



# MADISON

*Indiana*  
Planning, Preservation and Design

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

## Application for Variance from Development Standards

Application Fee	\$ 60.00
Ad Fee (for Legal Notice)	\$ 15.00
Recording Fee	\$ 25.00
<b>Total Due</b>	<b>\$ 100.00</b>

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 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: Eric Justice by Jim Pruett, Real Estate Agent  
Street: 2201 Duffy Ave. / 304 Jefferson St.  
City: Madison State: IN Zip: 47250  
Phone (Preferred): Jim 812-701-1000  
Phone (Alternate): Eric - 606-356-7229  
Email: justice.eric92@gmail.com / jimpurett@jimpruett.com

### OWNER INFORMATION (IF DIFFERENT\*)

Name: Waltz Properties, LLC/ Tony Waltz  
Street: 1300 Osage St  
City: Madison State: IN Zip: 47250  
Phone (Preferred): 812-701-1510  
Phone (Alternate): \_\_\_\_\_  
Email: tonydwaltz@gmail.com

\* If Applicant is not Owner, MUST submit documentation from owner authorizing applicant on their behalf.

### PROPERTY FOR WHICH A VARIANCE IS REQUESTED

Address and/or Legal Description of Property: 240 S Indian Cave Rd  
010-05168-00 LOT 2 RIVER BLUFF ESTATES .951 AC PT 10-52-1

Zoning Classification: RA

Description of Existing Use: Vacant Lot

Description of Proposed Use: \_\_\_\_\_  
Build a home on lot

List sections of the Zoning Ordinance for which a variance is requested: \_\_\_\_\_

Residential Agricultural (RA) Section 6.11. in lieu of recent legal action it is necessary to request variance on platted subdivided lot that is less than one acre.

Describe why a variance is requested: \_\_\_\_\_

In lieu of recent legal action it is necessary to request variance on platted subdivided lot that is less than one acre

For Variance from Setbacks, list below and indicate on site plan:

Current – North: plat 10 / RA 20 ft East: Plat 25 / RA 25 ft South: plat 10 / RA 20 ft West: plat 10 / RA 20 ft  
Requested – North: 10 ft East: 25 ft South: 10 ft West: 10 ft

Per the City of Madison Zoning Ordinance, a variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions has been met by the applicant.

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. Will this variance be injurious to the public health, safety, morals, and general welfare of the community?  
No.

2. Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?  
No.

3. Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property?  
Possibly, lots were designed to have 10 foot setbacks.

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 Certified Mail receipts and 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 proof of attempt(s) of contact are provided. USPS delays will not be held against you if proof indicates that letters were sent appropriately.*

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.

04-11-2023  
Date

Eric Justice  
Signature of Applicant

COMPLETED BY PLANNING OFFICE

Application Accepted on: \_\_\_\_\_

Application Accepted by: \_\_\_\_\_

Meeting Information: Board of Zoning Appeals

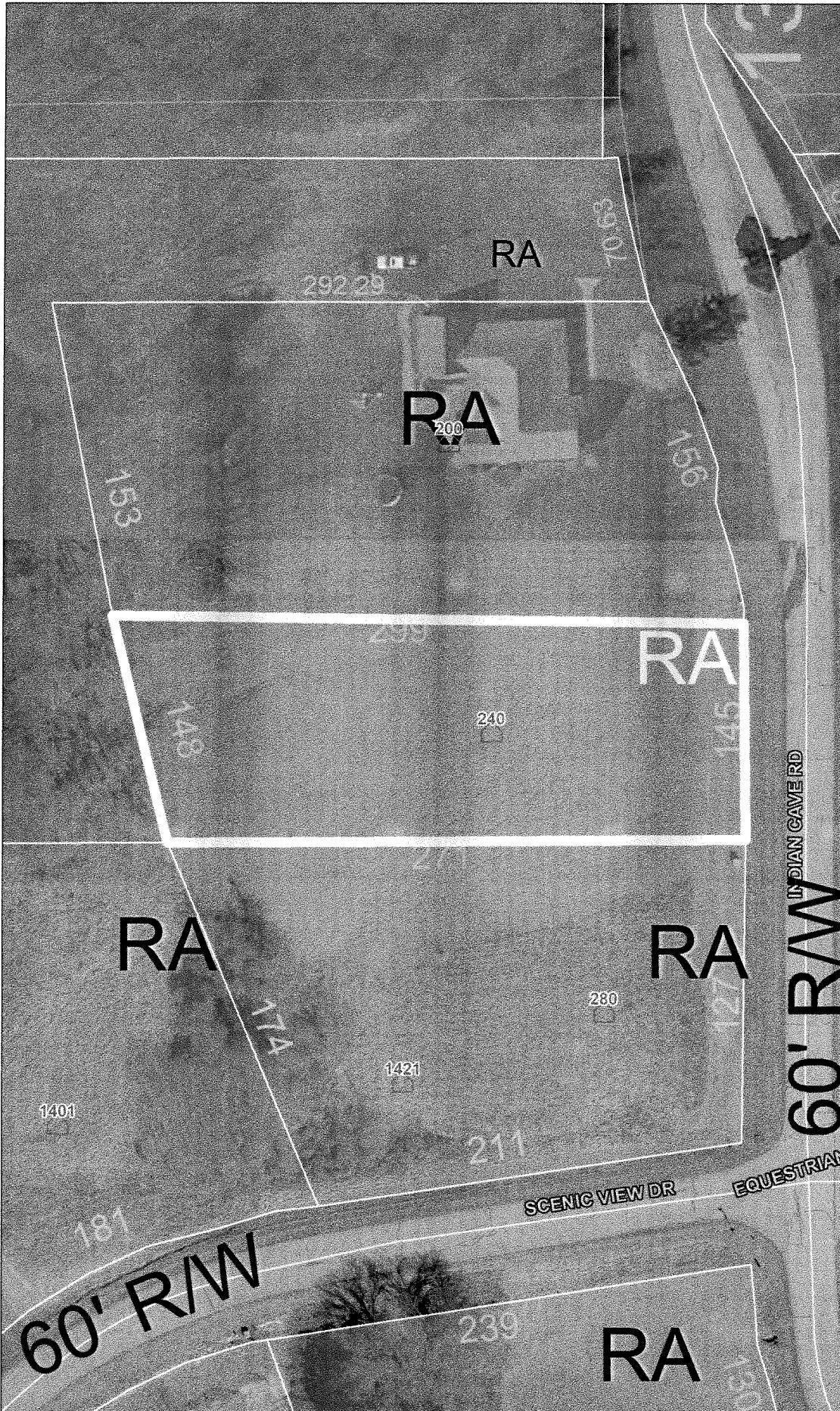
101 W Main St, Madison, IN 47250 – Council Chambers

Meeting Date: \_\_\_\_\_ Time: 6:00PM

Documentation Review (Completed by Planning Office)

- \_\_\_\_ Owner Authorization provided (if req'd)
- \_\_\_\_ Narrative Statements completed
- \_\_\_\_ Application is complete
- \_\_\_\_ GIS Information to applicant and attached
- \_\_\_\_ Certified Mail Receipts received (attach)
- \_\_\_\_ Certified Mail Green Cards received (attach)

Staff Notes

**MadisonZoning**  
Zoning Code:  
RA

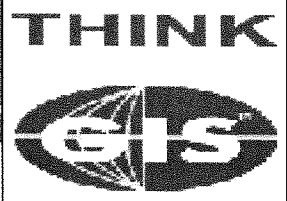
**Flood INDNR Best Avail 2019**  
Flood Zone:  
AE  
AE - Floodway  
X - 0.2% Annual Chance

**Regional Counties**  
County Boundary  
Townships

**Water**  
Parcels  
Corporate Boundaries

**Addresses**

**Regional Counties**  
Regional Roads  
Regional Highways  
Water  
Railroad  
Roads  
Highways



PROPERTY OWNER AUTHORIZATION FORM

I/We, Tony Waltz hereby authorize  
(Property Owner(s) – Please Print)  
Eric Justice by Jim Pruett real estate agent, representative for Waltz Properties, LLC  
(Applicant's Name) (Company, Firm, Organization)

to make application for a Variance from Development Standards to  
(Type of Permit)  
bulid a house using platted subdivision setbacks. at  
(Description of Proposed Work)

240 Indian Cave Rd.

(Property Address)

Madison, IN 47250

(City, State, Zip Code)

Tony Waltz  
(Property Owner Signature)

04-11-2023  
(Date)