

RECEIVED

RECEIVED

VARIANCE FEES

MGO \$50.00
COMM \$490.00
Priority - Double above

PETITION FOR VARIANCE APPLICATION

APR 12 2019

City of Madison Building
Inspection Division
215 Martin Luther King Jr Blvd
Suite 017 Madison, WI 53703
(608) 266-4568

Amount Paid

\$490 4.8.19

MADISON FIRE DEPARTMENT
ADMINISTRATION

MADISON FIRE DEPARTMENT
ADMINISTRATION

Name of Owner SCOTT PRATT	Project Description SECOND MEANS OF EGRESS BALCONY REPLACEMENT	Agent, architect, or engineering firm POSITIVE SPACE DESIGN
Company (if applies) LIVE HERE, LLC		No. & Street 5630 LAKE MENDOTA DR
No. & Street 4044 OAK PARK RD	Tenant name (if any)	City, State, Zip Code MADISON, WI 53705
City, State, Zip Code DEERFIELD, WI 53531	Building Address 308 N CARROLL	Phone 608 515 3525
Phone 608 577 7758	MADISON WI 53703	Name of Contact Person TOM ZALEWSKI
e-mail pratt@phase2horizon.com		e-mail tom.zalewski@gmail.com

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

① IBC 1011.10: CODE PERMITS SPIRAL STAIRS FROM A SPACE OF NOT MORE THAN 250 SF AND AN OCCUPANT LOAD OF NOT MORE THAN 5 OCCUPANTS. PROPOSED SPIRAL STAIRCASE WILL PROVIDE EXIT SPACE OF 900 SF AND OCCUPANT LOAD OF 8. ② IBC 1027: CODE REQUIRES 1-HR FIRE RATED EXTERIOR WALL. EXISTING WALL DOES NOT MEET THIS REQUIREMENT.

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

① AREA TOO SMALL TO PROVIDE CONVENTIONAL STAIRS W/INTERMEDIATE LANDINGS.
② EXISTING EXTERIOR WALL IS CLOSE TO 1-HR FIRE RATED WALL BECAUSE 1/2" GWB WAS ADDED. INCREASING GWB RESULTS IN LOW BENEFIT/COST RATIO.

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:

① SPIRAL STAIRS INCREASE THE EXITING CAPACITY OF THE BUILDING
② THE EXISTING DOORS AND WINDOWS WILL BE REPLACED WITH 20 MINUTE FIRE RATED DOORS AND WINDOWS. EXTRA LAYER OF 1/2" GWB INCREASES FIRE SEPARATION IN WALL.
③ ADDING HARDWIRED SMOKE DETECTORS TO FIRST FLOOR.

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.

Scott Pratt
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 		Subscribed and sworn to before me this date: <u>April 10, 2019</u>
Notary public <u>Katherine Mooney</u>		My commission expires: <u>12/19/2022</u>

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.

City of Madison Fire Department Position Statement


Owner: Scott Pratt Live Here, LLC	Project Description: Second means of egress	Contact: Tom Zalewski Positive Space Design
Address: 4044 Oak Park Road Deerfield, WI 53531	Building Location: 308 N Carroll Street	Address: 5630 Lake Mendota Dr Madison, WI 53705
Owner Phone: 608-577-7758 Email: pratt@phase2horizon.com	Building Occupancy or Use: Residential R-2	Phone: 608-515-3525 Email: Tom.zalewski8@gmail.com

Rule Being Petitioned: IBC 1011.10

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

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

- This is an existing 3-unit apartment building.
- The proposed spiral stair would replace an existing fire escape that ends with a jump from the second floor. The spiral stair ends at grade.

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 23, 2019