

# **PROJECT BRIEF - BZVD-25-12**

Application Date: 06/05/2025 Meeting Date: 07/14/2025

### Application Description:

An application has been filed for a Variance from Development Standards for 0-ft setbacks on the north and west lot lines and for 0.5-ft on the east lot line.

Current Zoning: Central Business District (CBD)	Project Location: 408 MULBERRY ST
Applicant: Timothy Godward	Owner: Mulberry Lodge LLC

### Preliminary Staff Recommendation: Approve

Conditions: NA

### Reasoning:

While Finding of Fact #3 was not satisfied, staff does not think that is enough for warrant the denial of this application.

# History, Relevant Information, & Prior Approvals:

#### History:

Historic Board approved changes 5/27/25

Relevant Information: NA

Prior Approvals: NA

### Surrounding Zoning and Land Use:

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North: Central Business District (CBD)
South: Central Business District (CBD)
East: Central Business District (CBD)
West: Central Business District (CBD)



### Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

Future Land Use Designations (Page 74-78)

**DOWNTOWN CORE** 

This designation refers to the downtown core which encompasses much of area along Main Street and extends to the river between West and East streets. There are a mix of uses (residential, commercial, civic) contained in the 133-block historic district. Development occurs on an urban grid traversed by major thoroughfares (Main Street, Michigan Road, SR 7 and US 421). Like the Neighborhood Mixed- Use designation above, vacant lots should be redeveloped with compatible infill that reflects the desired character of the neighborhood. Chapter 8: Targeted Redevelopment outlines redevelopment opportunities, several of which occur in the downtown core. Enhancing and maintaining connectivity, infrastructure and utilities must be approached in a proactive manner.

#### Ordinance:

SECTION 6.21 - CENTRAL BUSINESS DISTRICT (CBD) (Page 78-79)

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	No, variance will allow improved safety in building and allow for
the following response:	removal of shed in poor repair and graffiti.
Staff Response:	No, this variance will not be injurious to the general public.

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	No, current shed is in poor repair, stairs are largely expected to
the following response:	make the alley improved in appearance . No changes to adjacent
	property use.
Staff Response:	Based on character of downtown, this variance will not negatively
	impact the neighboring properties.

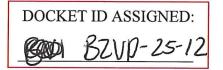
Finding #2 has been satisfied.

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	Yes, current shed already occupies the setback. Inside the shed, the
the following response:	brick is painted and shed contains basement access and controls rear courtyard access. Stairs cannot be placed along building exterior.
Staff Response:	While the use of the property could continue without this variance, it limits the ability to use the second floor due to fire egress.

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





OWNER INFORMATION (IF DIFFERENT\*)

Name: MULBERRY LODGE LLC

Street: 1903 W. STATE ROAD 250

City: DEPUTY State: IN Zip: 47238

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

# <u>Application for Variance</u> <u>from Development Standards</u>

APPLICANT INFORMATION

Name: TIM GODWARD

Street: 314 W. THIRD ST.

City: MAD (SON) State: IN

\$ 60.00
\$ 15.00
\$ 25.00
\$ 100.00

Paper applications will be accepted by the Office of Planning, Preservation, and Design; however, electronic submissions through our Permit Portal are preferred. This application can be submitted electronically at <a href="https://www.madison-in.gov/reporting">www.madison-in.gov/reporting</a>.

Purpose: Per the City of Madison Zoning Ordinance, the Board of Zoning Appeals shall approve or deny variance from development standards from the terms of the Zoning Ordinance. The Board may impose reasonable conditions as a part of its approval. A variance may be approved only upon a determination by the Board.

This application must be filed <u>at least 15 days prior</u> 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.

\_ Zip: <u>472</u>50

Phone (Preferred): <u>60 7-244-9107</u>	Phone (Preferred): 607-244-9107							
Phone (Alternate):	Phone (Alternate): <u>408-238-9842</u>							
Email: tim godward 9 gmail. com	Email: donn a godward g gmail. con							
* If Applicant is not Owner, MUST submit documentation from	3 0							
PROPERTY FOR WHICH A VARIANCE IS REQUESTED								
Address and/or Legal Description of Property: 408 N	PULBERRY ST. MADISON IN.							
Zoning Classification: CBD								
Description of Existing Use: VACANT								
Description of Proposed Use: COMMERCIAL STORE FRONTS (FIRST FLOOR)								
MEETING HALL, OFFICE (SECOND FLOOR)								
List sections of the Zoning Ordinance for which a variance is requested:								
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