

## **SEPTEMBER 26, 2024 BOA PUBLIC HEARING**

Appeal 3728. Appeal by LabCorp (Wayne Whiting, Strang, Inc., agent), for a variance from maximum allowable height of a structure permitted within the Dane County Regional Airport Height Limitation Zone as provided by Section 78.03, Dane County Code of Ordinances, to allow HVAC upgrades to the mechanical penthouse at 3301 Kinsman Boulevard, being Lot 1, Certified Survey Map 12516 in the SE 1/4 NE 1/4 Section 29, Town 08 North, Range 10 East, City of Madison.

OWNER: Covance Laboratories Inc. (LabCorp)  
AGENT: Wayne Whiting, Strang, Inc., Madison, WI  
LOCATION: 3301 Kinsman Boulevard  
ZONING DISTRICT: City of Madison; AHLZ

### COMMUNICATIONS:

04/19/2024 Email from Katie Bannon, Zoning Administrator, City of Madison acknowledging application for variance within the City of Madison.

07/15/2024 Email from Chad Rasmussen, Director of Operations and Public Safety, Dane County Regional Airport, stating airport has no objection to the variance request.

06/07/2024 FAA Determination of No Hazard to Air Navigation, with conditions, issued.

### Facts of the Case:

#### Existing:

- Airport Height Limitation Zoning authority in all Dane County municipalities within three (3) miles of the Dane County Regional Airport is granted to Dane County Zoning Division under Chapter 78, Dane County Code of Ordinances (DCCO).
- LabCorp buildings are located adjacent to the Dane County Regional Airport within the City of Madison and in the Airport Height Limitation Zone (AHLZ).
- Previous variances have been granted for both temporary cranes and permanent structures at this location. Most recently variances include Appeal 3585, granted 12/2009, for a variance of 145 feet or 1,058 feet Above Mean Sea Level (AMSL) from the maximum permitted AHLZ elevation of 913 feet AMSL to allow a temporary construction crane for a proposed Covance project and Appeal 3588, granted 01/2010 for permanent exhaust stacks exceeding the maximum AHLZ.
- The LabCorp buildings are pre-existing, non-conforming structures in the AHLZ, with a 949.6\* ft AMSL HVAC penthouse height. Part of the complex was built before the AHLZ Ordinance was adopted in 1976, and additions were built before Airport runways were lengthened in the 1990s. At that time, the maximum AHLZ elevation was reduced from 926.2 feet AMSL to 913 feet AMSL. Six (7) previous variances have been granted for projects including temporary construction cranes and permanent additions.

#### Proposed

- LabCorp requires new roof-mounted HVAC upgrades on the existing penthouse. The proposed additions will be at or below the existing equipment/building elevations and not create any further encroachment into the AHLZ.

#### Zoning Notes:

- See variance history mentioned above.

**VARIANCE REQUESTED:** Allow installation of new HVAC equipment to mechanical penthouse.

#### **Airport Height Limitation Zone (AHLZ) Variance:**

- Existing grade elevation 855 feet Above Mean Sea Level (AMSL) per (FAA) (Note: This is the elevation at the base of the existing building, closest to the proposed additions.)
- Maximum Height of Structure Permitted in AHLZ: 913 ft. AMSL (57 ft. Above Ground Level [AGL])
- Proposed height of encroachment: 926.2 feet AMSL as per FAA (71 feet AGL as per FAA)

**VARIANCE NEEDED: 13.2 feet**