

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
 75.17 \$490.00 *HT*

Name of Owner The Edge At 706, LLC	Project Description New construction, six (6) stories	Agent, architect, or engineering firm Kahler Slater
Company (if applies) Forward Development Group, LLC		No. & Street 111 W Wisconsin Ave
No. & Street 161 Horizon Drive, Suite 101A	Tenant name (if any) N/A	City, State, Zip Code Milwaukee, WI 53203
City, State, Zip Code Verona, WI 53593	Building Address 704 E Williamson Street	Phone 414-272-2000
Phone 608-848-9050	Madison, WI 53703	Name of Contact Person Joe Sinnett
e-mail rjh@forwarddevgroup.com		e-mail jsinnett@kahlerslater.com

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

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

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:

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.

David M Jenkins, 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>David M Jenkins</i>	Subscribed and sworn to before me this date: 07/05/2017
Notary public <i>Tara M. Miller</i>	My commission expires: 04/24/2020

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

June 13, 2017

44 East Mifflin Street
Madison, WI 53703.2800 USA
P 608.283.6300 F 608.283.6317

Building Inspection Division
City of Madison
215 Martin Luther King Jr. Blvd.
Madison, WI 53703

Dear Building Board:

1. We are seeking a variance to the 2009 International Building Code section 509.2 in regards to condition #2 under this section. Condition #2 states that the building below the horizontal assembly is no more than one story above grade plane. Our project seeks to have the building below the horizontal assembly higher so that there are two stories below the horizontal assembly above the grade plane.
2. We are seeking to use the 2015 International Building Code (IBC) sections in regards to section 510.2 since the 2015 IBC in the process of being adopted by the state of Wisconsin.

a. 2015 International Building Code Section 510.2

510.2 Horizontal building separation allowance.

A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of *fire walls*, limitation of number of *stories* and type of construction where all of the following conditions are met:

1. The buildings are separated with a *horizontal assembly* having a *fire-resistance rating* of not less than 3 hours.

2. The building below the *horizontal assembly* is of Type IA construction.

3. *Shaft, stairway, ramp* and escalator enclosures through the *horizontal assembly* shall have not less than a 2-hour *fire-resistance rating* with opening protectives in accordance with Section 716.5.

Exception: Where the enclosure walls below the *horizontal assembly* have not less than a 3-hour *fire-resistance rating* with opening protectives in accordance with Section 716.5, the enclosure walls extending above the *horizontal assembly* shall be permitted to have a 1-hour *fire-resistance rating*, provided:

1. The building above the *horizontal assembly* is not required to be of Type I construction;

2. The enclosure connects fewer than four *stories*; and

3. The enclosure opening protectives above the *horizontal assembly* have a *fire protection rating* of not less than 1 hour.

4. The building or buildings above the *horizontal assembly* shall be permitted to have multiple Group A occupancy uses, each with an *occupant load* of less 300, or Group B, M, R or S occupancies.

5. The building below the *horizontal assembly* shall be protected throughout by an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, and shall be permitted to be any occupancy allowed by this code except Group H.

6. The maximum *building height* in feet (mm) shall not exceed the limits set forth in Section 504.3 for the building having the smaller allowable height as measured from the *grade plane*.

3. Based on the upcoming adoption of the 2015 IBC the building will conform to the new code section 510.2 and the requirements for horizontal separation and building height and areas.
 - a. Condition #1: We are providing a three hour horizontal assembly.

- b. Condition #2: The building below the horizontal assembly is of type IA construction
- c. Condition #3: Shafts and stair enclosures will all have a 2-hour fire-resistance rating and opening protectives in accordance with Section 716.5
- d. Condition #4: We are providing R-2 occupancy above the horizontal assembly.
- e. Condition #5: The building below the horizontal assembly will have an automatic sprinkler system in accordance with Section 903.3.1.1 and does not contain any H occupancy groups.
- f. Condition #6: The maximum height based on section 504.3 is 70' for R occupancy with full NFPA 13 sprinkler system and VA construction. Our building height is 64'-11" from the established grade plane.

Sincerely,
Joseph A Sinnett, AIA
KAHLER SLATER, INC.

City of Madison Fire Department Position Statement

Owner: Ron Henshue Forward Development Group	Project Name:	Contact: Joe Sinnett Kahler Slater
Address: 161 Horizon Dr Suite 101A Verona, WI 53593	Building Location: 704 Williamson Street	Address: 111 W Wisconsin Ave Milwaukee, WI 53203
Owner Phone: Email:	Building Occupancy or Use: Residential R-2, with Storage S-2, Business B, Assembly A-3 & Mercantile M on first floor	Phone: 414-272-2000 Email:

Rule Being Petitioned: IBC 509.2 of 2009 Edition. Request use of IBC 510.2 of 2015 edition.

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

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

- Based on the revised Roof Plan dated June 30, 2017.
- MFD recommends that the project complies with all provisions of the 2015 edition of the IBC as the code is designed to function as a system of components inter-related in order to achieve an acceptable level of risk. Additionally, future maintenance and enforcement is streamlined when the entire building follows the same code edition.

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

July 5, 2017