



# MADISON

Indiana  
Planning, Preservation and Design

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

## Conditional Use Permit

BZCU-23-29

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: Dagon Hollow Retreats LLC  
Street: 1708 E. Dagon Hollow Rd.  
City: Madison State: IN Zip: 47250  
Phone (Preferred): (765) 277-9068  
Phone (Alternate): (812) 340-6082  
Email: dagonhollowretreats@gmail.com

### OWNER INFORMATION (IF DIFFERENT\*)

Name: same  
Street: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone (Preferred): \_\_\_\_\_  
Phone (Alternate): \_\_\_\_\_  
Email: \_\_\_\_\_

\* 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: 1708/1728 E. Dagon Hollow Rd., Madison, IN 47250

Zoning Classification: RA/Hs

Description of Existing Use: short-term vacation rental business consisting of a historic log cabin & 4 suites previously owned & operated by James Maule & Nancy Craig under a conditional use permit granted on 4/15/2013 & annually renewed to present  
Proposed Schedule of Uses Category #: Sec. 11.71

Description of Proposed Use: continuation of existing use as described above; applicant recently purchased the business from James Maule & Nancy Craig & wish to continue the same under the name Dagon Hollow Retreats.

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. The proposed use is a continuation of a conditional use previously granted under Section 11.71.
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. The proposed use will continue the existing use + continue to be in harmony + accordance with the objectives of the Comprehensive Plan + Zoning Ordinance.
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. The use is harmonious with the character of the area + will intentionally remain so, both to respect the appearance of the area + also to allow guests to experience the same.
4. Will this use be hazardous or disturbing to existing or future neighboring uses?  
No. The proposed use is a continuation of an existing conditional use of 10 years. The applicant has taken steps to ensure the use will not be disturbing to neighbors.
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. The use is currently served by Duke Energy + Rykers Ridge water + sewer. The proposed use will not change this.
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. The proposed use will not create any additional requirements of public expense + will continue to be a benefit to the community by bringing additional tourism revenue to Madison.
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. The existing use caters to vacationers seeking a quiet, peaceful place to stay. Existing house rules + requirements are in place to ensure this.
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. Guests will enter the property via E. Oyster Hollow Rd. Given the small number of rentable units, traffic has never been an issue.
9. Will this use result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?  
No. In fact, the use is designed to continue to preserve + celebrate these natural features for guests. This use is not a venue for gatherings, parties, etc.

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.

4/13/2023

Date

[Signature]

Signature of Applicant

**COMPLETED BY PLANNING OFFICE**

Application Accepted on: 4/13/2023

Application Accepted by: Joe Patterson JR

**Meeting Information: Board of Zoning Appeals**

101 W Main St, Madison, IN 47250 – Council Chambers

Meeting Date: MONDAY, MAY 8, 2023 Time: 6:00PM

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

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

**Staff Notes**



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(812) 265-8324

March 17, 2023

Jim Macke  
1708 E Dugan Hollow Rd  
Madison, IN 47250

## RENEWAL NOTICE

This is a courtesy reminder that it is time to renew your Conditional Use Permit issued by the City of Madison Board of Zoning Appeals (BZA) for two log cabins to be utilized for guest cottages.

Location: 1708 E Dugan Hollow Rd  
Category: Section 11.71  
Zoning: HS

Parcel ID: 39-08-25-000-016.001-006  
Renewal Term: 1-Year

You may come to the City of Madison Planning Office located in City Hall at your earliest convenience to pay your renewal fee in person. You may also mail a check, which must be received before the date indicated below, made payable to "CITY OF MADISON" to the following address:

City of Madison  
Attn: Planning Office  
101 W Main St  
Madison, IN 47250

**TOTAL DUE: \$75.00**

***The renewal fee is due on or before April 10, 2023.***

*If payment is received after this date, an additional late fee of \$20.00 per BZA meeting that is missed will apply.*

It is not necessary to attend the BZA meeting unless you desire to change any of the terms or conditions of your Conditional Use Permit. Please contact our Office to discuss any changes desired, if the Conditional Use is no longer desired, or you have any other questions or concerns.

Thank you for your timely cooperation in this matter.

Respectfully,

Joe Patterson  
Associate Planner  
City of Madison, Indiana



### House Rules for The Cabin

1. Please respect check-in and check-out times.
2. No unregistered guests allowed.
3. Maximum Number of Guests = 6.
4. No parties or events allowed.
5. No smoking or vaping allowed inside.
6. No illegal substances allowed on the premises.
7. Well-behaved, house-broken dogs allowed with prior approval.
8. No commercial photography or filming allowed.
9. Cabin is not suitable for toddlers and children under 8.
10. On-site parking for guests only.
11. Quiet hours are from 10:00 p.m. -- 7:00 a.m.
12. Please don't eat or drink in the bedrooms.
13. Please rinse and clean your dishes.
14. Please take care of the furnishings and do not rearrange.
15. Please leave all trash inside the cabin to avoid pests.
16. Please ensure the flue is closed when not in use.
17. Upon leaving, please verify that exterior doors are locked.
18. In the event of an emergency, call 911.

### House Rules for Suites

1. Please respect check-in and check-out times.
2. No unregistered guests allowed.
3. Maximum Number of Guests (Sweetbay Magnolia) = 4.
4. Maximum Number of Guests (all other Suites) = 2.
5. No parties or events allowed.
6. No smoking or vaping allowed inside.
7. No illegal substances allowed on the premises.
8. No pets allowed.
9. No commercial photography or filming allowed.
10. On-site parking for guests only.
11. Quiet hours are from 10:00 p.m. -- 7:00 a.m.
12. Please don't eat or drink in the bedrooms.
13. Please rinse and clean your dishes.
14. Please take care of the furnishings and do not rearrange.
15. Please leave all trash inside the Suite to avoid pests.
16. Upon leaving, please verify that exterior door is locked.
17. In the event of an emergency, call 911.

## Site Plan Narrative

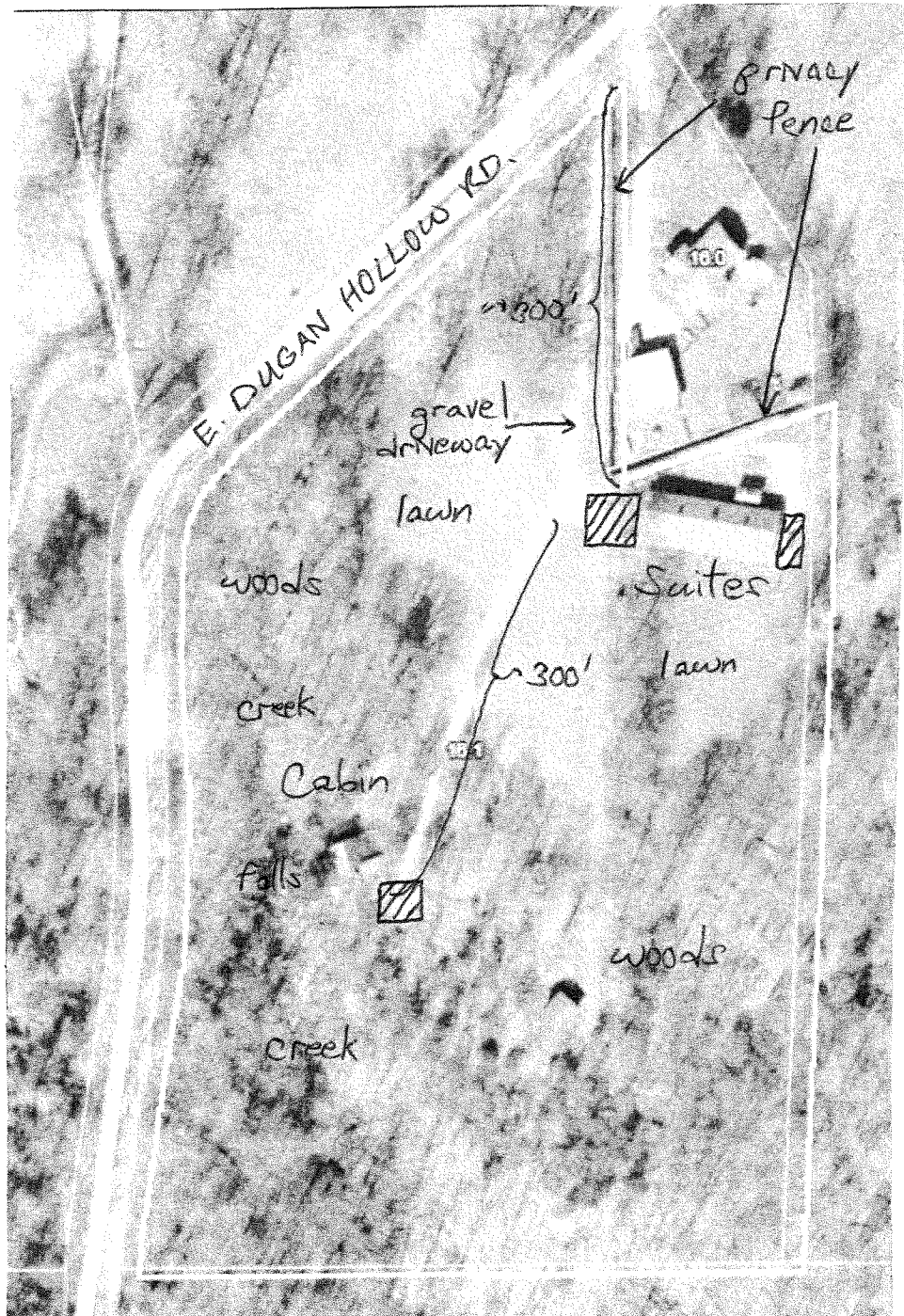
The site consists of a 9 acre parcel in rural Madison, Indiana improved with a historic log cabin and four (4) fully-furnished suites in a separate pole-barn style building. The parcel is bounded to the west and north by E. Dugan Hollow Road, to the east by a private residence and a commercial farming operation, and to the south by an unimproved woodland parcel. Don and Michelle Hawk are the sole owners of Dugan Hollow Retreats LLC and the sole operators of Dugan Hollow Retreats. The business was purchased from James Macke and Nancy Crisp who operated the business under the name Dugan Hollow Log Cabins & Suites.

Access to the site from E. Dugan Hollow Road is via a permanent gravel driveway located on the site. The Suites are located in a pole-barn style building situated approximately 300 feet from the road. Each of the Suites has a private entrance and accommodates up to 2 guests, with the exception of the Sweetbay Magnolia Suite which accommodates up to 4 guests. The Suites range in size from approximately 300 square feet to 900 square feet and each contain a bedroom, full bath, full kitchen and living area. There are 4 on-site parking spaces specifically designated for guests of the Suites.

The Cabin is situated on the same parcel approximately 300 feet southwest of the Suites. Access to the Cabin from E. Dugan Hollow Road is via the same permanent gravel driveway, and there is a cattle gate which may be closed across the driveway close to the Cabin for privacy and security. The Cabin is nearly 2,000 square feet in size and accommodates up to 6 guests. The Cabin has 2 separate sleeping lofts, a full bath, a full kitchen and large living areas. There are 3 on-site parking spaces immediately to the south of the Cabin which are specifically designated for guests of the Cabin.

Duke Energy provides electric utility service to the site. Rykers Ridge provides water and sewer service to the site, with the exception of the Cabin, which is on a septic system.

# Dugan Hollow Retreats Site Map



Scale 1" = 133'

 gravel parking



