



# MADISON

Indiana  
Planning, Preservation and Design

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

## Conditional Use Permit

BZCU -23-45

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: Mary Ann Bennett  
Street: 4004 W. SR 56  
City: Hanover State: In. Zip: 47243  
Phone (Preferred): 812-801-9241  
Phone (Alternate): \_\_\_\_\_  
Email: MA.bennett74@gmail.com

### OWNER INFORMATION (IF DIFFERENT\*)

Name: Earl Bennett  
Street: 4004 W. SR 56  
City: Hanover State: In. Zip: 47243  
Phone (Preferred): 812-599-5243  
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: 1011 Fillmore St.

Zoning Classification: OS

Description of Existing Use: resident with camping

Proposed Schedule of Uses Category #: 749-or752

Description of Proposed Use: resident with camping

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 - 749 or 752 are allowed for conditional use.

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 it will be harmonious.

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?

No, there will be no constructed, yes it will not change.

4. Will this use be hazardous or disturbing to existing or future neighboring uses?

No.

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, service do exist

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, no cost to the public.

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, camping for ~~odors~~ events

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 it is designed ~~appropriately~~ appropriately

9. Will this use result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?

No it does not

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.

6-15-2023

Date

MaryAnn Burnett  
Signature of Applicant

**COMPLETED BY PLANNING OFFICE**

Application Accepted on: 6/16/23

Application Accepted by: Joe Patterson Jr

**Meeting Information: Board of Zoning Appeals**

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

Meeting Date: 7/10/23 Time: 6:00PM

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

NA Owner Authorization provided (if req'd)

NA Site plan is adequate

NA Narrative Statements completed

(Proposed Use & 1 – 9 above)

NA Application is complete

NA GIS Information to applicant and attached

\_\_\_\_ Certified Mail Receipts received (attach)

\_\_\_\_ Certified Mail Green Cards received (attach)

NA Category # Requires Conditional Use

**Staff Notes**

Conditional Use Permit to allow for camping and other similar uses during festival weekends and other holidays and events.

CONDITIONS:

Major recreational equipment, as defined in the Madison Zoning Ordinance, tents, or any other type of overnight shelter or accommodation is permitted on the following weekends or events.

- a. Memorial Day
  - b. Labor Day
  - c. Chautauqua Festival of Art on the date(s) it is held
  - d. Ribberfest BBQ and Blues on the date(s) it is held
  - e. Regatta on the date(s) it is held
  - f. Independence Day and related City activities, if different from Regatta dates
  - g. Soup, Stew, Chili, and Brew on the date(s) it is held.
  - h. Roostertail Music Festival the date(s) it is held
  - i. Vintage Thunder Hydroplane Boat Race on the date(s) it is held.
  - j. Riverfront Wine, Stein, and Barrel on the date(s) it is held.
  - k. RDC UTV/Golf Cart Poker Run on the date(s) it is held.
1. On the dates listed above setup of any pieces of major recreational equipment, tents, or other type of overnight shelter or accommodation may occur the day before the official beginning of the holiday or event after 3:00 p.m.
  2. On the dates listed above, setup of any pieces of major recreational equipment, tents, or other type of overnight shelter or accommodation must be completely removed by 3:00 p.m. of the day following the conclusion of the holiday or event. The lot must be completely cleaned of all trash, debris, and equipment by this time.
  3. No storage of any kind including but not limited to RV's, boats, trailers, vehicles, and tiny homes is permitted outside of the events and dates above.
  4. Campfires must be extinguished by 11:00 p.m. No permanent fire pits or fireplaces are allowed. Barbecue and other cooking equipment for personal use only is authorized outside of established Quiet Hours.
  5. The City of Madison Noise Ordinance requirements must be adhered to except:
    - a. Quiet hours must be observed from 11:00 p.m. – 8:00 a.m. No amplified music, or otherwise, is permitted during this time.
    - b. Clearly Audible shall be defined as no more than 100 feet from the property

c. Exemptions listed in the Ordinance apply unless this Conditional Use Permit contains more stringent requirements (i.e. Fireworks)

6. No fireworks of any kind are permitted.

7. No more than twelve (12) total pieces of major recreational equipment, tent, camper, or other kind of overnight shelter or accommodation permitted on the total of the three (3) lots.

8. Any and all utility connections shall meet all regulations and requirements of all pertinent regulating agencies and utilities.

9. Ten-foot setbacks from combined property boundaries shall be maintained.

~~10. For family members and friends only. No commercially advertised use are permitted.~~

11. No amplified live music of any kind.

I would like to include usage of the property for when my family has opportunity for long weekend visits



