

City of Madison Board of Zoning Appeals
April 10, 2023

Minutes

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MADISON CITY BOARD OF ZONING APPEALS

The City of Madison Board of Zoning Appeals held a regular meeting on Monday, April 10, 2023 at 6:00 p.m. in City Hall. Scott Baldwin presided over the meeting with the following additional Board Members present: Mark Acosta, Nancy Burkhardt, and Rick Farris. Also present: Devon Sharpe, Attorney; and Joe Patterson, Secretary/Associate Planner. Absent: Nicole Schell, Director of Planning.

Minutes:

No additions or corrections noted for the February 13, 2023 or March 20, 2023 Minutes. S. Baldwin made motion to approve the minutes as written – seconded by N. Burkhardt. Unanimous Consent Vote – all ayes – Final vote is four (4) in favor and none against – Motion carries.

February 13, 2023 Minutes and March 20, 2023 Minutes approved in accordance with motion and vote.

Renewals:

1. Mason & Mefford Auto Sales, Inc – Conditional Use Permit for an auto sales lot.
Location: 3112 Wilson Ave / N Shun Pike Rd Zoned: Light Manufacturing (M-1)
One-Year Renewal
2. Jim Macke –Conditional Use Permit for two cabins to be utilized for guest cottages.
Location: 1708 E Dugan Hollow Rd Zoned: Hillside (HS)
One-Year Renewal
3. Camille Fife – Conditional Use Permit to operate an in-home professional consulting service.
Location: 608 Mulberry St Zoned: Historic District Residential (HDR)
One-Year Renewal
4. Eric Davis – Conditional Use Permit for a mobile home at the rear of property.
Location: 992 Saddle Tree Ln Zoned: Medium Density Residential (R-8)
One-Year Renewal
5. Hanover Baptist Church – Conditional Use Permit for a worship center. Applicants also request change to length of renewal term.
Location: 3894 W SR 56 Zoned: Low Density Residential (R-4)
One-Year Renewal
6. Russell N. Linville – Conditional Use Permit to operate an automobile repair business.
Location: 1801 Allen St Zoned: Medium Density Residential (R-8)
One-Year Renewal
7. One Scientific, Inc – Conditional Use Permit for an engineering office and lab.
Location: 2715 Clifty Dr Zoned: General Business (GB)
One-Year Renewal

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8. Kimberly S Taylor for Jefferson County Transitional Services – Conditional Use Permit to house a maximum of ten (10) residents - nine (9) Transitional Services residents and one (1) manager. Transitional Services rules to be maintained.

Location: 309 St Michaels Ave / 515 E Second St Zoned: Historic District Residential (HDR)
One-Year Renewal

9. Darlisa Davis – Conditional Use Permit for a preschool/daycare facility.

Location: 431 Ivy Tech Dr Zoned: General Business (GB)
One-Year Renewal

S. Baldwin noted that Renewals #1 – 4 and #9 had been paid and made motion that these renewals be approved – seconded by M. Acosta – Unanimous Consent Vote – Final vote is four (4) in favor and none against – Motion carries.

Renewals #1 – 4 and #9 renewed in accordance with motion and vote.

S. Baldwin noted that Renewals #6 – 8 had not been paid and made motion that a letter be sent by the Attorney notifying that the renewals had not been paid and are therefore expired, but will be renewed if paid before the next meeting – seconded by R. Farris – Roll Call Vote – All ayes – Final vote is four (4) in favor and none against – Motion carries.

Renewals #6 – 8 conditionally renewed in accordance with motion and vote.

S. Baldwin noted that Renewal #5 had been paid and that the applicants had requested a longer renewal term. After brief discussion, S. Baldwin made motion that Renewal #5 be renewed and given a five-year Renewal Term – seconded by M. Acosta – Roll Call Vote – All ayes – Final vote is four (4) in favor and none against – Motion carries.

Renewals #5 renewed in accordance with motion and vote.

New Applications:

1. **BZCU-23-20:** Sharon Daghir – Conditional Use Permit for owner-occupied residence with short-term rentals primarily for travel nurses.

Location: 217 E Fourth St Zoned: Historic District Residential (HDR)

Sharon Daghir – 217 E Fourth St – Owner of property and also 215 E Fourth St. Seeking a Conditional Use Permit to allow short-term stays for travel nurses. Stated that they live on the lower floor of 217 E Fourth St with the upper floor being currently vacant and that 215 E Fourth St is currently rented and occupied by a long-term resident.

The applicants had previously owned and rented a home in West Virginia and one of the occupants was a traveling nurse. Stated that King's Daughter Hospital frequently brings in travel nurses typically for one to six weeks and sometimes longer stays. There would be two apartments available for these stays.

The Board and applicant discussed that there currently are no established House Rules as some of the rules could be dependent on what is or is not allowed per the contracts that the traveling nurses and hospital agree to. The applicant also stated that the only available parking would be on-street only.

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The applicant also stated that she wanted to discuss the travelling nurse business with other people who are travelling nurses to get better acquainted with their experiences and needs.

Linda Knoble – 213 E Fourth St – Neighbor to the applicant and rents her home to her niece. Several of her questions had been answered, however she still has concerns regarding the potential noise and parking for these short-term renters as the existing tenant in 215 E Fourth St has had some issues with these items and feels that house rules would alleviate some of these detrimental situations

Sharon Daghir – Expressed that there would only be the two locations requiring parking and there would be notification required if family or other visits were planned and that house rules would aid in clarifying that information. The applicant stated that she wanted to discuss the travel nurse program further with local traveling nurses as well as the hospital to get a better understanding.

No further questions or comments from the Board. No further comments from the public.

S. Baldwin made motion to table this application to the next regular meeting and that the applicant present a set of house rules to Staff for review to include established quiet hours of 10pm to 9am, the number of guests and visitors, and any other items – Seconded by R. Farris – Roll Call vote – all ayes – Final vote is four (4) in favor and none against – Motion carries.

Application tabled in accordance with motion and vote.

New/Old Business:

JD Traylor – Pastor of Hanover Baptist Church arrived and gave a brief overview of the project and requested a twenty-five year renewal period. After some brief discussion, the Board elected to keep the previous term change of five years in place.

No further business brought before the board.

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

Meeting adjourned at 6:37pm in accordance with motion and vote.

BY ORDER OF THE CITY OF MADISON BOARD OF ZONING APPEALS

Scott Baldwin, Chairman

Joe Patterson, Secretary/Associate Planner