



## PROJECT BRIEF –BZCU-25-5

Application Date: 02/19/2025

Meeting Date: 03/10/2025

### Application Description:

An application has been filed for a Conditional Use Permit for Category 130 Apartments.

<b>Current Zoning:</b> Medium Density Residential (R-8)	<b>Project Location:</b> 1630 Washington Ave
<b>Applicant:</b> Rodney Pettit	<b>Owner:</b> Pettit Properties LLC

Preliminary Staff Recommendation: Approve with Conditions

### Conditions:

1. Off street parking must meet the minimum requirements of the zoning ordinance

### Reasoning:

NA

### History, Relevant Information, & Prior Approvals:

#### History:

Building permit filed for a tri-plex structure on the parcel.

#### Relevant Information:

Neighborhood is a mixture of single family and duplex apartments.

Prior Approvals: NA

### Surrounding Zoning and Land Use:

<b>North:</b> Medium Density Residential (R-8)
<b>South:</b> Medium Density Residential (R-8)
<b>East:</b> Medium Density Residential (R-8)
<b>West:</b> Medium Density Residential (R-8)



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

*Future Land Use Designations (pg. 74-78)*

#### SUBURBAN RESIDENTIAL

Suburban Residential refers to neighborhoods of single-family of low to moderate densities, as well as attached, manufactured, and multifamily developments. This category is characterized by larger lot and housing typically built after World War II. Suburban residential areas may also contain institutional uses such as civic, religious, and educational facilities. New development should always be required to connect to existing infrastructure and utility services. Residential neighborhoods should be connected by streets and sidewalks or multi-use paths to schools and other compatible non-residential areas. Cul-de-sac streets, which do not encourage connectivity, should be minimized.

### Ordinance:

*SECTION 6.13 – MEDIUM DENSITY RESIDENTIAL (R-8) (pg. 50-56)*

1. Residence Halls, Residential assisted living and/or long term care facility, and Apartments (121, 122, 123, 130)
  - a) Setbacks shall be not less than thirty (30) feet from the right-of-way if bordering a collector or lesser street or fifty (50) feet from the right-of-way if bordering an arterial or higher functional class street.
  - b) Side yards shall in no case be less than ten (10) feet wide in the Medium Density Residential District.
  - c) For every story in excess of the first, or when the height of a single story structure exceeds twenty-five (25) feet, the side yard width shall be increased by five (5) feet. Example: A two (2) story structure would have a required side yard width of fifteen (15) feet.
  - d) Parking lots shall be placed behind or alongside the principal buildings and shall be screened from the view of the surrounding dwelling units. Further, no parking area shall be located within fifteen (15) feet of lot lines.
  - e) Lighted areas shall be approved prior to development and shall be placed in such a way that they do not infringe upon the rights of adjacent property owners. It is recommended that no light standard be placed closer than fifty (50) feet from any adjacent property line.

### Finding of Fact:

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes, this is a residential area and there are multi-unit buildings on this street already.
Staff Response:	Yes, apartments are an allowed with a conditional use permit within R-8.

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes, multi-unit building on this street.
Staff Response:	Yes, this neighborhood already has a mixture of single family and multi-family units. The Comprehensive Plan designates this area as suburban residential and specifically calls out for multi-family developments.

***Finding #2 has been satisfied.***

*Finding of Fact #3 - Do you agree this will be designed, constructed, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area?*

The applicant has provided the following response:	Yes, will be an improvement to the area.
Staff Response:	Yes, this neighborhood already has a mixture of single family and multi-family units.

***Finding #3 has been satisfied.***

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	No, same use as property on this street.
Staff Response:	Yes, this neighborhood already has a mixture of single family and multi-family units.

***Finding #4 has been satisfied.***

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services?*

The applicant has provided the following response:	Yes, city water and sewer are available.
Staff Response:	The site has the ability to connect to public infrastructure and is already located within an area with police and fire protection.

***Finding #5 has been satisfied.***

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	No, same as surrounding properties.
Staff Response:	Public facilities and services currently exist for this property.

***Finding #6 has been satisfied.***

*Finding of Fact #7 - Do you agree this will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors?*

The applicant has provided the following response:	No, same as surrounding properties.
Staff Response:	Apartments are allowed by conditional use and will not create any adverse conditions.

*Finding #7 has been satisfied.*

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	Yes, will be a driveway like all the other houses on the street.
Staff Response:	If the applicant meets the zoning requirements for off-street parking (2 spots per unit) then this should not negatively impact traffic.

*Finding #8 has been satisfied with the proposed conditions.*

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	No, same as surrounding properties.
Staff Response:	The construction of this structure will not result in the loss of any natural, scenic or historic features.

*Finding #9 has been satisfied.*



# MADISON

Indiana  
Planning, Preservation and Design

DOCKET ID ASSIGNED:  
BZCU-25-5

101 W Main St  
Madison, IN 47250  
(812) 265-8324

## Conditional Use Permit

Paper applications will be accepted by the Office of Planning, Preservation, and Design; however, electronic submissions through our Permit Portal are preferred. This application can be submitted electronically at [www.madison-in.gov/reporting](http://www.madison-in.gov/reporting).

Application Fee	\$ 60.00
Ad Fee (for Legal Notice)	\$ 15.00
Recording Fee	\$ 25.00
<b>Total Due</b>	<b>\$ 100.00</b>
Conditional Permit Renewal Fees	\$ 75.00
Conditional Use Permit Late Renewal Fee	\$ 20.00 per meeting

Purpose: Per the City of Madison Zoning Ordinance, the Official Schedule of District Regulations identifies each land use according to whether it is a permitted use, a conditional use, or a prohibited use within each district. A conditional use permit is granted by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district to the property owner who makes the original application. This permit does not transfer to the new owner if the property changes ownership. The new owner must apply to the Board of Zoning Appeals for a new permit in order to continue the use that was conditionally allowed.

This application must be filed at least 15 days prior to scheduled meeting to be eligible for consideration at that meeting. Actual deadlines vary due to holidays, office business hours and operating schedule, media publishing deadlines, etc. Deadlines are published publicly and can also be provided by contacting the Planning Office.

### APPLICANT INFORMATION

Name: Pettit Properties  
 Street: 3818 N. Papermill Rd  
 City: Madison State: IN Zip: 47250  
 Phone (Preferred): 812-701-8785  
 Phone (Alternate): \_\_\_\_\_  
 Email: rodrey@pettitcontracting.com

### OWNER INFORMATION (IF DIFFERENT\*)

Name: Rodrey Pettit  
 Street: 3798 N. Papermill Rd  
 City: Madison State: IN Zip: 47250  
 Phone (Preferred): 812-701-8785  
 Phone (Alternate): \_\_\_\_\_  
 Email: rodrey@pettitcontracting.com

\* If Applicant is not Owner, MUST submit documentation from owner authorizing applicant on their behalf.

### PROPERTY FOR WHICH A CONDITIONAL USE IS REQUESTED

Address and/or Legal Description of Property: 1630 Washington Ave

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Zoning Classification: R-8

Description of Existing Use: vacant

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Proposed Schedule of Uses Category #: 130

Description of Proposed Use: apartments

Submit property site plan showing structures, setbacks, parking, adjoining streets and neighboring land uses.

Per the City of Madison Zoning Ordinance, the Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the established standards and shall find adequate evidence supporting such use at the proposed location.

Provide a detailed Narrative statement demonstrating that the requested variance conforms to the following standards. Respond to each question below with Yes/No and why. Use additional pages if necessary.

1. Is this use in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of District Regulations, adopted by Section 7.00 for the zoning district involved?  
Yes, This is residential area + there are multi unit building on this street already
2. Will this use be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and/or the Zoning Ordinance?  
Yes Multi unit building on this street
3. Will this use be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area?  
Yes will be improvement to the area
4. Will this use be hazardous or disturbing to existing or future neighboring uses?  
No, Same use as property on this Street Residential
5. Will this use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services?  
Yes, city water & sewer are available
6. Will this use create excessive additional requirements at public expense for public facilities and services and/or will it be detrimental to the economic welfare of the community?  
No, Same use as surrounding properties residential
7. Will this involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors?  
No, Same use as surrounding properties residential
8. Will this use have vehicular approaches to the property which will be so designed as not to create an interference with traffic on surrounding public thoroughfares?  
Yes will be a driveway like all other houses on street
9. Will this use result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?  
No, Same use as surrounding properties residential

Include any other documents/information which you feel will aid the Board in making its determination.

*Certified letters MUST be mailed to adjoining property owners (includes owners of real estate at corners, across streets, alleys or easements as well as others who may share a common boundary) at least ten (10) days prior to the meeting. The Planning Office can assist you in obtaining this information. Proof of the Certified Mail receipts and the corresponding returned green cards shall be given to the Planning Office at least one (1) working day prior to the scheduled meeting. The Board will not review the application unless these are received.*

I certify that the information provided in this application is true and accurate to the best of my ability and I understand and agree to the Certified mail stipulations.

2-18-25

Date



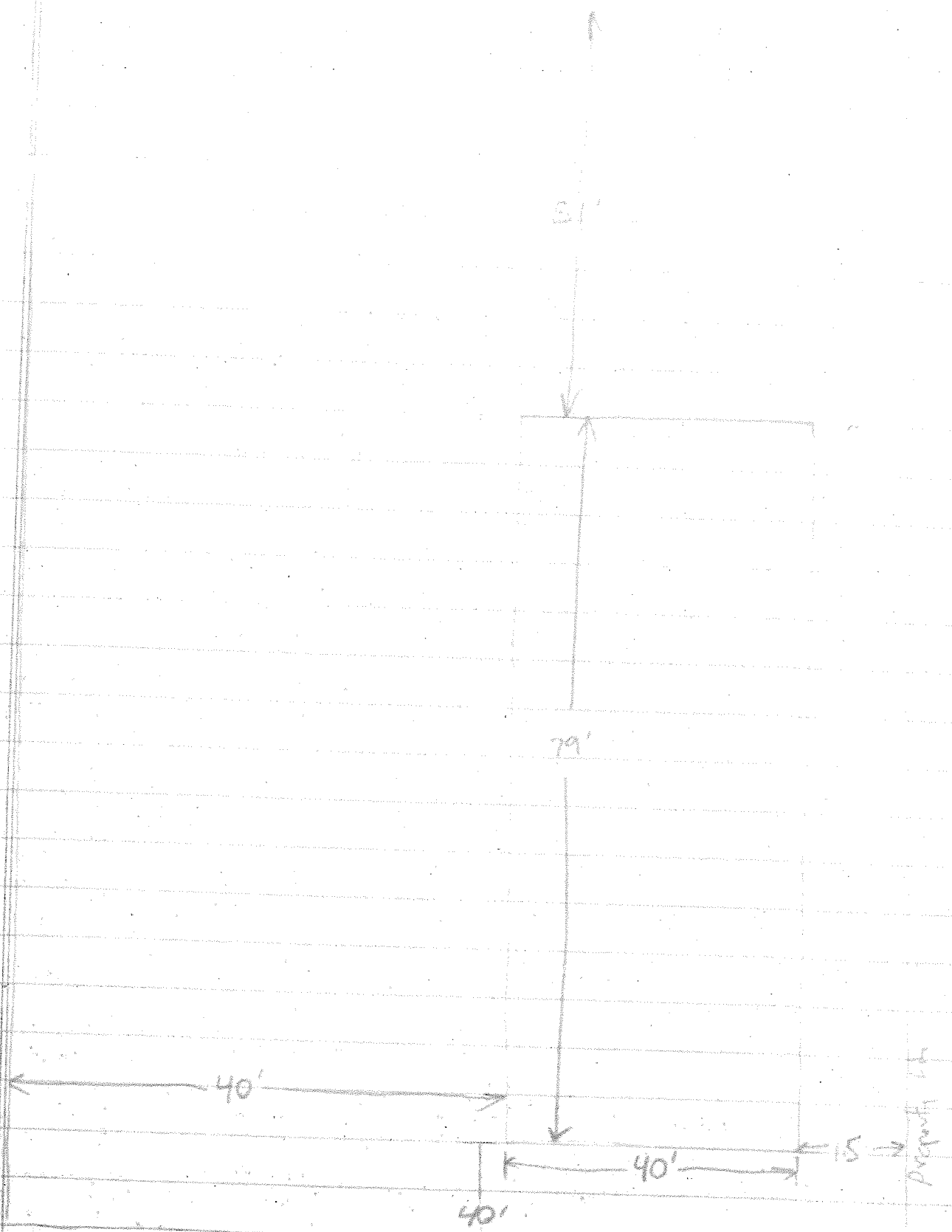
Signature of Applicant

<b>COMPLETED BY PLANNING OFFICE</b>	<b>Meeting Information: Board of Zoning Appeals</b>
Application Accepted on: _____	101 W. Main St, Madison, IN 47250 – Council Chambers
Application Accepted by: _____	<b>Meeting Date: _____ Time: 6:00PM</b>

**Documentation Review** (Completed by Planning Office)

- Owner Authorization provided (if req'd)
- Site plan is adequate
- Narrative Statements completed  
(Proposed Use & 1 – 9 above)
- Application is complete
- GIS Information to applicant and attached
- Certified Mail Receipts received (attach)
- Certified Mail Green Cards received (attach)
- Category # Requires Conditional Use

Staff Notes



Washington Ave

Site Plan  
 1630 Washington Ave  
 Petit Properties  
 Lodi, CA  
 2-12-25





**MadisonZoning**  
Zoning Code:

- GB
- R-8

- Regional Counties
- County Boundary
- Townships
- Water
- Parcels
- Corporate Boundary

**Addresses**

- Regional Count
- Regional Roads
- Regional Highw
- Water
- Railroad
- Dimensions
- Roads
- Highways
- Trails

