

VARIANCE FEES

MGO \$50.00

~~COMM \$490.00~~

Priority - Double above

PETITION FOR VARIANCE APPLICATION

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

Amount Paid
#50 AH 6-29-10

Name of Owner Patrick Mooney	Project Description Second floor 12x24 foot open porch re-build	Agent, architect, or engineering firm N/A
Company (if applies)		No. & Street
No. & Street 705 Riverside Dr	Tenant name (if any) -	City, State, Zip Code
City, State, Zip Code Madison WI 53704	Building Address 705 Riverside Dr	Phone
Phone 608-241-4227	Madison	Name of Contact Person

- The rule being petitioned reads as follows: (Cite the specific rule number and language. Also, indicate the nonconforming conditions for your project.)
Comm. 21.04(3) "Guardrail height 36 inches above floor; Constructed to prevent passage of a sphere 4 inches in diameter". Nonconforming condition is to maintain the guardrail at a height of 28 1/2 inches as originally constructed
- The rule being petitioned cannot be entirely satisfied because:
The home was built in 1918 and we would like to maintain the historical aesthetics on the front of the home.
- 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:
We will maintain, as currently in place, a 24 inch parameter between the railing and the edge of the roof (see attached) Current sphere is (approximately) 2 3/4 inches and will be maintained. The railing is 9 1/2 x 20 feet composed of 3x6" boards which we will try to replicate as feasible. This single family residence utilizes the second floor porch almost exclusively as a morning coffee/newspaper reading space. There has never been a party in this space over the last 33 years.

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

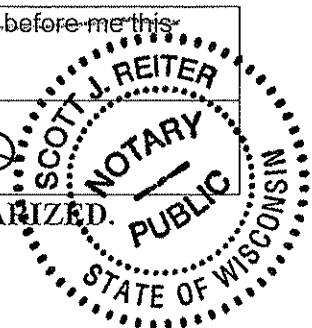
VERIFICATION BY OWNER - PETITION IS VALID ONLY IF NOTARIZED AND ACCOMPANIED BY A REVIEW FEE AND ANY REQUIRED POSITION STATEMENTS.

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.

Patrick Mooney, 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: 6/29/10
Notary public 	My commission expires: 12/9/2012

NOTE: ONLY VARIANCES TO COMM 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.

Submit by July 1st

**HANDRAILS AND GUARDRAILS PER COMM 21.04 (3)
HANDRAIL HEIGHT 30-38 INCHES ABOVE NOSE;
GUARDRAIL HEIGHT 36 INCHES ABOVE FLOOR;
CONSTRUCTED TO PREVENT PASSAGE OF A SPHERE
4 INCHES IN DIAMETER**

