

- John Aaron & Jennifer Harmon – Conditional Use Permit for an upscale consignment shop.
Location: 1416 Bear St
Zoned: Local Business (LB)
One-Year Renewal
- Anderson’s Land Investments, LLC – Conditional Use Permit for Beauty & Barber services.
Location: 2920 Clifty Dr
Zoned: Light Manufacturing District (M-1)
One-Year Renewal
- Andrew Legrand – Conditional Use Permit for a motor vehicle transportation business.
No junk, spare tires and/or parts collected on the property outside of a building - anything that is visible; not to exceed more than 10 trucks, not to exceed more than 12 trailers.
Location: 2820 Clifty Dr
Zoned: General Business (GB)
One-Year Renewal
- Carl Hungness – Conditional Use Permit for an apartment on the first floor only.
Location: 318 Mulberry St
Zoned: Central Business District (CBD)
One-Year Renewal
- Lena Burns – Conditional Use Permit for a residential daycare. (maximum of 16 children, hours 7:00am - 5:00pm)
Location: 124 Crestwood Dr
Zoned: Medium Density Residential (R-8)
One-Year Renewal
- Monty & Nellie Mason – Conditional Use Permit for a mobile home.
Location: 3341 W 400 N
Zoned: Residential Agricultural (RA)
One-Year Renewal
- Susan L. Smith – Conditional Use Permit for one (1) camper and one (1) boat with trailer for five (5) months - June 1st through October 31st; and up to two (2) additional campers for five (5) holidays.
Location: 926 E Vaughn Dr
Zoned: Open Space (OS)
One-Year Renewal
- Anna Lauderbaugh – Conditional Use Permit for a pet grooming business. Business Hours allowed of 8AM - 5PM Monday through Friday and every other weekend. No more than one customer at a time. Installation of sound-proofing material in business areas.
Location: 1850 Adams Dr
Zoned: Medium Density Residential (R-8)
One-Year Renewal

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| 9. | Ryan Rodgers – Conditional Use Permit for a short-term AirBNB style rental.
Location: 209 W First St | Zoned: Historic District Residential (HDR)
One-Year Renewal |
| 10. | Ryan Rodgers – Conditional Use Permit for a short-term AirBNB style rental.
Location: 207 W First St | Zoned: Historic District Residential (HDR)
One-Year Renewal |
| 11. | Michael Holcak – Conditional Use Permit for a short-term AirBNB style rental.
Location: 604 Jefferson St | Zoned: Historic District Residential (HDR)
One-Year Renewal |
| 12. | Jessica Lawless/New Life Fellowship – Conditional Use Permit for a daycare/childcare ministry.
Location: 1542 Clifty Dr | Zoned: Local Business District (LB)
One-Year Renewal |
| 13. | Landon & Amy Ralston – Conditional Use Permit for home occupation for purchase and sales of firearms by appointment only.
Conditions:
1) No signage permitted
2) No inventory other than personal
3) No website
4) No ammunition/parts of ammunition other than personal
5) By appointment only between the hours of 8am and 5pm
Location: 1970 Clifty Dr | Zoned: Medium Density Residential (R-8)
One-Year Renewal |
| 14. | Cynthia Johnson – Conditional Use Permit for short-term rentals.
Conditions:
1) Adhere to submitted House Rules
2) Quiet Hours of 11pm to 8am
Location: 209 East St | Zoned: Historic District Residential (HDR)
One-Year Renewal |

S. Baldwin noted that Renewals #1, 2, 3, 4, 6, 7, 8, 9, 10, 13, and 14 had been paid. S. Baldwin made the motion that the renewals that had been paid be approved – Seconded by N. Burkhardt – Unanimous Consent Vote – Final vote is three (3) in favor and none against – Motion Carries.

Renewals #1-4, 6-9, 10, 13, and 14 were renewed in accordance with the motion and vote.

S. Baldwin noted that Renewals #5, 11, and 12 had not been paid. S. Baldwin made the motion that the renewals be renewed conditionally upon payment of their renewal fees and added that the appropriate person from the City check to ensure the two daycares are still in business – Seconded by K. Eaglin – Unanimous Consent Vote – Final vote is three (3) in favor and none against – Motion Carries.

Renewals #5, #11, and #12 conditionally renewed in accordance with the motion and vote.

New Applications:

1. **BZVD-24-40:** Donnie Rose – Variance from Development Standards for lot acreage to allow for the construction of a detached garage.
Location: 2201 N Borcharding Rd Zoned: Residential Agricultural (RA)

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Donnie Rose – 201 N Borcharding Rd – the applicant approached the podium and explained the request for the Variance.

N. Burkhardt asked D. Rose if properties near his home also had detached garages, to which D. Rose responded that he knows that the property North of his home and behind his home have detached garages.

A brief discussion was had about the placement of the garage.

D. Rose mentioned that he was able to work with staff to determine the accurate lot lines for the property to ensure the garage could meet the setbacks as the ones shown on ThinkGIS were not accurate but added that his property did not meet the minimum acreage for what it was zoned.

S. Baldwin asked the Board and the audience if they had any questions or comments.

S. Baldwin then went into the Findings of Fact.

Findings of Fact

1. *Will this variance be injurious to the public health, safety, morals, and general welfare of the community?*

N. Burkhardt: No, I don't see a problem with that. Several of the neighbors have a detached garage and I don't see a problem with it.

K. Eaglin: I think it will fit very well with the other property owners.

S. Baldwin: And given that all the lots that I've seen out there seem to be undersized, I see no problem here at all.

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

N. Burkhardt: No, I see no harm in the value of it.

K. Eaglin: No, it would probably help everybody's value. I think it's probably more valuable also.

S. Baldwin: And first; we received no testimony that it would, and second; all the lots out there are built up and they're small, so I see no problem there.

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

N. Burkhardt: Yeah, his lot just isn't big enough for what he wants to do. If we went with the ordinance – he should be allowed the same rights as his neighbors which have detached garages.

K. Eaglin: I agree with that explanation.

S. Baldwin: The practical difficulties is, for some reason, those lots were all laid out small and he did not do it. So, I think that one's met.

N. Burkhardt made the motion to approve the application as submitted – Seconded by K. Eaglin – Roll Call Vote – all ayes - Final Vote is three (3) in favor and none against – Motion Carries.

Application BZVD-24-40 was approved in accordance with the motion and vote.

2. **BZVD-24-41:** Shane Calkin – Variance from Development Standards for setbacks to allow for the construction of a pole barn.

Location: 1300 W Second St

Zoned: Medium Density Residential (R-8)

S. Baldwin noted that due to various circumstances, this application needed to be tabled. S. Baldwin made the motion to table the application to the next meeting (October 15, 2024) – Seconded by N. Burkhardt – Roll Call Vote – all ayes – Final vote is three (3) in favor and none against – Motion Carries.

Application BZVD-24-41 was tabled in accordance with the motion and vote.

Old Business:

1. Margaret Seifert-Russell – Conditional Use Permit for a folk art and doll museum and learning center.

Location: 113 E Third St

Zoned: Historic District Residential (HDR)

One-Year Renewal

S. Baldwin noted that the renewal fees had not been paid but the property was for sale, so the Conditional Use Permit shall be allowed to expire.

No further business brought before the Board.

S. Baldwin made the motion to adjourn – Seconded by K. Eaglin – Unanimous Consent vote – Final vote is three (3) in favor and none against – Motion carries.

The meeting adjourned at 6:12 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