

Minutes

June 16, 2025

MADISON CITY BOARD OF ZONING APPEALS

The City of Madison Board of Zoning Appeals held a regular meeting on Monday, June 16, 2025, at 5:30 p.m. in City Hall. Scott Baldwin presided over the meeting with the following additional Board Members present: Nancy Burkhardt, Rick Farris, Mark Acosta, and Karl Eaglin. Also present: Nicole Schell; Director of Planning and Joe Jenner; Attorney.

Minutes:

There were no corrections or additions to the May 12, 2025 meeting minutes. N. Burkhardt made the motion to approve the May 12, 2025 minutes – Seconded by R. Farris - Unanimous Consent Vote – Final vote is five (5) in favor and none against – Motion carries.

*Minutes for May 12, 2025 approved in accordance with the motion and vote.*

Renewals:

1. **BZCU-23-43:** Kathryn G. Ayers – Conditional Use Permit for a guest cottage and/or miscellaneous home business. There is to be no business signage and no walk-in customers.  
Location: 1116 W Main St                      Zoned: Medium Density Residential (R-8)  
One-Year Renewal
2. **BZCU-23-70:** James Gurley – Conditional Use Permit for a tobacco packaging facility.  
Location: 2900 Wilson Ave                      Zoned: Light Manufacturing (M-1)  
One-Year Renewal
3. **BZCU-23-44:** Anna Nguyen – Conditional Use Permit for a tea and/or gift shop.  
Location: 1402 Bear St                      Zoned: Local Business (LB)  
One-Year Renewal
4. **BZCU-23-37:** Knights of Columbus – Conditional Use Permit for a mobile home.  
Location: 2250 Lanier Dr                      Zoned: Light Manufacturing (M-1)  
One-Year Renewal
5. **BZCU-23-41:** Petsense, LLC – Conditional Use Permit for housing of kittens/cats brought in through partnering shelters and rescues.  
Location: 433 E Clifty Dr                      Zoned: General Business (GB)  
One-Year Renewal
6. **BZCU-23-38:** Darlisa Davis – Conditional Use Permit to operate a daycare center.  
Location: 206 Green Rd                      Zoned: Medium Density Residential (R-8)  
One-Year Renewal
7. **BZCU-23-20:** Sharon Daghir – Conditional Use Permit for owner-occupied residence with short-term rentals primarily for travel nurses.  
Location: 215 E Fourth St                      Zoned: Historic District Residential (HDR)  
One-Year Renewal
8. **BZCU-25-13:** Red Ball Recycling – Conditional Use Permit for a metal recycling facility.  
Location: 2910 Wilson Ave                      Zoned: Light Manufacturing (M-1)  
Three-Year Renewal

S. Baldwin made the motion to renew renewals number 1, 3-5, 7, and 8. – M. Acosta seconded the motion – Unanimous Consent Vote – Final vote is five (5) in favor and none against – Motions Carry.

*Renewals #1, 3-5, 7, and 8 were renewed in accordance with the motion and vote.*







Betsy Vonderheide, Gerry Liter, Randy Bellamy, and Bob Schoenstein spoke about the application and expressed concerns due to past issues. Board members recalled the property's poor past condition and agreed improvements would benefit the area.

### Finding of Facts

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?*
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?*
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?*
4. *Will this use not be hazardous or disturbing for existing or future neighboring uses?*
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?*
6. *Will this use not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*
7. *Will this use not 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?*
8. *Will this use have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*
9. *Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?*

The comment period was closed, and the board began reviewing findings of fact related to the conditional use permit, with no objections noted on various criteria including compatibility, safety, utilities, and historic preservation.

S. Baldwin made the motion to approve the application with the following conditions: Renewal period of 1 year and maximum two apartments; two occupants per bedroom; tenant screening enforcement; and renewal period increases to 3 years contingent on lack of complaints. – Seconded by N. Burkhardt – Roll Call Vote – all ayes - Final Vote is five (5) in favor and none against – Motion Carries.

***Application BZCU-25-11 was approved in accordance with the motion and vote.***

3. **BZVD-25-10:** Landon Ralston – Variance from Development Standards to allow setbacks of 10-ft from all property lines and to allow construction on a 0.75 acre lot.  
Location: 1301 E Scenic View Dr                      Zoned: Residential Agriculture (RA)

Landon Ralston appeared before the board to represent his application. The property is located in a residential agriculture subdivision originally intended for 1-acre lots, but this particular 3/4 acre lot does not meet those standards due to past subdivision approvals without variances. It is explained that the lot is pie-shaped with 20-foot setbacks required, making it difficult to build a home similar to others in the subdivision.



### Finding of Facts

1. *Will this variance be injurious to the public health, safety, morals, and general welfare of the community?*
2. *Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*
3. *Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property?*

Board members then discuss the criteria for approval, agreeing there are no issues with public safety or property values and acknowledging the practical difficulties posed by the gas line.

K. Eaglin made the motion to approve the application as submitted – Seconded by M. Acosta – Roll Call Vote – all ayes - Final Vote is five (5) in favor and none against – Motion Carries.

***Application BZCU-25-11 was approved in accordance with the motion and vote.***

### New/Old Business:

No further business brought before the Board.

K. Eaglin made the motion to adjourn – Seconded by M. Acosta – Unanimous Consent vote – Final vote is five (5) in favor and none against – Motion Carries.

***The meeting adjourned at 6:24 p.m. in accordance with the motion and vote.***

BY ORDER OF THE CITY OF MADISON BOARD OF ZONING APPEALS

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Scott Baldwin, Chairman

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Nicole Schell, Secretary/Director of Planning