



# City of Madison

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

## Meeting Minutes - Approved BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD

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Tuesday, December 16, 2008

12:15 PM

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

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### CALL TO ORDER / ROLL CALL

Godding called the meeting to order at 12:15 PM.

Staff Present: Harry Sulzer and Ed Ruckriegel

Present: 8 -

Louis J. Olson; James I. Statz; Colin L. Godding; Richard J. Link; Paul E. Karow; Russell G. Stern; Randall V. Baldwin and James I. Glueck

### APPROVAL OF MINUTES

A motion was made by Glueck, seconded by Link, to Approve the Minutes of November 18, 2008. The motion passed by voice vote/other.

### PUBLIC COMMENT

None

### PETITIONS FOR VARIANCE

1. [13016](#) 357 Price Place (C-12-77-2008)  
Ed Willenbrink of Martinson Architects, Inc. appealing Comm 62.2902. The rule requires that two toilets and one urinal be provided in the men's toilet room. The variance requested is to allow two urinals and one toilet for this installation. This is a pub and therefore the urinals get more use.

Attachments: [357 Price Pl.pdf](#)

There was no appearance.

Ed Willenbrink of Martinson Architects, Inc. appealing Comm 62.2902. The rule requires that two toilets and one urinal be provided in the men's toilet room. The variance requested is to allow two urinals and one toilet for this installation. This is a pub and therefore the urinals get more use.

A motion was made by Karow, seconded by Statz, to Accept the substitution.

The motion passed by voice vote/other.

2. [13017](#)

16 Langdon Street (C-12-78-2008)

Amy Hasselman of Architecture Network, Inc. appealing Comm 62.1020.1. The rule requires that existing exit stairways be enclosed. The variance requested is to allow one stair to remain unenclosed with additional means of safety being provided. Draft curtains will be installed at the first floor and closely spaced sprinkler heads will be provided. The Madison Fire Department supports the variance provided NFPA 72 smoke detection is provided throughout.

**Attachments:** [16 Langdon St.pdf](#)  
[16 Langdon St Plans.pdf](#)

**Amy Hasselman of Architecture Network, Inc. appealing Comm 62.1020.1. The rule requires that existing exit stairways be enclosed. The variance requested is to allow one stair to remain unenclosed with additional means of safety being provided. Draft curtains will be installed at the first floor and closely spaced sprinkler heads will be provided. The Madison Fire Department supports the variance provided NFPA 72 smoke detection is provided throughout.**

**The additional means of safety being offered is the fire alarm system being installed that normally would not be required.**

**A motion was made by Glueck, seconded by Stern, to Approve the variance. The motion passed by voice vote/other, with Karow abstaining.**

3. [13018](#)

2001 Fish Hatchery Road (C-12-79-2008)

William Johnston of Capital Newspapers, Inc. appealing Comm 61.03 and IFC Chapter 23. The variance requested is to provide an extended compliance date to June 30, 2015 to provide the correct sprinkler system for high-piled storage.

**Attachments:** [2001 Fish Hatchery Rd.pdf](#)

**Jim Garner appeared as owner of Sergenian Floor Coverings. The tenant is appealing Comm 61.03 and IFC Chapter 23. The variance requested is to delay compliance to June 30, 2015.**

**The issue is an Ordinance adopted by the Fire Department retroactively requires spaces be sprinklered for high-piled storage. All new buildings in Madison are in compliance with the rules. The use of the space has not changed.**

**A motion was made by Glueck, seconded by Olson, to Approve to extend the compliance date to June 30, 2015. The motion passed by voice vote/other.**

## ORDINANCES

4. [12575](#)

THIRD SUBSTITUTE - Creating Sec. 34.42, amending Sec. 27.05(2)(w) and creating Secs. 32.06(2)(a)1.j. and 32.06(4) of the Madison General Ordinances to govern installation and maintenance of smoke alarms in residential buildings.

**Attachments:** [Version 1](#)  
[Version 2](#)  
[Version 3](#)

Modify the Ordinance to have owner occupied one-two family units exempted until the unit was sold or there was a change in tenancy.

**The Substitute reviewed is dated 12/16/2008.**

**Issues raised by the Board were that adoption could lead to a non-uniformity argument in any litigation. The State via the Statutes is supposed to have one statewide Uniform Code for dwellings and multi-family.**

**The Ordinance, from a practical standpoint, is not enforceable in one-two family dwellings.**

**A concern was expressed as to the uncertain treatment of single family owners in a loss due to failure to comply with an Ordinance they were not aware of.**

**A motion was made by Statz, seconded by Glueck, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER, modify the Ordinance to have owner occupied one-two family units exempted until the unit was sold or there was a change in tenancy. The motion passed by the following vote:**

**Ayes:** 7 -

Louis J. Olson; James I. Statz; Colin L. Godding; Richard J. Link; Paul E. Karow; Russell G. Stern and James I. Glueck

**Abstentions:** 1 -

Randall V. Baldwin

**5. [12578](#)**

SECOND SUBSTITUTE - Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit D pursuant to Sec. 66.0103, Wis. Stats. to create Chapter 40 - Elevator Code and to amend Sec. 29.18 renaming the Board of Building Code, Fire Code, and Licensing Appeals.

**Attachments:** [Exhibit D.pdf](#)  
[Exhibit D SUB.pdf](#)  
[Exhibit D 2nd Sub.pdf](#)

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

**Ayes:** 7 -

Louis J. Olson; James I. Statz; Colin L. Godding; Richard J. Link; Paul E. Karow; Russell G. Stern and James I. Glueck

**Abstentions:** 1 -

Randall V. Baldwin

**ADJOURNMENT**

**The meeting adjourned at 1:00 PM.**