



PROJECT BRIEF – BZVD-24-49

Application Date: 12/18/2024

Meeting Date: 01/13/2025; 06/16/2025

Application Description:

An application has been filed for a Variance from Development Standards for setbacks.

Current Zoning: Historic District Residential (HDR)	Project Location: 826 Fillmore St
Applicant: Claude Rottet	Owner: Claude Rottet

Preliminary Staff Recommendation: Approve with Conditions

Conditions:

1. Approval by the Historic Board on the placement and design of the structure.

Reasoning:

The structure matches the setback character of surrounding structures and while it does not satisfy Findings of Fact #3, staff does not think that is enough for warrant the denial of this application. The placement of the garage on the east lot line is acceptable. The neighboring parcel was purchased by the State of Indiana to expand its right of way.

History, Relevant Information, & Prior Approvals:

History:

- Historic Board application filed in November 2024 – Tabled until Zoning
- BZA application filed in December 2024 - Application was tabled at the 1/13/25 BZA meeting for a period of up to 6 months to allow for the applicant to conduct a survey and/or acquire site plans for the garage. Applicant has requested to resume review on the June 2025 BZA agenda.

Relevant Information:

Plan Commission to review parcel consolidation at June 16 meeting.

Prior Approvals: NA

Surrounding Zoning and Land Use:

North: Historic District Residential(HDR) and General Business(GB)
South: Open Space(OS)
East: Historic District Residential(HDR)
West: Historic District Residential(HDR)



Comprehensive Plan, Ordinances, & Finding of Fact

Comprehensive Plan:

Future Land Use Designations (Page 74-78)

NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use refers to traditional neighborhoods with a historic development pattern such as those in the southern section of Madison generally between the bluff and the Ohio River. It is primarily a mix of single and two-family homes and small multifamily buildings with minimal setback from the street. This land use also includes some mixed-use commercial/residential properties. Some are on alleys with rear-loaded garages and in some cases only on-street parking, but typically these homes do not have front-loading garages unless at the rear of the lot. This designation surrounds the core around Main Street and much lies within the Historic District. There is a continuous network of blocks connected by streets and sidewalks that lead to parks, the central business and civic area. Vacant lots should be redeveloped with compatible infill that reflects the desired character of the neighborhood. This designation can also serve as a transition between lower density residential and commercial or business activities. Development should be connected to City utilities and public services.

Ordinance:

SECTION 6.15 – HISTORIC DISTRICT RESIDENTIAL (HDR) (pg. 63-67)

A. General restrictions

4. Side Yard and Rear Yard Setback – Minimum of three feet

Finding of Fact:

Finding of Fact #1 - Will approval of this application will be injurious to the public health, safety, morals, and general welfare of the community?

The applicant has provided the following response:	No, it will not affect the public or be injurious to anyone. I want to put a garage on this lot.
Staff Response:	No, the placement of the garage on the property line will not impact the general welfare of the community.

Finding #1 has been satisfied.

Finding of Fact #2 - Will the use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner?

The applicant has provided the following response:	No, I also own the property to the West, to the East there lies a curb and sidewalk.
Staff Response:	No, the adjoining parcel was purchased by the State of Indiana to expand their right of way.

Finding #2 has been satisfied.

Finding of Fact #3 - The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

The applicant has provided the following response:	No, again the object is to put a garage on this site.
Staff Response:	No, the property can still be used for its intended residential purpose, however the lot size does not allow for any new construction while following the strict terms of the Zoning Ordinance.

Finding #3 has not been satisfied however staff does not see any issue with the proposed accessory structure.



BZVD-24-49

Application for Variance
from Development

Standards

Status: Active

Submitted On: 12/18/2024


Primary Location


826 FILLMORE ST
MADISON, IN 47250


Owner


Rottet Claude L & Wanda S
FILMORE STREET 820
MADISON, IN 47250

Applicant

 Wanda Rottet

 502-612-1518

 srottet53@gmail.com

 826 Fillmore St
Madison, IN 47250

Permit Information

Address and/or Legal Description of Property*

826 Fillmore St.

Zoning Classification*

HDR

Description of Existing Use*

Residence

Description of Proposed Use*

Residence

List sections of the Zoning Ordinance for which a variance is requested*

Section 6.15 - A-4.

Describe why a variance is requested*

I wish to put a garage up to the property line.

Is this application requesting a variance from setbacks?*

Yes

Variance from Setback Request

Current North Lot Line (Ft)

—

Current East Lot Line (Ft)

—

Current South Lot Line (Ft)

—

Current West Lot Line (Ft)

—

Requested North Lot Line (Ft)

—

Requested East Lot Line (Ft)

0

Requested South Lot Line (Ft)

—

Requested West Lot Line (Ft)

—

Narrative

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

No, it will not affect the public or be injurious to anyone. I want to put a garage on this lot.

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

No, I also own the property to the West, to the East there lies a curb and sidewalk.

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


No, again the object is to put a garage on this site.

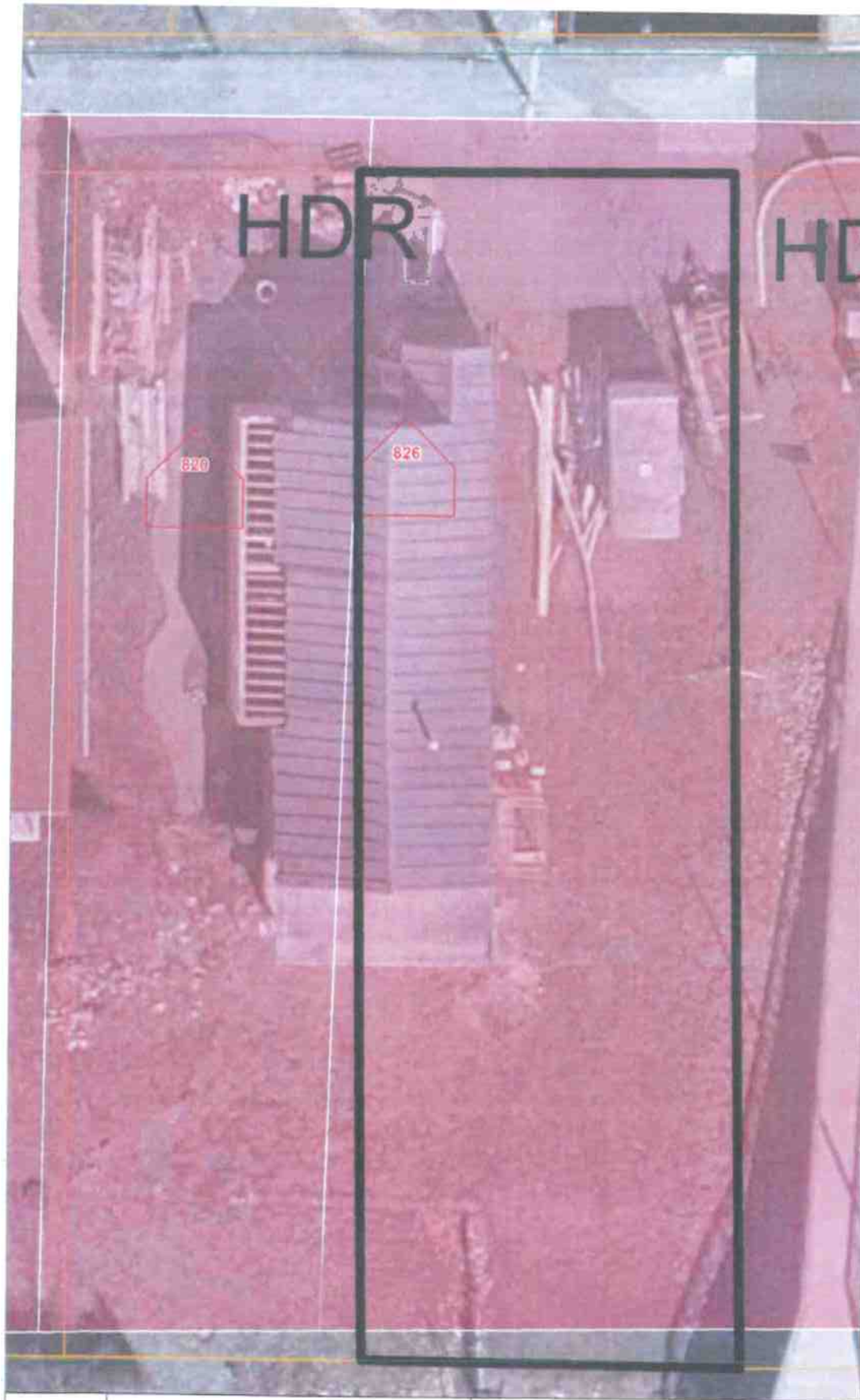
Acknowledgement

Certified letters MUST be mailed to adjoining property owners (includes owners of real estate at corners, accross 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.

Digital Signature*

 Staff entry for Claude Rottet
Dec 18, 2024



Madison Zoning
Zoning Code:
HDR

Regional Counties
County Boundary
Townships
Corporate Boundaries
Water
Parcels
Drives, Alleys, etc.

Addresses

Regional Counties
Regional Roads
Regional Highways
Water
Railroad
Drives, Alleys, etc.
Roads
Highways



0 15 30



1" = 15ft