

**VARIANCE FEES**

MGO \$50.00

→ COMM \$490.00

Priority – Double above

**PETITION FOR VARIANCE APPLICATION**City of Madison  
Building Inspection  
Division126 S. Hamilton St.  
Madison, WI 53703  
(608) 266-4568

Amount Paid

\$490 10.4.17 KH

Name of Owner Kenneth W. Ehlen	Project Description NEW METAL BUILDING ADDITION (94' x 342')	Agent, architect, or engineering firm KILEN ENGINEERING, LLC
Company (if applies) EHL LLC d/b/a Oakhouse BAKERY		No. & Street 7771 COUNTY ROAD A
No. & Street 2221 MUSTANG WAY	Tenant name (if any)	City, State, Zip Code BELLEVILLE, WI 53508
City, State, Zip Code MADISON, WI 53718	Building Address 2221 MUSTANG WAY	Phone 608-424-1985
Phone 608-223-9808	MADISON, WI 53718	Name of Contact Person CHRIS KILEN
e-mail Kehlen@oakhousebakery.com		e-mail CHRIS.K@KILENENGINEERING.COM

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

SEE ATTACHED.

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

SEE ATTACHED.

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:

SEE ATTACHED.

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.

KENNETH W. EHLEN

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 Kenneth W. Ehlen	Subscribed and sworn to before me this date: 10/31/2017
Notary public Mary Ann Nicholson	My commission expires: 7-28-2018

**NOTE: ONLY VARIANCES FOR COMMERCIAL 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.

## PETITION FOR VARIANCE APPLICATION

1. IBC 503.1 and IBC 903.2.4 provide limits for the size of buildings without an automated sprinkler system. The proposed building addition exceeds these limits and an automated sprinkler system is required for the new addition. To limit the area of the sprinkler system to the new addition only a firewall is required to be installed between the new addition and the existing building. If the request for variance is approved, this project would not have a firewall between the new addition and the existing building.
2. The rule being petitioned cannot be entirely satisfied because the firewall would restrict movement between the two buildings. IBC 706.8 states that the aggregate width of firewall openings shall not exceed 25% of the length of the wall. In addition, each opening shall not exceed 156 square feet in area. Oakhouse Bakery seeks to keep the location where the new addition and the existing building meet as open as possible to accommodate the manufacturing process, both now and in the future.
3. In lieu of constructing a firewall between the new addition and the existing building, Oakhouse Bakery proposes to install an automatic sprinkler system in the existing building over a period of 10 years from the date of occupancy of the new building addition. At the end of 10 years, the entire building would be fully protected by an automatic sprinkler system.



# Oakhouse BAKERY

To: City of Madison Building Board of Appeals

Date: 10/2/2017

Oakhouse Bakery is proposing to add a 94' x 342' metal building addition on to our existing facility at 2221 Mustang Way. It is our understanding that we would need a firewall to separate the new construction from the existing building. We are seeking a variance to eliminate the firewall and in return will agree to sprinkler our existing building over the next 10 years. We understand that sprinklering our existing building would not be required with the addition of a firewall.

A firewall will greatly restrict flexibility between the new addition and the existing building. Our process requires an open area to efficiently lay out equipment for the production lines due to the length and width of the equipment. Our future plans are to convert a portion of the existing building into storage of ingredients/packaging and open remaining area up for space to add two additional production lines. The firewall would not allow the space for the third line to be installed.

Regardless of the logistic issues, we would prefer a final solution that over time would have our entire facility covered by an active fire suppression system (sprinklering) versus a passive measure (firewall) that would separate the two buildings with only the new addition being sprinklered.

Our business will be in a better position to afford the cost of the addition of a sprinkler system in the existing building if given some leniency on the timing of installation. We appreciate your consideration.

Sincerely,



Kenneth Ehlen

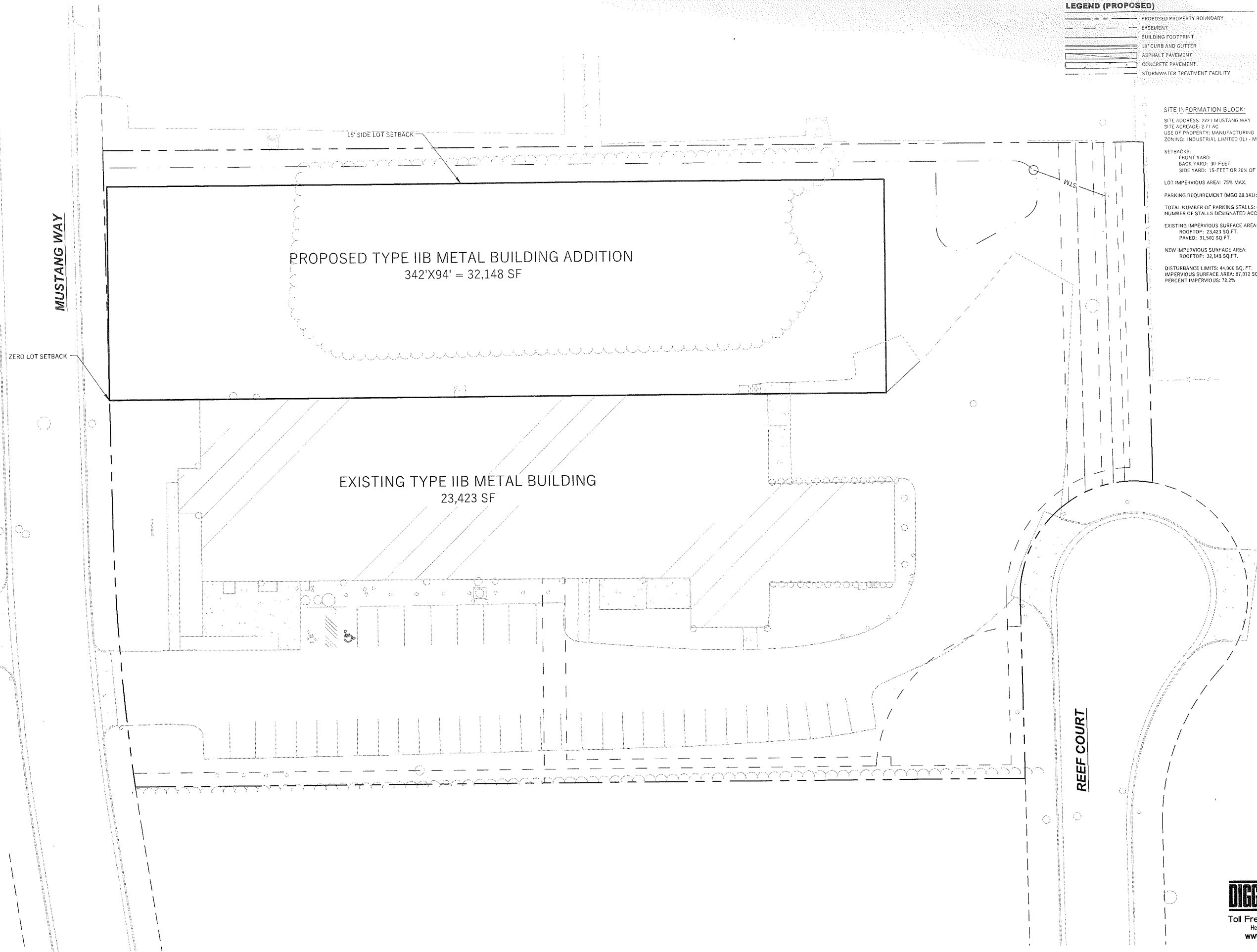
President

Oakhouse Bakery

2221 Mustang Way

Madison, WI 53718

608-223-9808



**LEGEND (PROPOSED)**

☐ PROPOSED PROPERTY BOUNDARY  
☐ EASEMENT  
☐ BUILDING FOOTPRINT  
☒ 13' CURB AND GUTTER  
☐ ASPHALT PAVEMENT  
☐ CONCRETE PAVEMENT  
☐ STORMWATER TREATMENT FACILITY



SITE INFORMATION BLOCK:

SITE ADDRESS: 2721 MUSTANG WAY  
SITE ACREAGE: 2.71 AC  
USE OF PROPERTY: MANUFACTURING  
ZONING: INDUSTRIAL LIMITED (IL) - MGO 23.088

SETBACKS:

FRONT YARD: -  
BACK YARD: 30- FEET  
SIDE YARD: 15- FEET OR 20% OF BUILDING HEIGHT (MIN)

LOT IMPERVIOUS AREA: 75% MAX.

PARKING REQUIREMENT (MGO 28.141): NO MINIMUM

TOTAL NUMBER OF PARKING STALLS: 42  
NUMBER OF STALLS DESIGNATED ACCESSIBLE: 1

EXISTING IMPERVIOUS SURFACE AREA: 54,924 SQ.FT.  
ROOFTOP: 23,423 SQ.FT.  
PAVED: 31,501 SQ.FT.

NEW IMPERVIOUS SURFACE AREA:  
ROOFTOP: 32,148 SQ.FT.

DISTURBANCE LIMITS: 44,000 SQ. FT.  
IMPERVIOUS SURFACE AREA: 87,072 SQ.FT.  
PERCENT IMPERVIOUS: 72.2%

WYSER  
ENGINEERING

KILEN ENGINEERING, LLC

OAKHOUSE FARM BAKERY  
BUILDING ADDITION

CITY OF MADISON, DANE COUNTY, WI

2221 MUSTANG WAY  
MADISON, WI 53718

Sheet Title:  
SITE PLAN

Revisions:

[illegible]

Graphic Scale

Wyser Number	17-0477
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Set Type	VARIANCE APPLICATION
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Date Issued	10/03/2017
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Sheet Number	C100
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## DIGGERS HOTLINE

**Toll Free (800) 242-8511 -or- 811**  
Hearing Impaired TDD (800) 542-2289  
**www.DiggersHotline.com**

## City of Madison Fire Department Position Statement

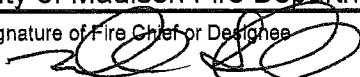
Owner: Kenneth W Ehlen E&H, LLC (dba: Oakhouse Bakery)	Project Name: Oakhouse Bakery Building Addition	Contact: Chris Kilen Kilen Engineering
Address: 2221 Mustang Way Madison, WI	Building Location: 2221 Mustang Way	Address: 7771 County Road A Belleville, WI 53508
Owner Phone: 608-223-9808 Email: kehlen@oakhousebakery.com	Building Occupancy or Use: Group F	Phone: 608-424-1985 Email: chrisk@kilenengineering.com

**Rule Being Petitioned: IBC 503.1 & IBC 903.2.4**

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

☐ Approval      ☒ Conditional Approval      ☐ Denial      ☐ No Comment

- All high piled storage and storage of Group A plastics shall occur within portions of the building protected by the fire sprinkler system.
- Fire sprinkler protection shall be extended to all portions of the existing building by December 31, 2024.

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 October 4, 2017