

The submittal described above has been reviewed for conformance with applicable Wisconsin Administrative Codes and Wisconsin Statutes. The submittal has been **CONDITIONALLY APPROVED**. The owner, as defined in chapter 101.01(10), Wisconsin Statutes, is responsible for compliance with all code requirements.

Your Petition for Variance of code section(s) noted above has been reviewed.

The code section petitioned requires that whirlpools have stairs at least every 50 feet of perimeter or fraction thereof, if stairs are required in the whirlpool.

The variance requested is to install stairs with a separating distance in excess of the 50 foot maximum.

The intent of the code section petitioned is to allow emergency access to the whirlpool and ease of exit for whirlpool patrons.

The petitioner submitted a notarized SB-9890 application form including three additional page(s) of supporting documents and/or plans.

Reviewer's Comments:

1. The petitioner has provided information to illustrate that the furthest distance from the stairs is less in the proposed pool than in round or rectangular pools of the same perimeter.

Departmental Action: **CONDITIONAL APPROVAL**

Conditions of Approval:

1. All of the petitioner's statements included on the variance application form, any other documents submitted to the Department, and all conditions of approval, if any, listed below shall be carried out. This variance is specific to the subject petition and cannot be used for any additional modifications.
2. The stairs shall be installed as shown in the approved plan #245701.

This decision will become final unless the department within 30 days from the date of this letter receives a written request for a hearing. A request for hearing should be sent to the address shown on this letterhead. A copy of this letter must be included with the request for a hearing. The request for hearing should state the reasons for objecting to the department's decision, because a request for hearing may be denied if it does not present a significant question in fact, law or policy.

A copy of the approved plans, specifications and this letter shall be on-site during construction and open to inspection by authorized representatives of the Department, which may include local inspectors. All permits required by the state or the local municipality shall be obtained prior to commencement of construction/installation/operation.

In granting this approval the Division of Safety and Buildings reserves the right to require changes or additions should conditions arise making them necessary for code compliance. As per state stats 101.12(2), nothing in this review shall relieve the designer of the responsibility for designing a safe building, structure, or component.