

VARIANCE FEES

MGO \$50.00

COMM \$490.00

Priority - Double above

**PETITION FOR VARIANCE
APPLICATION**City of Madison
Building Inspection
Division215 Martin Luther King Jr. Blvd.
Madison, WI 53703
(608) 266-4568Amount Paid
\$490 4-1-14 *HH*

Name of Owner RICHARD GEHRKE	Project Description WOOD PERGOLA ALONG PROPERTY LINE	Agent, architect, or engineering firm MARK SCHMIDT ARCHITECT
Company (if applies)		No. & Street PO BOX 762
No. & Street 7917 NW POTOMAC	Tenant name (if any)	City, State, Zip Code WATOMAS, WI 54982
City, State, Zip Code WEATHERBY LAKE, MO	Building Address 2039 WINNEBAGO	Phone 800-236-0140
Phone 608-206-6288		Name of Contact Person MARK SCHMIDT
e-mail		e-mail design@ksarch.net

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

**PERGOLA WAS BUILT AS FENCE. NOW DEEMED
PART OF BUILDING.**

SEE ATTACHED.

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

LESS THAN 10 FT FROM PROPERTY LINE

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:

NONE

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

DRAWINGS 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.

RICHARD A. GEHRKE, being duly sworn, I state as petitioner that I have read the foregoing
Print name of owner
petition, that I believe it to be true, and I have significant ownership rights in the subject building or project.

Signature of owner <i>RICHARD GEHRKE</i>	Subscribed and sworn to before me this date: 3/27/14
Notary public <i>Marci Shindler</i>	My commission expires: 8/15/2017

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



Question 1.

IBC 705.2 Cornices, eave overhangs, exterior balconies and other similar projections extending beyond the exterior wall shall conform to the requirements of this section. Projections shall not extend beyond the distance determined by the methods of this section whichever results in the least projection. Per method 1 the minimum setback is 1'-8". Per method 2 the minimum setback is 5 feet. Per method 3 the minimum setback is 4 feet. Therefore, the minimum setback is 5 feet from the property line. The pergolas for this project extend to the property line.

City of Madison Fire Department Position Statement

Owner: Rich Gehrke	Project Name:	Contact: Mark Schmidt Mark Schmidt Architect
Address: 7917 NW Potomac Weatherby Lake, MO 64152	Building Location: 2039 Winnebago Street Madison, WI	Address: PO Box 762 Wautoma, WI 54982
Owner Phone: 608-206-6288 Email:	Building Occupancy or Use: B-Business & R-2 Residentail	Phone: 800-236-0140 Email: design@ksarch.net

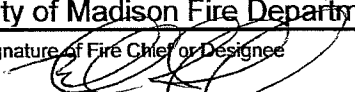
Rule Being Petitioned: IBC 602

I have read the application for variance and recommend: (check appropriate box)

☐ Approval ☒ **Conditional Approval** ☐ Denial ☐ No Comment

Due to the fact that this is not a significant structure in so far as that it can readily be removed in the future, MFD conditionally approves that the pergolas within 10-ft of the property line may remain provided the following conditions are met:

- The pergolas be removed if any structures are erected on the adjacent property within 5-ft of the property line.
- The pergolas shall be constructed of dimensional lumber.
- The pergolas shall not have a roof.

Name of Fire Chief or Designee (type or print) Bill Sullivan, Fire Protection Engineer	
City of Madison Fire Department	Telephone Number 608-261-9658
Signature of Fire Chief or Designee 	Date Signed April 1, 2014

March 27, 2014

S04003

City of Madison Building Department
Madison, WI 53703



Re; **Building Code Variance Requests for;**
2039 Winnebago St

Harry Sulzer,

Per our conversation a few weeks ago, enclosed is an application form, fee payment, fire department position statement, and drawings for a building code variance request for 2039 Winnebago St

Several years ago, treated **wood pergolas** were constructed as sun-screens over sidewalks alongside the existing buildings. At the time of construction, the owner understood there were no permits required for fences, and these pergolas were constructed assuming they were part of the fence. The building department has classified the pergolas as part of the building construction. Combustible materials are not allowed within 10 feet of the property line. We do not think these pergolas, which are adjacent to a brick wall are a fire hazard to buildings on either side of the property line, and therefore we are requesting approval of the existing pergolas as constructed.. Note that the drawings show some pergolas that are more than 10 feet from the property boundary. Those do not require a variance, but will need a building permit..

IBC TABLE 602

We look forward to hearing your comments.

Thank you,

A handwritten signature in black ink, appearing to read 'Mark Schmidt'.

Mark Schmidt Architect
Richard Gehlke Owner

March 27, 2014

S04003

Madison Fire Department
Madison, WI 53703



Re; **Building Code Variance Requests for;
2039 Winnebago St**

Bill Sullivan,

Per our conversation a few weeks ago, enclosed is an application form and drawings for a building code variance request for 2039 Winnebago St

Several years ago, treated **wood pergolas** were constructed as sun-screens over sidewalks alongside the existing buildings. At the time of construction, the owner understood there were no permits required for fences, and these pergolas were constructed assuming they were part of the fence. The building department has classified the pergolas as part of the building construction. Combustible materials are not allowed within 10 feet of the property line. We do not think these pergolas, which are adjacent to a brick wall are a fire hazard to buildings on either side of the property line, and therefore we are requesting approval of the existing pergolas as constructed.. Note that the drawings show some pergolas that are more than 10 feet from the property boundary. Those do not require a variance, but will need a building permit..

We look forward to hearing your comments.

Thank you,

A handwritten signature in black ink, appearing to be 'Mark Schmidt', written over a horizontal line.

Mark Schmidt Architect
Richard Gehrke Owner