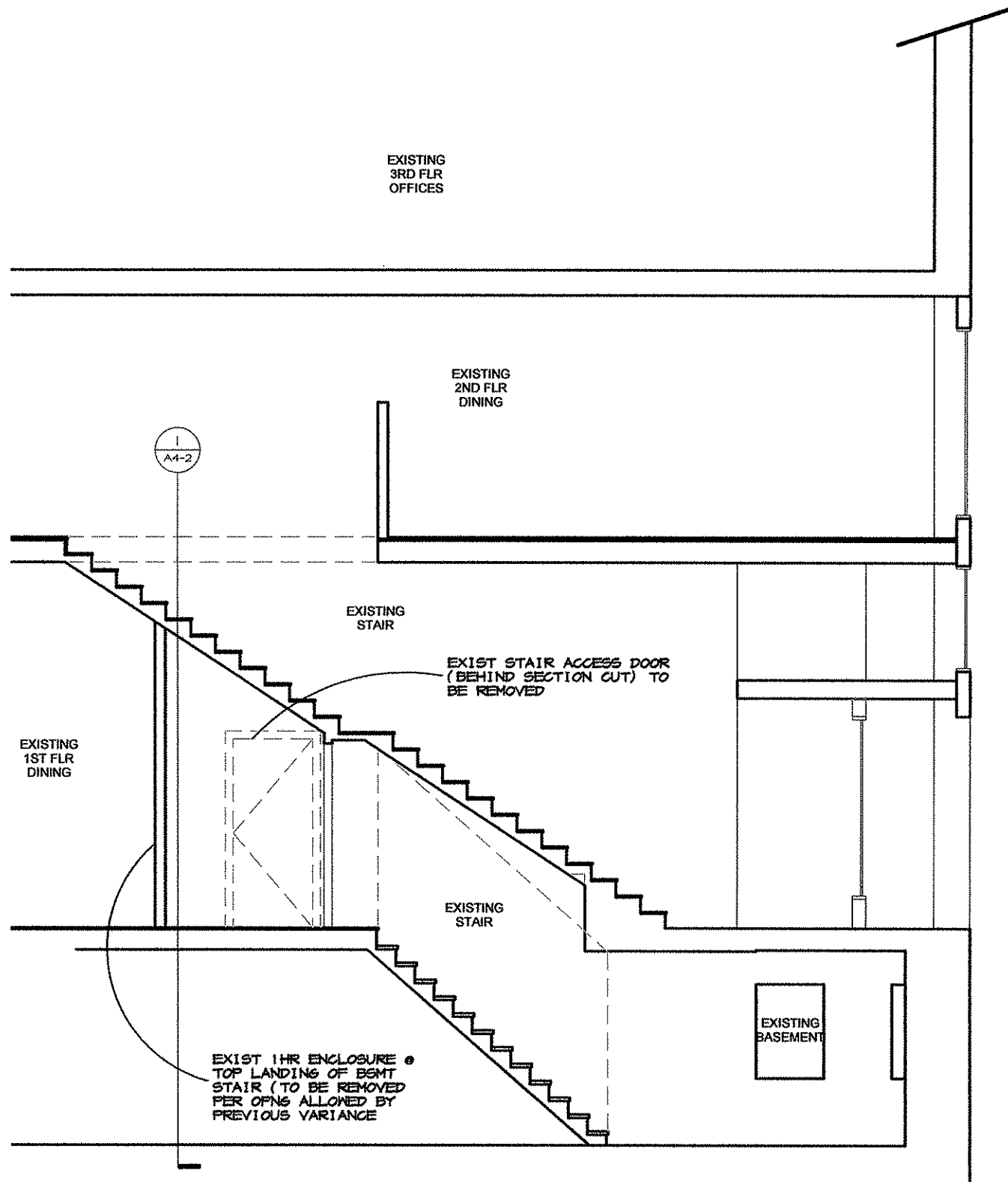
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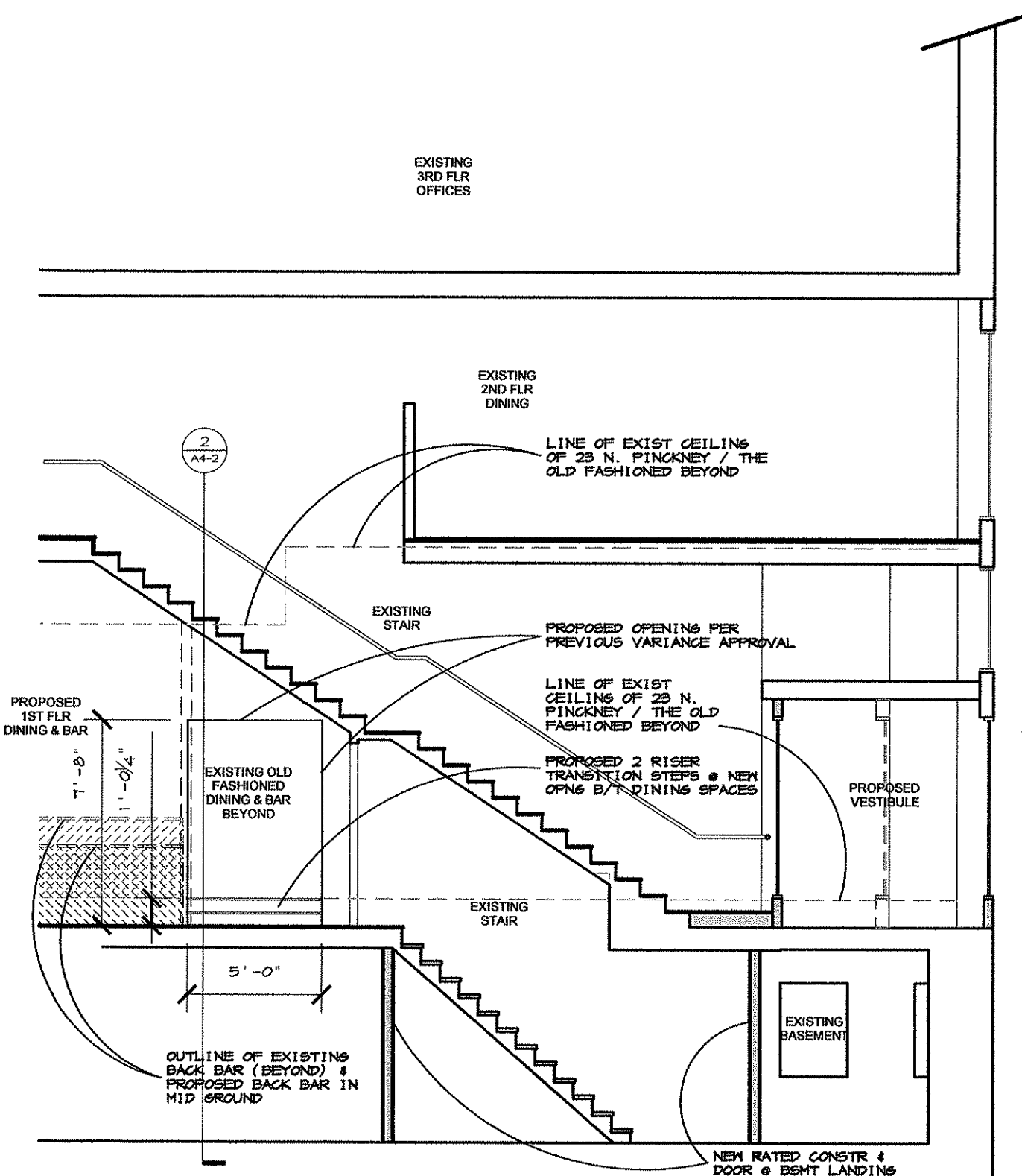
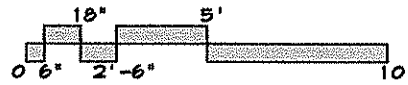
25 North Pinckney Street
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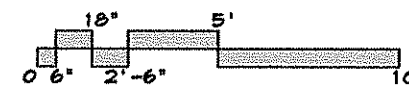
A4.1
 3/16" = 1'-0"

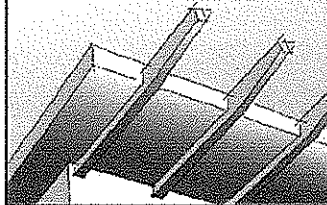


1 EXISTING BUILDING SECTION (PARTIAL)
 3/16" = 1'-0"



2 PROPOSED BUILDING SECTION (PARTIAL)
 3/16" = 1'-0"



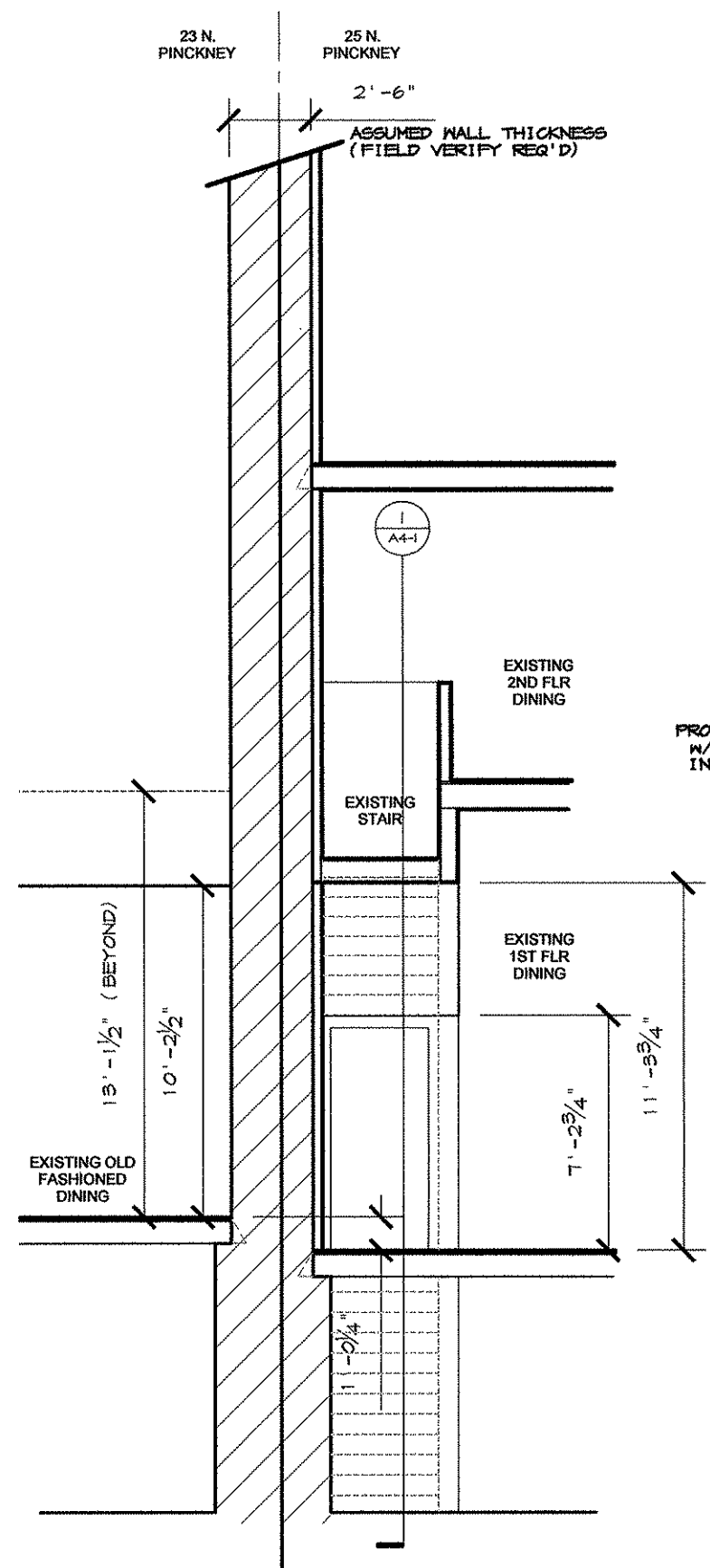


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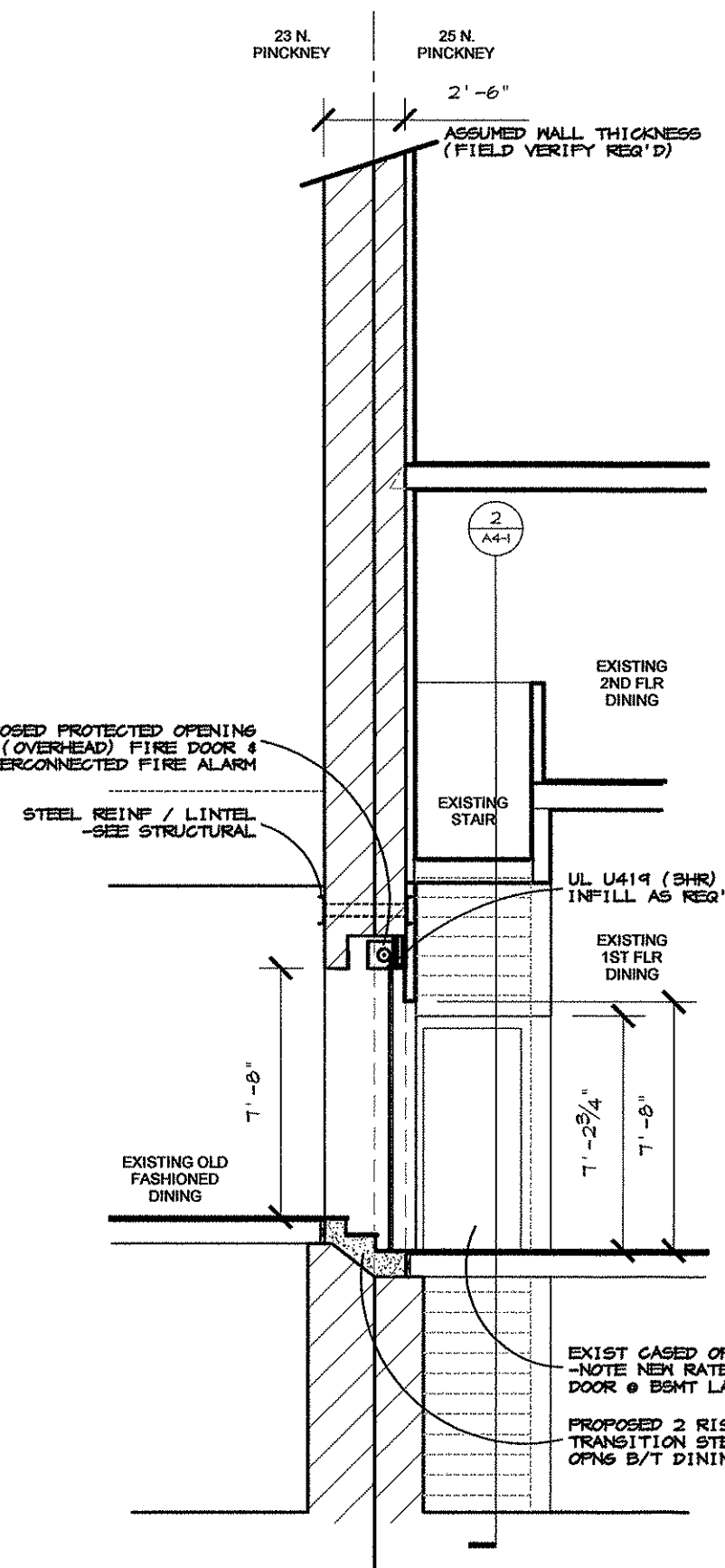
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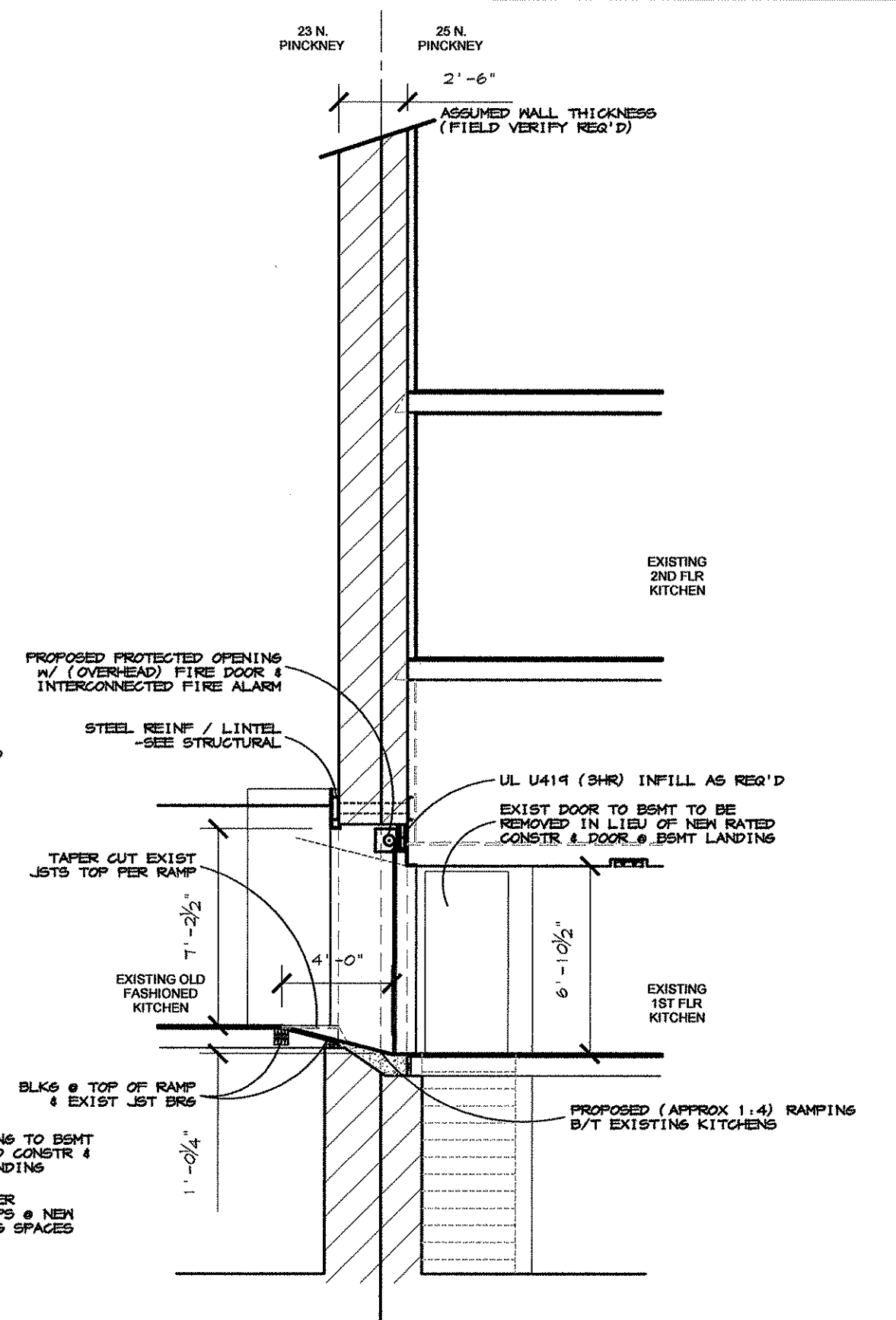
A4.2
 3/16" = 1'-0"



1 EXISTING SECTION (FRONT)
 3/16" = 1'-0"



2 PROPOSED SECTION (FRONT)
 3/16" = 1'-0"



3 PROPOSED SECTION (REAR)
 3/16" = 1'-0"

