

**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 2-4-16

Name of Owner Neil C. Halleen	Project Description Modification to basement tenant's main entrance due to addition to neighboring building (502 N. Frances Street/610 State Street) adjacent to the property line	Agent, architect, or engineering firm Iconica
Company (if applies) Halleen Management LLC		No. & Street 901 Deming Way
No. & Street 502 N. Eau Claire Ave.	Tenant name (if any) City Bar	City, State, Zip Code Madison, WI 53717
City, State, Zip Code Madison, WI 53705	Building Address 636 State Street Madison, WI 53703	Phone 608-664-3555
Phone 608-257-0111		Name of Contact Person Jenny Dechant
e-mail nh@opitzrealty.com		e-mail jenny.dechant@iconicacreates.com

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

**IBC 705.8.1 Allowable area of openings.** The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8

**Per IBC Table 705.8,** openings 0 to less than 3 feet are Not Permitted.

**Nonconforming condition:** The existing main entrance door to the City Bar tenant space at the basement level is on the property line.

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

The opening is an existing condition

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:

**This petition proposes to remove the existing non-conforming wood framed entrance structure and to construct a 2-hour rated stairway enclosure for the entrance to the basement City Bar tenant space at 636 State Street.**

1. **The stairway enclosure will provide a safe, fire rated path of ingress/egress from the basement tenant space to a public way.**

The City Bar basement level entrance door will remain in the existing condition and exit at the property line.

The 2-hour rated stairway enclosure will provide an exit through a new street level door at the public sidewalk on State Street.

The stairway enclosure will be located within the area of an existing ingress/egress access easement on the adjacent property at 502 N. Frances Street (Document No. 810325)

2. **The stairway enclosure will function as a Fire Barrier separation between the City Bar entrance and proposed retail tenant addition to 502 N. Frances Street.**

The 2-hour rated stairway enclosure will be constructed of rated concrete masonry block walls and a rated steel and concrete ceiling assembly.

2-hour construction assemblies exceed the hour ratings required for the proposed addition's Type IB construction classification per IBC Tables 601 and 602

2-hour construction assemblies meet the required hour ratings for construction of a Fire Barrier per IBC Section 707

**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.

Neil C. Halleen

Print name of owner

\_\_\_\_\_, 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 <i>Neil C. Halleen</i> 636 State Street LLC managing member	Subscribed and sworn to before me this date: February 3, 2016
Notary public <i>Charlotte Y. Sanchez</i>	My commission expires: February 7, 2016

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

## City of Madison Fire Department Position Statement

Owner: Neil C Halleen Halleen Management LLC	Project Name: 636 State basement tenant exit across property line	Contact: Jenny Dechant Iconica
Address: 502 N Eau Claire Ave Madison, WI 53705	Building Location: 636 State Street with impact on 610 State Street	Address: 901 Deming Way Madison, WI 53717
Owner Phone: 608-257-0111 Email: nh@opitzrealty.com	Building Occupancy or Use: Group A-2 Assembly	Phone: 608-664-3555 Email: jenny.dechant@iconicacreates.com

### Rule Being Petitioned: IBC 705.8.1 Allowable area of openings

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

☐ Approval      ☒ Conditional Approval      ☐ Denial      ☐ No Comment

- The existing condition is an exterior stair on the 610 State Street property that leads to the basement of the building on the 636 State Street property. The exterior stair was covered by a wood structure at some point. This entrance serves as the main entrance to an assembly occupancy tenant space.
- The owner of 610 State Street is proposing a building addition which would be limited based on the existing opening on the basement stair. The basement opening is the existing non-conforming element.
- The owner of 610 State proposes to remove the wood structure which would have created a class of construction issue and build a 2-hr exit enclosure around the existing exterior stair to provide better exiting and provide separation/protection of the existing door opening to the new addition.
- Any future redevelopment of the 636 State Street site will require revisiting the door opening and this petition for variance.
- The basement door shall comply with the appropriate fire rated for a stair enclosure and shall be closed and latched at all times except as otherwise permitted by code.
- The stair enclosure shall not be used for queuing any patrons to the tenant space.
- Any increase in the existing capacity of the assembly occupancy shall require the installation of an automatic fire sprinkler system.

Name of Fire Chief or Designee (type or print)

Bill Sullivan, Fire Protection Engineer

City of Madison Fire Department

Signature of Fire Chief or Designee

Telephone Number

608-261-9658

Date Signed

February 5, 2016













8









**Towers Addition**

**20150790**

Date: February 3, 2016

To: City of Madison  
Building Inspection Division  
215 Martin Luther King Jr. Blvd.  
Room LL-100  
Madison, WI 53703

From: Jenny Dechant, Project Architect  
  
Direct Line: 608-664-3555 Office Fax: 608-664-3535  
  
jenny.dechant@iconicacreates.com

Subject: Petition for Variance

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We are sending you via hand delivery:

Quantity	Description
1	Petition Application
1	Check #094535 for \$490.00
1	Full Size Plan Set
1	Existing Condition Photos

cc: File 20150790 - 16