

Location: 1023 Vaughn Dr

Zoned: Open Space (OS)

Ryan Leach – 132 Lois Ln – the applicant approached the podium.

R. Dibaya explained that R. Leach was requesting to bring the property into conformance with the Zoning Ordinance as dwelling units were not permitted for zoning classification OS.

J. Wilber asked R. Dibaya how long the property had been there, to which R. Dibaya responded since around 1996.

P. Thevenow asked how the structure was allowed to be built.

R. Dibaya stated that he couldn't find anything that outlined why it was permitted to be built.

K. Eaglin asked R. Leach if they plan on building onto the structure, to which R. Leach stated that they would just be extending the walls.

J. Wilber asked the Board and the audience if they had any further questions.

Lisa Hammock -6126 N 400 W – approached the podium and explained that they own the property to the East and that the parcel was on their lot line. She further explained that they had a survey conducted that supports this and added that the residence would not be able to meet the setback restrictions. She then asked R. Leach if they were going to work on the first floor of the property or the second floor, to which R. Leach responded that they'd work on the second floor.

J. Wilber asked R. Leach if they would be moving toward the boundaries of the property.

R. Leach stated that they would not be extending the footprint of the property whatsoever.

L. Hammock stated that that portion may be over the lot line, and that they should verify that.

R. Dibaya stated that R. Leach could request a Variance to address not being able to meet the setback restrictions for the property if the rezoning were to go through.

J. Wilber explained that the structure just so happened to be placed on land that shouldn't have allowed for it at the time it was placed there, and that R. Dibaya could work with the applicant to address any requirements that they may need.

Charlie Ricketts – 707 W First St – approached the podium. C. Ricketts explained that he had no problems with the request, but stated that his concern was that the rezoning of the property would be considered spot zoning. He added that he believes that the Board could find another way to allow for the applicant to complete the renovations. He added that the riverfront is a valuable asset to Madison and that it should be protected.

J. Wilber briefly discussed the peculiar nature of the property and the request, noting specifically the property being built in a zoning classification that does not permit dwelling units and briefly touched on developments near the riverfront.

P. Thevenow asked R. Dibaya if Open Space would allow for a Variance.

R. Dibaya replied that they could request a Variance of Use, but if they were granted that request, he would not have restrictions to apply to the property for zoning approval as he would with other residential zoning classifications.

P. Thevenow stated that he would feel more comfortable not rezoning the property, but allowing the request to go before the BZA for a Variance as it would allow the applicant to conduct the renovations.

K. Eaglin added that this would keep the riverfront from experiencing spot zoning.

R. Leach made a comment about properties being rezoned along Vaughn Drive.

R. Dibaya stated that those properties were zoned Residential Agricultural long ago.

J. Wilber asked if R. Leach would have to wait for the next scheduled meeting to go before the BZA, to which R. Dibaya that he would.

A brief discussion was had about how long it would take for the application process to take place, what steps would need to be taken next, and if the BZA meeting that would be the last Board that R. Leach would have to meet with to start working on the home.

R. Leach had a few questions about why he needed the Variance to which R. Dibaya explained the reasoning.

K. Eaglin made the motion to send an unfavorable recommendation to the City Council – seconded by Z. Laughlin – Roll Call Vote – all ayes – Final vote is six (6) against and none in favor. Motion Carries.

PCRZ-24-10 was sent to City Council with an unfavorable recommendation.

J. Wilber asked R. Dibaya if there was any other new business.

R. Dibaya stated that M. Armstrong was reappointed to the Planning Commission by Mayor Bob Courtney.

No further business brought before the Board.

K. Eaglin made the motion to adjourn – seconded by Z. Laughlin – Unanimous Consent Vote – Motion carries.

Meeting adjourned at 5:21 p.m.

BY ORDER OF THE MADISON CITY PLAN COMMISSION

J. Wilber, Chairman

Ray Dibaya, Secretary/Associate Planner