

January 2025

Re: Petition for Variance from SPS 321.03(7)(b) for 1101 and 1103 S. Thompson Dr.

Introduction. The Genthe Family Trust (Sharon and Ric Genthe) own the duplex at 1101 and 1103 S. Thompson Drive, Madison WI (the “Units”). Options in Community Living, Inc. (www.optionsmadison.com “Options”) is a local, non-profit that has been serving Dane County for 44 years. Options provides community-based support for people with intellectual and developmental disabilities who live in their own homes. Contact information for the Owner and Options is provided below.

- Sharon and Ric Genthe: 608-575-2090 stgenthe@gmail.com
- Katie Moldenhauer, Options Team Coordinator: 608-249-1585 kmoldenhauer@optionsmadison.com
- Liz Becker, Options Executive Director: 608-249-1585 lbecker@optionsmadison.com

Section 2 of Petition for Variance Application. The rule being petitioned cannot be entirely satisfied because:

SPS 321.03(7)(b) requires all exit doors be openable from the interior without the use of a key. Each of the individuals occupying the Units as of January, 2025, hold their own leases. The tenant of each Unit has intellectual disabilities; thus, they require 24/7 support from Options. These intellectual disabilities prevent the tenants from understanding or appreciating risks to themselves and to others. Both tenants have a history of elopement, notwithstanding 24/7 support from Options. In the event of elopement, the tenant puts themselves and community members at risk. These risks include running into traffic, threatening community members, or causing property damage.

Obviously, the risk of elopement is significantly greater if the Units comply with SPS 321.03(7)(b) because the tenants’ ability to exit the Unit would be effectively unobstructed. Thus, the Owner and Options petition for a variance from SPS 321.03(7)(b) to install a separate magnetic locking system on each Unit.

Section 3 of Petition for Variance Application. 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:

The intent behind SPS 321.03(7)(b) is to permit the occupants of a building to exit when necessary for the protection of the occupants. The following alternatives proposed by the Owner and Options provide an equivalent degree of health, safety, and welfare:

1. **Interconnection of Magnetic Lock System with Smoke/Carbon Monoxide Alarms.** The primary risk of installing interior locks on exit doors is the risk of trapping the occupants if there is an interior fire or carbon monoxide leak. The mag locks will be integrated with the smoke and carbon monoxide alarms such that the mag locks will disengage if the alarms are triggered. The mag lock system and the alarm system will be hardwired into the control panel for a reliable power source; however, the mag locks will also have a 30-60 minute battery backup system during a power failure. If the power failure extends beyond the battery backup system, then the mag locks automatically disengage. Thus, the integration of the mag lock system with the smoke and carbon monoxide alarms, coupled with a reliable power source for both systems, ensures that occupants will not be trapped if there is a fire or carbon monoxide leak.
2. **24-Hour Supervision.** An Options staff member is with the tenant 24 hours a day. Options uses electronic clocking for its staff with electronic geofencing to confirm to verify that the staff member is continually with the tenant.

If necessary, the staff member will be able to disengage the mag locks with a key fob. The fob requires a sustained pressing of 3 seconds to ensure that the mag locks are not accidentally engaged or disengaged. A back-up fob is located in the general living area of each Unit that the staff member can access if the primary fob is lost or fails. A secondary back-up fob is kept with the On-Call Options staff. Fobs are replaced as needed, based on the amount of use. If there is a complete failure of the fobs, Options staff can access each Unit using a keypad override of the mag lock system.

Options trains its staff in the proper use of the mag lock system for each household because locking patterns and engagement will vary based on the tenant and the layout of the Unit. Options also trains its staff to ensure the mag lock system and the alarm system are maintained, batteries changed in fobs, etc. Basic training information is attached as Attachment 1.

3. **Sprinkler System.** The Owner and Options are working together to install a separate sprinkler system in each Unit. They have accepted a bid from Monona Fire and Protection to install the sprinkler systems and are prepared to proceed with the installation upon approval of this petition for variance. The accepted bid and electrical schematic drawings by Monona Fire and Protection are attached as Attachment 2.
4. **Knox Box.** Options and the Owner will install Knox boxes on each Unit to facilitate easier access to the Units by emergency service such as the police or fire department.

In conclusion, Options in Community Living, Inc. has supported these two individuals to live as part of their community for over ten years. We value that they have a right to live in the community in their own homes with the proper support system. We are dedicated to providing this support in a safe and productive manner. We are committed to following through with the appropriate steps mentioned in this variance request.