



PROJECT BRIEF – BZVD-25-9

Application Date: 04/08/2025

Meeting Date: 05/12/2025

Application Description:

An application has been filed for a Variance from Development Standards for setbacks for construction of detached garage. Applicant is requesting a two-foot setback on the west lot line.

Current Zoning: Historic District Residential (HDR)	Project Location: 313 East St,
Applicant: Glen Spencer	Owner: Same

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.

History, Relevant Information, & Prior Approvals:

History: NA

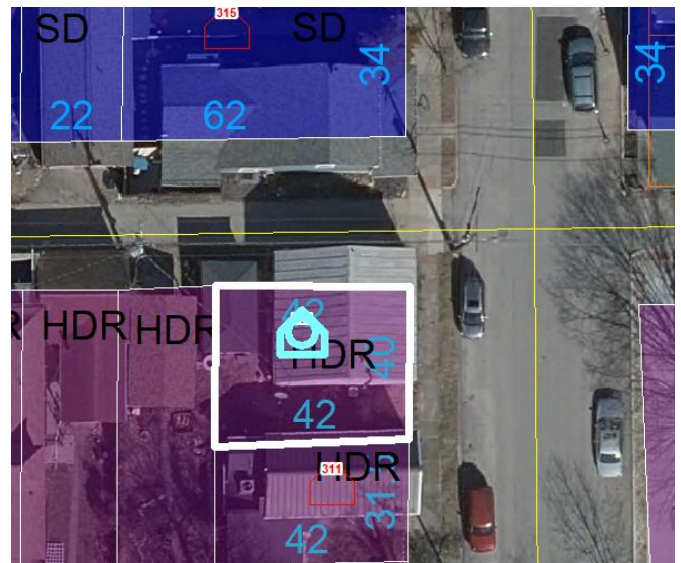
Relevant Information:

Applicant has also filed for approval from historic board (May 27) on the design of the garage.

Prior Approvals: NA

Surrounding Zoning and Land Use:

North: Specialty District (SD)
South: Historic District Residential (HDR)
East: Historic District Residential (HDR)
West: Historic District Residential (HDR)



Comprehensive Plan, Ordinances, & Finding of Fact

Comprehensive Plan:

Future Land Use Designations (pg. 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
Staff Response:	No, there is an existing garage and the property owner would like to rebuild it.

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
Staff Response:	The existing garage has the same setbacks and the new garage will not affect the neighboring property values or use.

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
Staff Response:	The property could still function as a residential use; however, the garage could not be rebuilt to meet the required setbacks due to the lot size and location of the primary structure.

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



MADISON

Indiana
Planning, Preservation and Design

DOCKET ID ASSIGNED:

BZVD-25-9

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
Total Due	\$ 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 www.madison-in.gov/reporting.

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: Glen Lisa SPENCE
Street: 610 West Main St
City: Madison State: IN Zip: 47250
Phone (Preferred): 419-208-0143
Phone (Alternate): _____
Email: _____

OWNER INFORMATION (IF DIFFERENT*)

Name: _____
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 VARIANCE IS REQUESTED

Address and/or Legal Description of Property: 313 East Street
Madison, IN 47250

Zoning Classification: HDR

Description of Existing Use: residential

Description of Proposed Use: residential

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

Describe why a variance is requested: build on existing foundation of
garage

313 EAST STREET

A Site Plan is required and must include the distance of the closest point from any existing or planned structure to each property line: For Variance from Setbacks, list below and indicate on Site Plan.

Current - North: 3 ft East: 4 ft South: 19 ft West: 2 ft
Requested - North: 3 ft East: 4 ft South: 12 ft West: 2 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. These Findings of Fact are established and required by Indiana Code.

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?


NO

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.

Date


Signature of Applicant

COMPLETED BY PLANNING OFFICE

Application Accepted on: _____

Application Accepted by: _____

Meeting Information: Board of Zoning Appeals

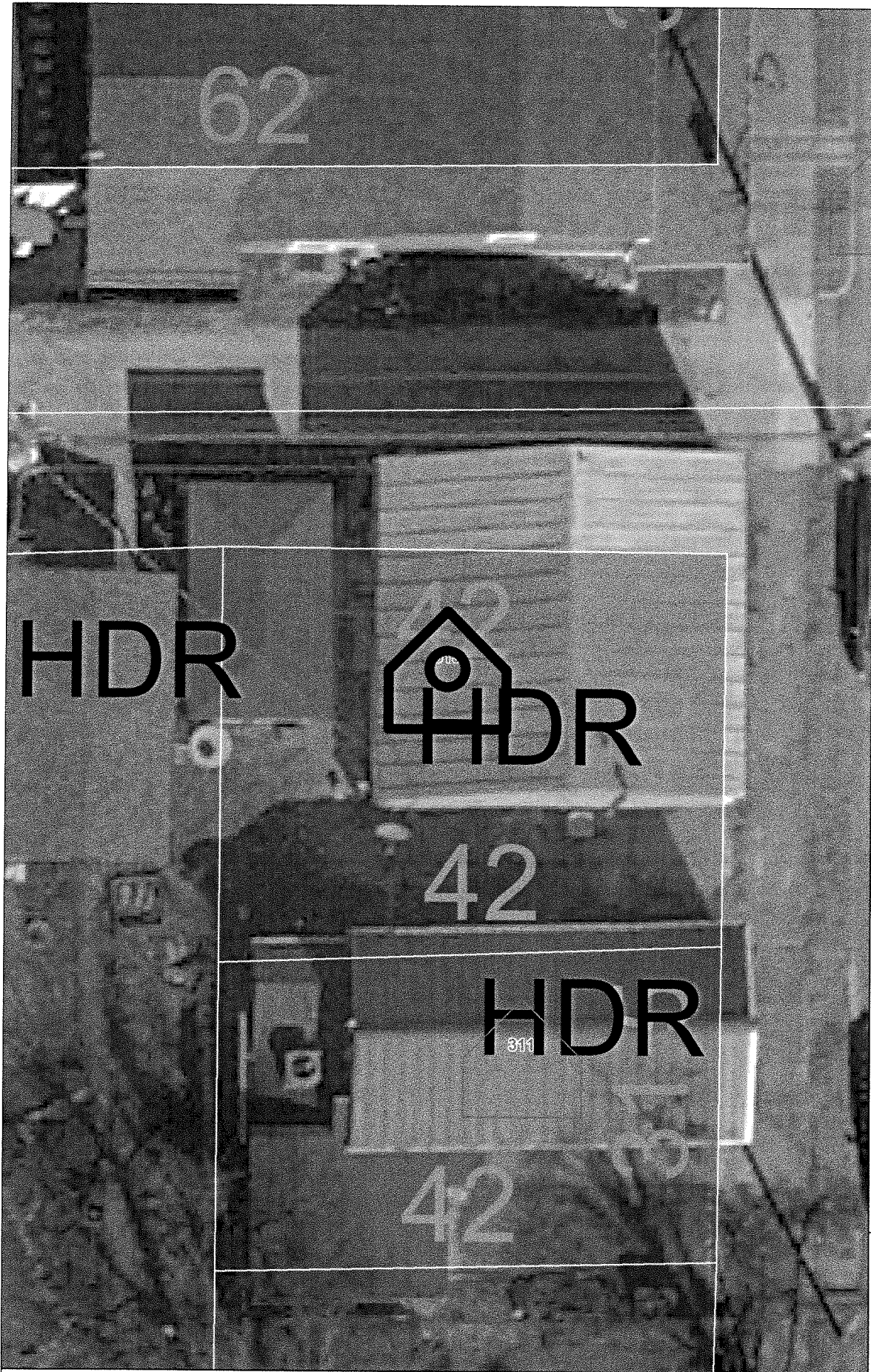
101 W Main St, Madison, IN 47250 – Council Chambers

Meeting Date: _____ Time: 6:00PM

Documentation Review (Completed by Planning Office)

- ____ Owner Authorization provided (if req'd)
- ____ Narrative Statements completed
- ____ Site Plan is adequate
- ____ 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:

 HDR

 SD

 Parcels

 Corporate Boundary

Addresses

Dimensions

Roads

HDR



42

HDR

311

42



1" = 12ft



THINK



EAST STREET

313 EAST STREET

Home

ALLEY



19'

7'



12'

CURRENT
STORAGE
UNIT

Added
Space
with
New
Build

12'



Property Line