

City of Madison Board of Zoning Appeals
June 10, 2024

- M. Acosta: No, I don't see any impact of that at all. It's a house, single residence, it's going to basically be continued to be used in that same manner.
- R. Farris: Yeah, I agree with Mr. Acosta's comments. The use of the property is going to remain the same.
- N. Burkhardt: Yeah, I agree with both those comments.
- S. Baldwin: And given the reality there that there are available parking spaces, generally I think that one is met.

2. *Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*

- M. Acosta: I think it would have a positive effect for them to rent it out and allow others to use it. That's going to put you towards better upkeep and all that, so it can't be more than beneficial.
- R. Farris: I agree with those comments as well. I think the applicant intends to maintain the property in a similar fashion to what exists now so, I don't see any adverse effects of that plan.
- N. Burkhardt: I agree. As we've said before, he is improving the property.
- S. Baldwin: And I agree, I do not think that two cars are going to hurt anybody's property value.

3. *Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property?*

- M. Acosta: Difficulty being that no access to the back of the area to allow for any off-street parking, which obviously, strict application would mean it could not be used for that. You could argue it could be used for a single residence.
- R. Farris: Yeah, I agree with those comments as well. I mean, as we often see, parking is always an issue with these older downtown properties and if we applied the ordinances as written, it would hinder their ability to do what they're asking to do.
- N. Burkhardt: I agree with both those prior comments.
- S. Baldwin: The practical difficulty is that property was designed, frankly, so there is no way to get a car onto it. The other practical difficulty, as pointed out, to get a car on it you'd have to tear down a structure. And so, given those two realities, I think that one's met. We've gone through our findings of fact. We will take a motion. This is a variance from development standards.

N. Burkhardt made the motion to approve the application as submitted – Seconded by R. Farris – Roll Call Vote – Final Vote is four (4) in favor and none against – Motion Carries.

Application BZVD-24-4 was approved in accordance with the motion and vote.

S. Baldwin noted that this application was the last item on the agenda for the meeting. S. Baldwin then asked staff for a follow-up to Indiana Apartment Holdings conditional use permit renewal as he didn't see anything on the agenda pertaining to it.

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D. Sharpe stated that he had emailed their attorney and had not gotten a response. D. Sharpe then requested that the application be continued once more as they had paid their renewals the previous year after being contacted, so he believes that there was a communication breakdown between the parties.

S. Baldwin made the motion to continue this renewal until our next regular meeting – Seconded by M. Acosta.

S. Baldwin asked if there was anything else that needed to be addressed.

N. Schell gave the Board an update on the zoning ordinance and subdivision standard process. She stated that they had received five (5) submittals, and that the selection committee is currently reviewing them with the intention of selecting a consultant by July.

No further business brought before the Board.

R. Farris made the motion to adjourn – Seconded by M. Acosta– Unanimous Consent vote – Final vote is four (4) in favor and none against – Motion carries.

The meeting adjourned at 6:15 p.m. in accordance with the motion and vote.

BY ORDER OF THE CITY OF MADISON BOARD OF ZONING APPEALS



Scott Baldwin, Chairman



Ray Dibaya, Secretary/Associate Planner