



## **Board of Zoning Appeals Legal Notice**

**MEETING DATE:** February 9, 2026, at 6:00 PM

**MEETING PLACE:** Madison City Hall-Council Chambers

**STREAMING LINK:** [www.youtube.com/@CityofMadisonIndianaGovernment](http://www.youtube.com/@CityofMadisonIndianaGovernment)

D. Tabled Applications

1. BZVD-25-16: Delbert Reece – Variance from Development Standards for setbacks to build a new shed on the existing pad.  
Location: 2747 LANIER DR (39-08-21-222-010,000-007) Zoned R-8

## E. New Applications

## *Conditional Use*

1. **BZCU-25-27:** Christy Hay/Mark and Christy Hay – Conditional Use Approval for "111 Home Occupation" in order to operate a one chair nail salon.  
Location: 2205 Taylor St (39-08-22-334-058.000-007) Zoned R-8
2. **BZCU-25-28:** Cherilyn Miller/RBCT Properties LLC- Conditional Use Approval for " 121 Rooming & Boarding House"  
Location: 822 Green ST (39-08-27-223-047.000-007) Zoned R-8
3. **BZCU-25-29:** Fred Low/Bruce and Cheryl Tandy – Conditional Use Approval for "476 Relay Towers & Transmitting Stations (TV, Radio, & Telephone)" to construct a new telecommunications tower  
Location: 316 N Goins Road (39-08-31-000-023.000-006) Zoned RA
4. **BZCU-26-01:** Angela Koehler/Marc and Angela Koehler – Conditional Use Approval for "749 Other Recreation (including Camping & Picnic Areas)" to construct and operate a campground on a parcel that will include an owner-occupied primary dwelling, two for short-term rental structures, two low-impact glamping tents, six primitive tent sites, and a small structure will provide two bathrooms and showers for tent campers  
Location: 2175 North K Rd (39-09-30-000-008.000-006); 2000 + N K Rd (39-09-30-000-009.000-006); and 1000 + N Rykers Ridge Rd (39-09-30-000-011.000-006) Zoned RA

*City of Madison acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact ADA Coordinator at 812-265-8300.*



# MADISON

Indiana

5. BZCU-26-02: Kevin Mason & Electricom, Inc/Georgia Hall – Conditional Use Approval for "581 Tourist Home" to operate a short term rental  
Location: 506 Jefferson St (39-13-02-122-038.000-007) Zoned HDR

*Variance from Development Standards*

6. BZVD-25-18: Charles Webb/Tanner and Anny Little – Variance from Development Standards for a zero foot setback on both side yards for an accessory building  
Location: 520 West St (39-13-02-211-024.000-007) Zoned CBD

7. BZVD-26-1: Robert Stilwell– Variance from Development Standards for a 4 ft x 12 ft sign in a residential district  
Location: 720 S Deer Bed Dr (39-13-06-300-041.000-002) Zoned R-4

*Variance of Use*

8. BZVU-26-01: Jason Anderson/GJTJ Realty, LLC– Variance of Use for "110 Dwelling Unit" to build a 2-family dwelling  
Location: 435 Green Rd (39-08-27-113-072.000-007) Zoned GB

F. New Business

1. Updated BZA Rules and Procedures

G. Adjournment

H. Next meeting: March 9, 2026

**For the purpose of hearing those for or against said applications, a public hearing will be held on February 9, 2026, at 6:00 PM in City Hall, 101 W. Main Street Madison, IN 47250. You are hereby advised that a copy of said proposal is on file for examination before the hearing in the Office of Planning, Preservation, & Design, 101 W. Main Street, Madison, IN 47250. Written objections to the proposal that are filed with the secretary of the commission before the hearing will be considered. The hearing may be continued from time to time as may be found necessary.**

BY ORDER OF THE MADISON CITY ZONING BOARD OF APPEALS

Tony Steinhardt, Deputy Mayor

Board Members	Appointing Authority	Term of Appointment
Mark Acosta	Mayor	01/14/2022 - 12/31/2025
Rick Farris	Council	01/09/2023 - 12/31/2026
Scott Baldwin	Mayor	01/06/2023 - 12/31/2026
Karl Eaglin	Plan Commission/Mayor	08/28/2023 - 12/31/2026
Nancy Burkhardt	Council	01/13/2025 - 12/31/2028

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# **APPLICATION PACKET:**

## **BZVD-25-16**

Delbert Reece

Variance from Development Standards for setbacks to  
build a new shed on the existing pad

Location:

2747 LANIER DR (39-08-21-222-010.000-007)

Zoned R-8

**Application for Variance from Development Standards****BZVD-25-16**

Submitted On: Oct 28, 2025

**Applicant**

 Delbert Reece  
 8122922577  
 lanier2747@live.com

**Primary Location**

2747 LANIER DR  
MADISON, IN 47250

**Property Owner Information****Property Owner Name**

Delbert Reece

**Mailing Street Address**

2747 Lanier Dr

**City**

Madison

**State**

IN

**Zip Code**

47250

**Phone Number**

8122922577

**Email**

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**Permit Information****Address and/or Legal Description of Property**

2747 Lanier Dr

**Zoning Classification**

R-8

**Description of Existing Use**

home

**Description of Proposed Use**

home

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

setbacks

**Describe why a variance is requested**

build new shed on existing pad

**Is this application requesting a variance from setbacks?**

Yes

**Variance from Setback Request****Current North Lot Line (Ft)**

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**Current East Lot Line (Ft)**

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**Current South Lot Line (Ft)**

11

**Current West Lot Line (Ft)**

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**Requested North Lot Line (Ft)**

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**Requested South Lot Line (Ft)**

4

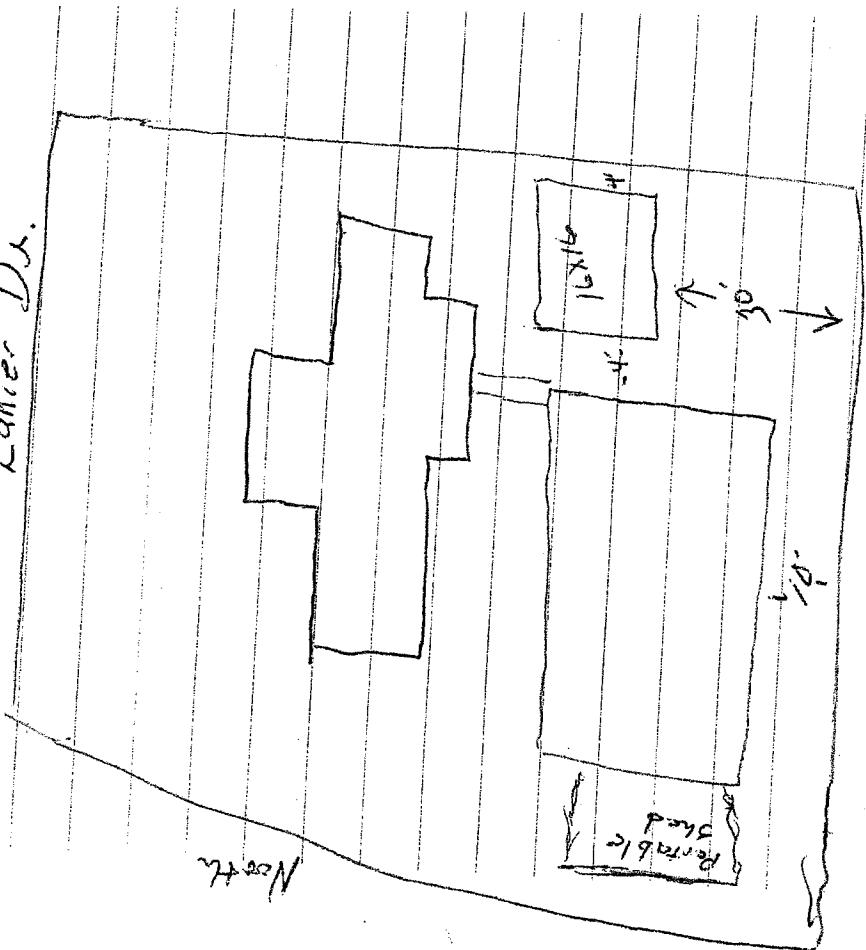
**Requested East Lot Line (Ft)**

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**Requested West Lot Line (Ft)**

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Lanier Dr.



2747 Lanier Dr.

Madison In.

Delbert Reece

812-292-2577

Lanier2747@live.com



## PROJECT BRIEF – BZVD-25-16

Application Date: 11/21/25

Meeting Date: 1/12/2026

**Application Description:**

An application has been filed for a Variance from Development Standards to allow for construction onto (expansion of) an existing non-conforming structure.

Current Zoning: R-8	Project Location: 2747 LANIER DR
Applicant: Delbert Reece	Owner: Delbert Reece

**Preliminary Staff Recommendation: Approval**

**Conditions:** None

**Reasoning:**

The requested variance is to reduce the minimum side setback for a new 16x16 accessory structure. It is unknown what the overall height of the proposed shed is, but the required side setback standards outlined in Section 6.13 B.1.c are not likely necessary, and the requirement in 6.13 B.1.b set the minimum. The request is not peculiar to the area as there appears to be multiple parcels that have accessory structures similar distances as the applicant's request. Further, the proposed request is in line with the minimum side setbacks for the commensurate zoning district in the proposed new UDO. Staff approves of the request.

**History, Relevant Information, & Prior Approvals:**

**History:**

The subject property is located at 2747 Lanier Drive and is zoned R-8 (Residential Medium Density). The year the residential dwelling was built is unknown.

**Relevant Information:**

The applicant is requesting a variance from the development standards for side setbacks. The applicant is proposing to build a 16x16 shed and is requesting to reduce the minimum side setback requirement from 10 feet to four feet on the northwest property line.

**Prior Approvals:**

Unknown

## Surrounding Zoning and Land Use:

<b>North:</b> Residential Low Density (R-4)
<b>South:</b> Residential Medium Density (R-8)
<b>East:</b> Heavy Industry(M-2)
<b>West:</b> Residential Medium Density (R-8)

## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### **SUBURBAN RESIDENTIAL (Page 74-78)**

*Suburban Residential refers to neighborhoods of single-family of low to moderate densities, as well as attached, manufactured, and multifamily developments. This category is characterized by larger lot and housing typically built after World War II. Suburban residential areas may also contain institutional uses such as civic, religious, and educational facilities. New development should always be required to connect existing infrastructure and utility services. Residential neighborhoods should be connected by streets and sidewalks or multi-use paths to schools and other compatible non-residential areas. Cul-de-sac streets, which do not encourage connectivity, should be minimized.*

### Zoning Ordinance:

#### **SECTION 4.13 R-8 (pg. 27)**

##### **B. Restrictions for Permitted Uses**

*1.b: Side yards shall in no case be less than ten (10) feet wide in the Medium Density Residential District.*

*1.c: For every story in excess of the first or when the height of a single story structure exceeds twenty-five (25) feet, the side yard width shall be increased by five (5) 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:	The setback along the side yard will not create an unsafe or undesirable condition. The proposed accessory structure will be approximately 50 feet from the nearest primary structure on an abutting parcel.

*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 requested variance will not negatively impact the neighbors or the structure on the adjoining parcel, as the request meets all other standards of the UDO. Additionally, there appears to be an existing 6 ft privacy fence along the property line as well as some existing vegetation acting as a buffer.

*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:	Older structures on existing parcels can often present challenges when improvements to the property are desired. Historical standards, if there were requirements at the time of construction can contribute to creating this. The request will be complementary of the historical development pattern of the immediate vicinity.

*Finding #3 has been satisfied.*

# **APPLICATION PACKET:**

## **BZCU-25-27**

Christy Hay/Mark and Christy Hay

Conditional Use Approval for “111 Home Occupation” in  
order to operate a one chair nail salon

Location: 2

205 Taylor St (39-08-22-334-058.000-007)

Zoned R-8

**Conditional Use Permit****BZCU-25-27**

Submitted On: Dec 18, 2025

**Applicant**

👤 Christy Hay  
📞 812-801-6469  
✉️ c2bells@yahoo.com

**Primary Location**

2205 TAYLOR ST  
MADISON, IN 47250

**General Information****Are you the property owner?**

Yes

**Permit Information****Type of Application**

Initial Application

**Zoning Classification**

Medium Density Residential (R-8)

**Legal Description of Property**

Residential

**Description of Existing Use**

Home

**Description of Proposed Use**

business

**Proposed Schedule of Uses Category #**

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**Narrative****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

**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

**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?**

Yes

**Will this use not be hazardous or disturbing for existing or future neighboring uses?**

Yes

**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

## Narrative (Continued)

**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?**

Yes

**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?**

Yes

**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?**

Yes

**Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?**

Yes

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## Acknowledgement

*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.*

Digital Signature

true

**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.**



## PROJECT BRIEF – BZCU-25-27

**Application Date:** December 15, 2025

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed for a Conditional Use Permit to allow for a home occupation, where applicant proposes to operate in-home nail salon.

<b>Current Zoning:</b> Residential Medium Density(R-8)	<b>Project Location:</b> 2205 Taylor St
<b>Applicant:</b> Christy Hay	<b>Owner:</b> Mark and Christy Hay

**Preliminary Staff Recommendation:** Approve with Conditions

**Conditions:**

1. Business operations are allowed to operate only between the hours of 7:00 am and 7:00 pm and all activities shall be within an enclosed building.
2. Maximum of 10 clients/business-related visitors allowed on-site per day but no more than 2 clients/business-related visitors can be on-site at one time, excluding resident(s) of the property.

**Reasoning:**

1. The intent of allowing a home occupation is to permit the resident of the dwelling to operate a low impact business from the property, provided the use does not negatively impact adjoining properties, and ensure the home occupation stays incidental and accessory to the primary use. The applicant has proposed to meet all of the requirements outlined in the zoning ordinance related to home occupations.

**History, Relevant Information, & Prior Approvals:**

**History:** There is no known history for this property.

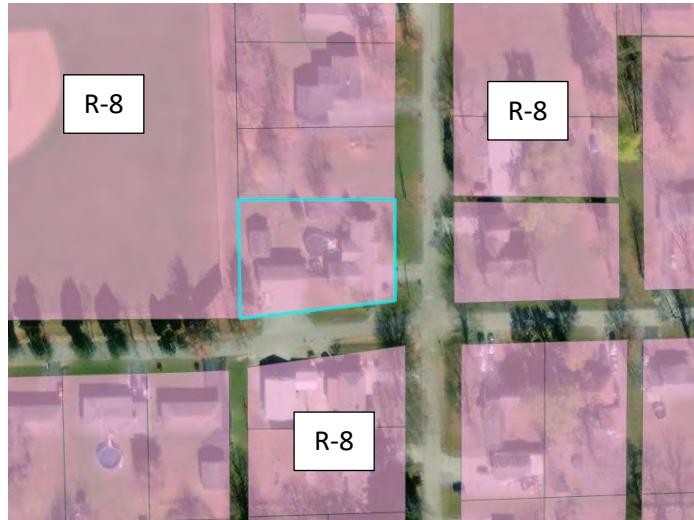
**Relevant Information:** The applicant states: *"Home salon for nails with no employees. Maximum of 1 client at a time but there could have some slight overlap with scheduling. Would be by appointment only. All activities would be within an accessory building (attached to garage). On-site parking would be in the existing driveway (this is a 2nd driveway that owner does not use for personal vehicles during business hours). Space will comply with all building regulations and owner has cosmology license with state."*

This proposed request and provided information meets the intent of Section 6.10-A-1: Home Occupations in the current zoning ordinance; however, the text language of the section states *"A home occupation is any use conducted entirely within a dwelling..."*, and the applicant is proposing to operate the home occupation within an accessory building on the site. The proposed new Unified Development Ordinance (UDO) that has been recommended for approval by the Plan Commission allows for home-based businesses (the new equivalent of this proposed request in the new UDO) and permits the use of *"a permitted accessory structure or in an area that is not visible from any adjacent parcel or public road at all times."*

**Prior Approvals:** There are no known prior approvals for this site.

#### Surrounding Zoning and Land Use:

<b>North:</b> Residential Medium Density(R-8)
<b>South:</b> Residential Medium Density(R-8)
<b>East:</b> Residential Medium Density(R-8)
<b>West:</b> Residential Medium Density(R-8)



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

##### Comprehensive Plan:

*Future Land Use Designations (Page 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 6.13 – MEDIUM DENSITY RESIDENTIAL (R-8) (Page 50-56)**

**SECTION 6.10-A-1: HOME OCCUPATIONS (Page 37-39)**

**Finding of Fact:**

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The requested use in Section 7.00 is "111 Home Occupations"

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. Section 6.10-A-1 outlines general standards for Home Occupations. The applicant states the entire use will be contained within a structure on the property, and has designated off-street parking for clients.

*Finding #2 has been satisfied.*

*Finding of Fact #3 - Do you agree this will be designed, constructed, 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?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The applicant is not proposing any expansion or alteration of any structures on the property associated with this request. That, coupled with the designated off-street parking, should not alter the character of the primary use and surrounding area.

*Finding #3 has been satisfied.*

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The information provided by the applicant does not contain anything that would be out of the ordinary for the existing and surrounding uses; the primary use is residential and the applicant does not propose anything that would alter that. The proposed use is a nail salon, so no hazardous materials or processes are utilized in the day-to-day operations.

*Finding #4 has been satisfied with proposed conditions.*

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, 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?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The proposed request does not need anything special or different from the existing primary use of residential. The property is currently and adequately served by public utilities and services.

*Finding #5 has been satisfied.*

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The applicant, in their application, stated there will only be one client on the premises at a time, unless the rare scheduling error occurs. Even in the event of this, the applicant's submitted information states there is adequate off-street parking to accommodate. There are also no additional employees proposed other than the resident of the dwelling.

*Finding #6 has been satisfied.*

*Finding of Fact #7 - Do you agree this will 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?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The proposed activity will wholly be enclosed in a structure, and does not create negative externalities on adjacent properties that would be detrimental to persons, property, or general welfare.

*Finding #7 has been satisfied.*

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The proposed traffic for the property will not be considerably higher than a residential use, and the applicant states there is adequate off-street parking to accommodate the home occupation.

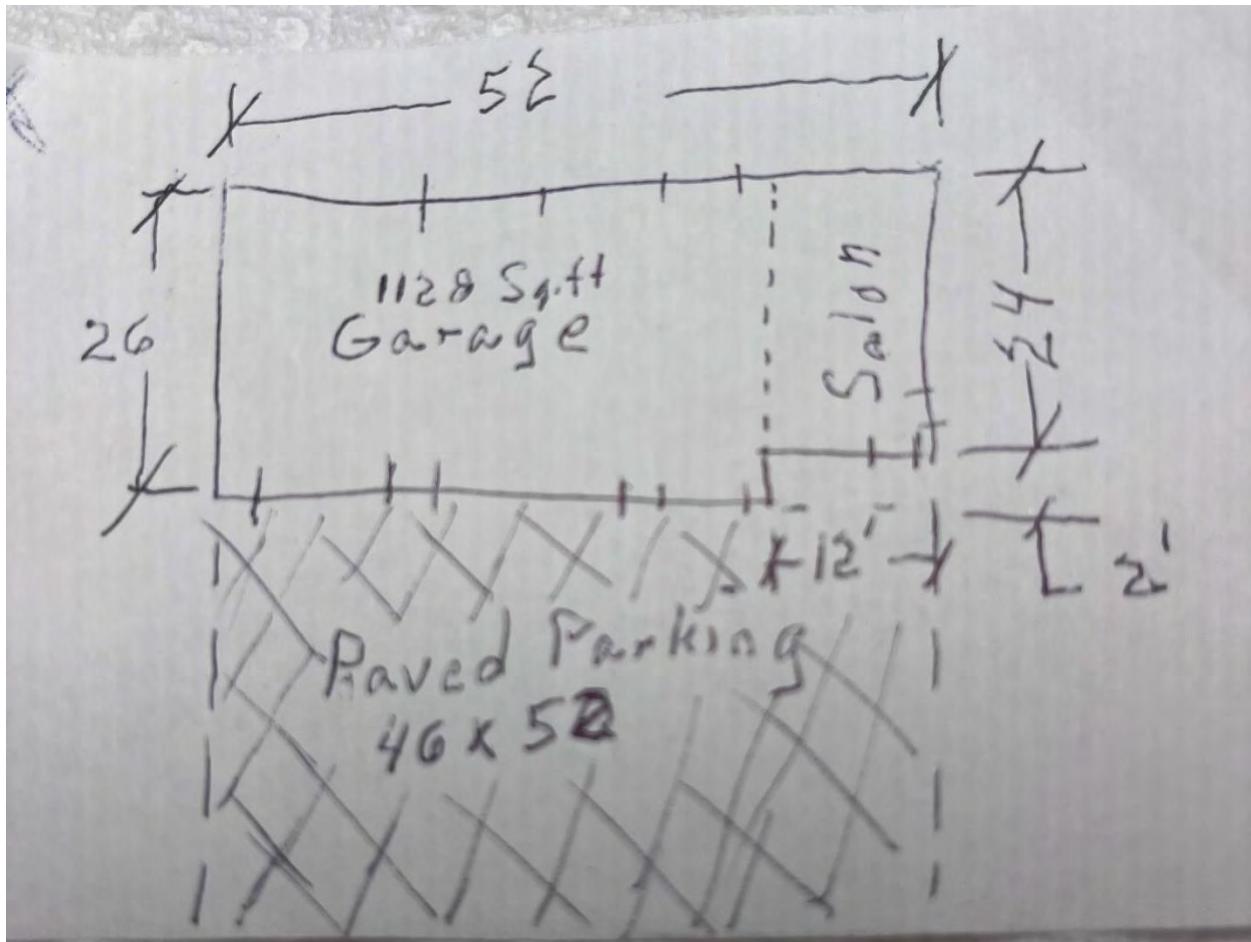
*Finding #8 has been satisfied.*

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The applicant's submitted information does not include anything that states the use will increase the intensity of the primary use.

*Finding #9 has been satisfied.*

### **Applicant Submittal**



# **APPLICATION PACKET:**

**BZCU-25-28**

Cherilyn Miller/RBCT Properties LLC

Conditional Use Approval for “ 121 Rooming &  
Boarding House”

Location:

822 Green ST (39-08-27-223-047.000-007)

Zoned R-8

**Conditional Use Permit****BZCU-25-28**

Submitted On: Dec 23, 2025

**Applicant**

 Cherilyn Miller  
 812-599-9359  
 recoveryfoundationsi@gmail.com

**Primary Location**

822 GREEN RD  
MADISON, IN 47250

**General Information****Are you the property owner?**

No

**Property Owner Information****Property Owner Name**

RBCT Properties LLC

**Street Mailing Address**

5008 N Graham Road

**City**

Madison

**State**

IN

**Zip Code**

47250

**Phone Number**

8120000000

**Email**

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**Permit Information****Type of Application**

Initial Application

**Zoning Classification**

Medium Density Residential (R-8)

**Legal Description of Property**

011-01496-00 PT LOT 6 &amp; 7 B &amp; R ADD =11-35-13 822 Green Rd

**Description of Existing Use**

Currently vacant

**Description of Proposed Use**

Transitional rooming/boarding

**Proposed Schedule of Uses Category #**

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**Narrative**

**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, rooming and boarding house

**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, health and wellness

**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?**

Yes

**Will this use not be hazardous or disturbing for existing or future neighboring uses?**

Yes

**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

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### **Narrative (Continued)**

**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?**

Yes

**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?**

Yes

**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?**

Yes

**Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?**

Yes

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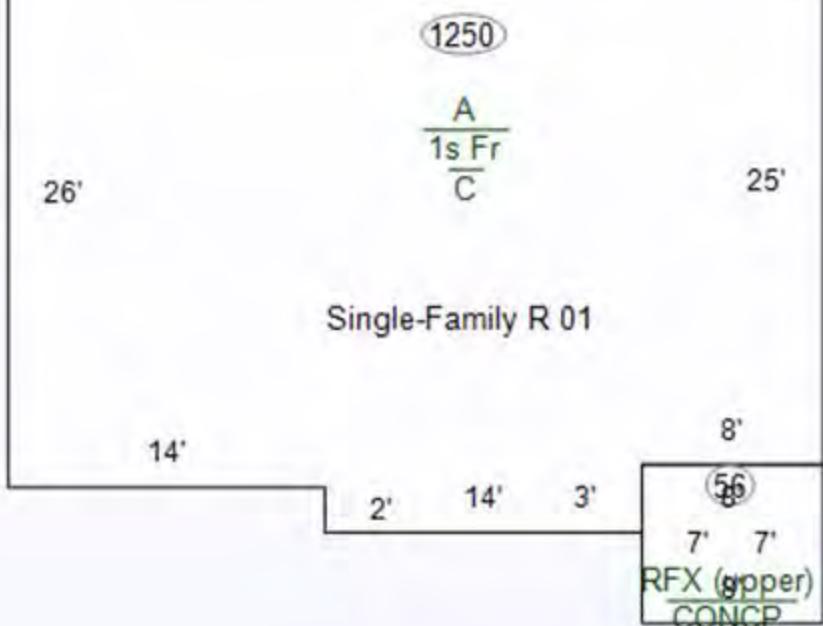
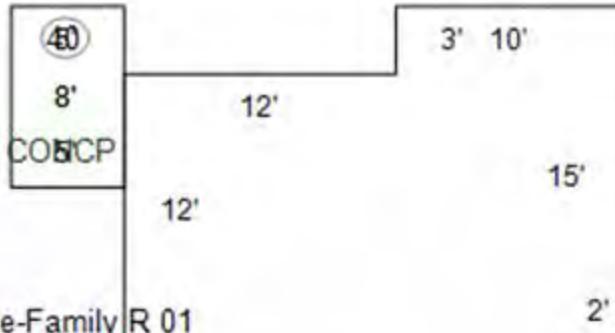
### **Acknowledgement**

*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.*

**Digital Signature**

true

**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.**



PROPERTY OWNER AUTHORIZATION FORM

I/We, Candice Fulk-McDole hereby authorize  
(Property Owner(s) – Please Print)

Cherilyn Miller, representative for Recovery Foundation of Southern Indiana  
(Applicant's Name) (Company, Firm, Organization)

to make application for a Conditional use permit to  
(Type of Permit)  
operate a rooming/boarding house at  
(Description of Proposed Work)

822 Green Road

(Property Address)

Madison, IN 47250

(City, State, Zip Code)

DocuSigned by:

CANDICE FULK-MCDOLE

1A7CEE49BDAAF6494...

(Property Owner Signature)

12/20/2025

(Date)



## PROJECT BRIEF – BZCU-25-28

**Application Date:** December 11, 2025

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed for a Conditional Use Permit to operate a Rooming and Boarding House under "121 Rooming & Boarding House".

<b>Current Zoning:</b> Residential Medium Density(R-8)	<b>Project Location:</b> 822 Green Road
<b>Applicant:</b> Cherilyn Miller	<b>Owner:</b> RBCT Properties, LLC

**Preliminary Staff Recommendation: Additional Information is Needed**

**Staff Comment:**

1. Additional information should be discussed during the public hearing regarding operations, on-site staffing, services being provided within the house, state licensing, house rules, and on-site parking. Information on these items is necessary to determine if the application meets the required findings of fact.

**History, Relevant Information, & Prior Approvals:**

**History:** There is no known history for this property.

**Relevant Information:** The applicant, in their submitted application, states the description of proposed use as "Transitional Rooming/Boarding".

The existing ordinance defines "Rooming House, Boarding House, Dormitory, Lodging House" as, "A dwelling or part thereof, other than a hotel, motel, or restaurant, where meals and/or lodging are provided for compensation, for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms."

The applicant does not provide any additional information with their application.

**Prior Approvals:** There is no known prior approvals for this property.

## Surrounding Zoning and Land Use:

North: General Business(GB)
South: Residential Agricultural (RA)
East: General Business(GB)
West: Residential Medium Density(R-8)



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### **COMMUNITY COMMERCIAL (Page 74-78)**

*Community commercial includes higher intensity uses including national retailers, offices, food services, lodging, and entertainment, which draw customers from the City and adjacent communities. The designation may also contain medium to high density multifamily residential. These developments ideally are located on major thoroughfares and at prominent intersections as these uses require high visibility (enough daily traffic to support significant sales) and convenient access, on larger parcels with dedicated parking. While most community commercial uses are predominately one-story, uses may be mixed both vertically (in the same structure with retail below and residential or office above), or horizontally – uses adjacent. New commercial centers should have cohesive architectural styles using high-quality materials, and provide landscaping, lighting, pedestrian accommodations, and even open space if over a certain size. Controlled access (limiting curb cuts) and cross-access easements between businesses (connecting parking lots) should be considered to mitigate potential traffic congestion.*

### Ordinance:

#### **SECTION 6.13 – MEDIUM DENSITY RESIDENTIAL (R-8) (Pages 50-56)**

#### **SECTION 7.00 – OFFICIAL SCHEDULE OF DISTRICT REGULATIONS (PAGE 93-99)**

### Finding of Fact:

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes, rooming and boarding house
Staff Response:	Yes. The proposed use meets the definition for "Rooming House, Boarding House, Dormitory, Lodging House" as outlined in Section 2.10 of the existing zoning ordinance, and aligns with the use of "121 Rooming & Boarding House".

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes, health and wellness
Staff Response:	Yes. The requested conditional use is for a residential use that is needed and is marketed to a diverse population. The proposed location is across the street from a public park and in close proximity to Clifty Falls State Park.

*Finding #2 has been satisfied.*

*Finding of Fact #3 - Do you agree this will be designed, constructed, 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?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The proposed use is considered residential, and the use should be conducted within the parameters of a residential use.

*Finding #3 has been satisfied.*

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	Yes
Staff Response:	Additional information is needed to determine

*Finding #4 has been satisfied.*

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, 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?*

The applicant has provided the following response:	Yes
Staff Response:	Yes. The only public services and facilities that should be necessary are those that currently serve the adjacent residential uses.

*Finding #5 has been satisfied.*

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	Yes
Staff Response:	Additional information is needed to determine

*Finding of Fact #7 - Do you agree this will 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?*

The applicant has provided the following response:	Yes
Staff Response:	Additional information is needed to determine

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	Yes
Staff Response:	Minimal vehicular traffic would be needed for this use, and the use will be required to meet all standards for off-street parking as outlined in Section 5.42, Section 9.00, and Table 9-1 in the existing zoning ordinance. Additional information is needed to determine if required parking can be provided on-site.

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	Yes.
Staff Response:	Additional information is needed to determine

*Finding #9 has been satisfied.*

# **APPLICATION PACKET:**

## **BZCU-25-29**

Fred Low/Bruce and Cheryl Tandy

Conditional Use Approval for “476 Relay Towers & Transmitting Stations (TV, Radio, & Telephone)” to construct a new telecommunications tower

Location:

316 N Goins Road (39-08-31-000-023.000-006)

Zoned RA

**Conditional Use Permit****BZCU-25-29**

Submitted On: Dec 29, 2025

**Applicant**

 Fred Low  
 317-538-9856  
 fredlow@chailletowerconsultants.com

**Primary Location**

328 GOINS RD  
MADISON, IN 47250

**General Information****Are you the property owner?**

No

**Property Owner Information****Property Owner Name**

Bruce &amp; Cheryl Tandy

**Street Mailing Address**

3582 N SR 7

**City**

Madison

**State**

IN

**Zip Code**

47250

**Phone Number**

812-599-1612

**Email**

tandystrucking@msn.com

**Permit Information****Type of Application**

Initial Application

**Zoning Classification**

Residential Agricultural District (R-A)

**Legal Description of Property**

010-01283-00 SE NE 31-4-10 40A PT NE SE 31-4-10 1A 10-48-17 300+ N Goins Rd

**Description of Existing Use**

Agricultural crop

**Description of Proposed Use**

Install unmanned communications facility (tower) to include: 250' Self Support (Lattice Type) Tower with 5' top mounted lightning rod (255' overall height) within 65'x65' fenced aggregate compound. Colocation of antennas and associated equipment at 245' AGL along with base equipment within fenced compound. Installation of 12' access road and utilities (fiber & power) from Goins Rd to compound within access/utility easement.

**Proposed Schedule of Uses Category #**

U

**Narrative**

**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. Section 6.11.C.4 lists Various Public and Quasi-Public Utilities as a Conditional Use (Section 7.00 - 476)

**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. The One Madison Comprehensive Plan confirms multiple wireless cellular coverage is good within the corporate boundary, but drops off sharply as you exit the extra-territorial jurisdiction (page 118 Data Networks). The proposed facility would help to address that issue in coverage. The proposed facility would also improve wireless access points in the area as indicated in Goal 3 of the Infrastructure and Public Services Section indicating the goal to continue to establish wireless access points throughout the city (page 128 Enhance public infrastructure to promote investment/reinvestment). Additionally the site design meets the ordinance requirements listed in Section 6.11.C.4.

**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?**

Yes. As the proposed facility is designed to operate unmanned, the essential character of the general vicinity will not be impacted at a significant level. The facility operation will not significantly impact traffic flow and the facility does not produce odor or noise that would affect the surroundings. Regularly scheduled maintenance will be conducted in accordance with industry standards.

**Will this use not be hazardous or disturbing for existing or future neighboring uses?**

Yes. The proposed tower will be specifically designed to have a fall radius within the subject parcel (see stamped design letter dated 10/31/25 defining fall radius equal to 50 ft). Additionally the site is to be unmanned with limited traffic (approximately 1 vehicle per month post construction), does not produce odor nor loud noise during operation.

**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. Utilities required by the facility are power and fiber. Power source is readily available within ROW near the site. The facility owner will be responsible for costs associated with power and fiber installation. Traffic post construction is estimated at 1 vehicle per month and will not significantly increase demand on existing roadway. No water, sewer service nor refuse disposal is required for operation of the facility.

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**Narrative (Continued)****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?**

Yes. The proposed facility does not produce demand on public services. Installation of all utilities required at the facilities are funded by the facility owner. The facility will be a benefit to the economic welfare of the community by improved accessibility of wireless voice and data transmission.

**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?**

Yes. The proposed facility is unmanned and is designed to have low impact on the surrounding area. Operation of the facility does not produce odors, noise at an appreciable level, smoke or fumes.

**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?**

Yes. Access to the facility from Goins Rd will be via a 30' Access/Utility easement. The location of the proposed access drive is approximately the same location as the existing drive accessing the agricultural field.

**Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?**

Yes. The area at the site is relatively flat farm field. Existing trees and vegetation will be preserved to the greatest extent possible.

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**Acknowledgement**

Digital Signature

*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.**

PROPERTY OWNER AUTHORIZATION FORM

I/We, Bruce Tandy  
(Property Owner(s) – Please Print) hereby authorize

Fred Low, representative for Chaille Tower Consultants obo TAG Towers  
(Applicant's Name) (Company, Firm, Organization)

to make application for a Conditional Use to  
(Type of Permit)

Install unmanned communication facility (tower) and antenna, etc. within 65'x65' fenced aggregate compound. at  
(Description of Proposed Work)

316 Goins Rd

(Property Address)

Madison, IN 47250

(City, State, Zip Code)

Bruce Tandy  
(Property Owner Signature)

12-22-25  
(Date)



Statement of Network Need for a New Communications Tower  
Michael Fahim, RF Engineer

1. My name is Michael Fahim and I am a radio frequency (RF) engineer for Verizon Wireless (“Verizon”). I have been employed as an RF engineer for 6 years in the telecommunications industry, the last 6 with Verizon.
2. The primary duties of my job as an RF engineer include the design and management of Verizon’s wireless communications network in its Michigan/Indiana/Kentucky Market, which includes the area in and around Jennings, Indiana. In this role, I am also responsible for identifying and correcting substantial service gaps that present themselves in Verizon’s wireless network. These service gaps can be caused by lack of coverage or insufficient system capacity, or both. Service gaps are identified through the use of internal Verizon network monitoring tools and analysis showing the capacity and/or coverage need in a particular area.
3. In the course of my employment at Verizon, I have become aware of a significant service gap in Verizon’s wireless communications network in the area near HYW56. As a result of this significant service gap, Verizon customers using their devices in and around the Gap Area are likely to experience diminished call quality, slow and unreliable data transmission speeds, call drops, and blocked calls. Verizon’s service gap in the Gap Area has existed for several years.
4. This significant service gap will remain and cannot be resolved unless a communications tower is constructed within the Gap Area. Verizon must remedy this service gap in order to provide high-speed wireless broadband access to the communities in and around HYW56, to fill in coverage gaps where wireless services are not reliable, and to provide enhanced E911 services.
5. Verizon identified a search area in which a tower would need to be located in order to resolve the service gap. Before proposing a new communications tower, Verizon first considered whether any existing towers in the area could be used to resolve the coverage gap in the Gap Area. There are no other existing towers in the search area on which Verizon could collocate its communications equipment to resolve the service gap. For this reason, TAG Towers, LLC began looking for available properties in the search area that would be suitable for a tower.
6. Verizon and TAG Towers, LLC have worked together to identify a property in the Gap Area that could accommodate a communications tower to correct the significant service gap in Verizon’s wireless communications network. TAG Towers, LLC has proposed to build a new tower on 300 N Goins Rd Madison Indiana 47350.

7. By co-locating its communications equipment on the Proposed Tower, Verizon will resolve the current significant service gap and will be able to provide improved service to residents, businesses, and emergency service providers in and around the Gap Area. If TAG Towers, LLC unable to construct the new telecommunications tower, and Verizon is therefore unable to collocate its equipment on the proposed tower, the significant service gap in Verizon's wireless communications network will remain, and Verizon will be prohibited from providing reliable wireless service to its customers in the Gap Area.

Dated this 20 day of October ,2025

Michael Fahim

Michael Fahim  
RF Engineer  
Verizon



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2025-AGL-13926-OE

Issued Date: 11/26/2025

TAG TOWERS III LLC  
DAVID GINTER  
108 Forbes Court  
Suite 1  
Richmond, KY 40475

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower IN-2012 West Madison  
County, State: Jefferson, Indiana

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
pt-1	38-44-43.89N	85-26-36.86W	809 Ft	199 Ft	1008 Ft

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)  
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 05/26/2027 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 1-817-222-4104, or [diana.v.pinos@faa.gov](mailto:diana.v.pinos@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-AGL-13926-OE.

**Signature Control No: 679458085-685300463**

( DNE )

Diana Pinos  
Specialist

Attachment(s)  
Additional Information  
Frequency Data

Map(s)

cc: FCC

## Additional information for ASN 2025-AGL-13926-OE

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band.

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.

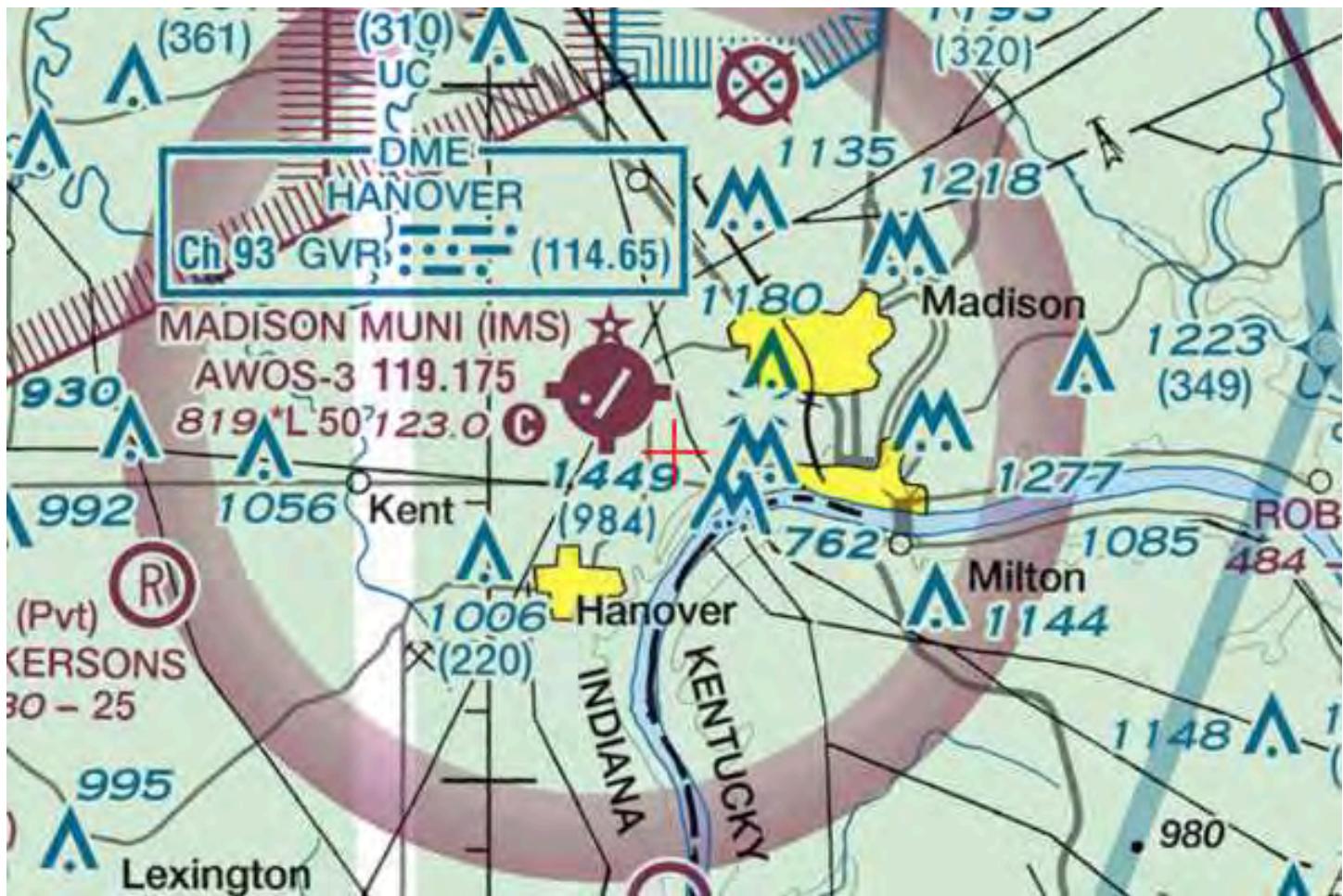
**Frequency Data for ASN 2025-AGL-13926-OE**

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	42	dBW
6	7	GHz	55	dBW
10	11.7	GHz	42	dBW
10	11.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
21.2	23.6	GHz	42	dBW
21.2	23.6	GHz	55	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	824	MHz	500	W
806	901	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	1640	W
3700	3981	MHz	3280	W

# Verified Map for ASN 2025-AGL-13926-OE



Sectional Map for ASN 2025-AGL-13926-OE





1 Fairholm Avenue  
Peoria, IL 61603 USA  
Phone: (309)-566-3000  
Fax: (309)-566-3079

October 31, 2025

TAG Towers

Attn: Richie Pennington

Reference: 195ft Self-Supporting Tower Model RTL  
Site Name: West Madison - IN-2012, Jefferson County, IN  
Quote Number: Q25-11129-2

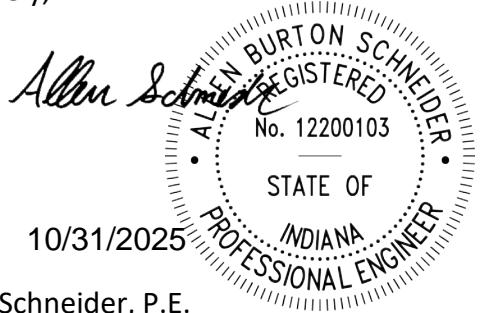
Dear Richie,

The referenced Tower will be designed to meet the specified loading requirements in accordance with ANSI/TIA-222-H for a 106 mph 7-16 Ultimate Wind Speed with no ice and a 30 mph 3-second gust wind speed with 1.5 inches radial ice, Risk Category II, Exposure Category C, and Topographic Category 1.

It is our understanding that the design of the referenced Tower requires consideration of a contained fall radius in the event that a catastrophic wind speed would result in collapse. Although the Tower will not be designed to fail, stronger sections where required by analysis will be provided in the lower sections of the Tower. This will result in an increased safety factor in the lower sections of the Tower. This design will enable the Tower to fail through a combination of bending and buckling in the upper portion of the Tower under a catastrophic wind loading. Failure in this manner would result in the upper portion of the Tower folding over the lower portion, resulting in a fall radius no greater than 50 feet.

Please contact us at your convenience should you have further questions concerning the safety of Tower structures or other aspects of Tower design.

Sincerely,



Allen Schneider, P.E.  
Senior Design Engineer

***Products for a Growing World of Technology®***

**TAG**  
TOWERS

**108 FORBES COURT, SUITE 1**  
**RICHMOND, KY 40475**

<b>TOWER OWNER</b> TAG TOWERS DAVID GINTER RICHMOND, KY 40475 PH: (859) 544-5000 EMAIL: <a href="mailto:DGINTER@TAGTOWERS.COM">DGINTER@TAGTOWERS.COM</a>	<b>PROPERTY OWNER</b> BRUCE AND CHERYL TANDY 3582 N STATE ROAD 7 MADISON, IN 47250
<b>POLICE DEPARTMENT</b> JEFFERSON COUNTY SHERIFF 1150 JA BERRY LANE MADISON, IN 47250 PH: (812) 265-4716	<b>FIRE DEPARTMENT</b> MADISON FIRE DEPT. 815 W. MAIN STREET MADISON, IN 47250 PH: (812) 265-2712
<b>OWNER OWNER LEASE AREA</b> 100'x100' (10,000 SQ. FT.)	<b>VERIZON LEASE AREA</b> 30'x12' (360 SQ. FT.)
<b>PROJECT TOTAL DISTURBED AREA</b> FENCE COMPOUND: 4420 SQ FT (0.10 AC) GROSS AREA: 6995 SQ FT (0.16 AC)	<b>PROJECT TOTAL DISTURBED AREA</b> FENCE COMPOUND: 4420 SQ FT (0.10 AC) GROSS AREA: 6995 SQ FT (0.16 AC)
<b>SITE COORDINATES AND ELEVATION</b> LATITUDE - N38° 44' 43.89" / N38° 45' 55.2622" LONGITUDE - W085° 26' 36.86" / -85.44357128 (NAD 83)	<b>SITE COORDINATES AND ELEVATION</b> LATITUDE - N38° 44' 43.89" / N38° 45' 55.2622" LONGITUDE - W085° 26' 36.86" / -85.44357128 (NAD 83)
<b>GROUND ELEVATION</b> - ±809' AMSL (NAD 88)	<b>GROUND ELEVATION</b> - ±809' AMSL (NAD 88)

**PROJECT SUMMARY**

<b>SITE ACQUISITION</b> CHAILLE, TOWER CONSULTS	<b>DESIGN ENGINEERING</b> MISSION 1 COMMUNICATIONS
<b>CHIEF TOWER CONSULTS</b> FRED LOW BREMEN, IN 46506 PH: (317) 538-9586 EMAIL: <a href="mailto:CHIEFTOWERCONSULTANTS.COM">CHIEFTOWERCONSULTANTS.COM</a>	<b>MISSION 1 COMMUNICATIONS</b> DONALD HOFFELMEYER FORT WAYNE, IN 46804 PH: (260) 436-3922 EMAIL: <a href="mailto:DHOFFELMEYER@MICOMM.COM">DHOFFELMEYER@MICOMM.COM</a>
<b>SURVEYOR</b> BENCHMARK SERVICES, INC. Ralph Wallen HUNTINGBURG, IN 47542 PH: (812) 683-3049 EMAIL: <a href="mailto:BENCHMARK@MW.IWCBC.COM">BENCHMARK@MW.IWCBC.COM</a>	<b>UTILITIES - ELECTRIC</b> HARRISON REMC
<b>VERIZON WIRELESS (GC) SCOPE</b> FRED LOW BREMEN, IN 46506 PH: (317) 538-9586 EMAIL: <a href="mailto:CHIEFTOWERCONSULTANTS.COM">CHIEFTOWERCONSULTANTS.COM</a>	<b>VERIZON WIRELESS (GC) SCOPE</b> FRED LOW BREMEN, IN 46506 PH: (317) 538-9586 EMAIL: <a href="mailto:CHIEFTOWERCONSULTANTS.COM">CHIEFTOWERCONSULTANTS.COM</a>
<b>PROJECT DESCRIPTION</b>	<b>PROJECT DESCRIPTION</b>

**NEW 195' SELF-SUPPORT  
W/ 4' LIGHTNING ROD  
TOTAL TOWER HEIGHT 199'  
VERIZON ANTENNA C.L. 190'**  
**CELLCO PARTNERSHIP**  
**d/b/a VERIZON WIRELESS**  
**WS WEST MADISON**  
**FUZE PROJECT ID: 17457183**  
**MDG LOCATION ID: 5000973336**

**IN-2012**  
**CELL SITE**  
**GOINS ROAD**  
**MADISON, IN 47250**  
**JEFFERSON COUNTY**

**DRAWING INDEX**

T-1

**PROJECT INFORMATION, LOCATION MAPS, AND  
DRAWING INDEX**

**TAG**  
TOWERS

CELLCO  
PARTNERSHIP, d/b/a

**Verizon**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

BUILDING CODE

2012 INTERNATIONAL BUILDING CODE (IBC)

TIA/EIA-222 – REVISION H

2012 INTERNATIONAL FIRE CODE

(IFC)

2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

2012 INTERNATIONAL FUEL GAS CODE (IFGC)

FUEL GAS CODE

2023 NATIONAL ELECTRICAL CODE – NFPA (NEC)

STRUCTURAL CODE

2012 INTERNATIONAL MECHANICAL CODE (IMC)

2006 INTERNATIONAL PLUMBING CODE (IPC)

PLUMBING CODE

2023 NATIONAL ELECTRICAL CODE

ELECTRICAL CODE

2012 INTERNATIONAL MECHANICAL CODE (IMC)

MECHANICAL CODE (IMC)

2006 INTERNATIONAL PLUMBING CODE (IPC)

CODE (IFGC)

ENERGY CODE

2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

CONSTRUCTION CODE (ICC)

FIRE/LIFE SAFETY CODE

2012 INTERNATIONAL PLUMBING CODE (IPC)

CODE (IFGC)

PLUMBING CODE

2012 INTERNATIONAL MECHANICAL CODE (IMC)

MECHANICAL CODE (IMC)

2006 INTERNATIONAL PLUMBING CODE (IPC)

CODE (IFGC)

STRUCTURAL CODE

2012 INTERNATIONAL FIRE CODE

(IFC)

2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

CONSTRUCTION CODE (ICC)

FIRE/LIFE SAFETY CODE

2012 INTERNATIONAL PLUMBING CODE (IPC)

CODE (IFGC)

PLUMBING CODE

2012 INTERNATIONAL MECHANICAL CODE (IMC)

MECHANICAL CODE (IMC)

2006 INTERNATIONAL PLUMBING CODE (IPC)

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MECHANICAL CODE (IMC)

2

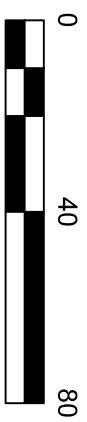
CENTER OF TOWER POINT LOCATION  
NAD 1983  
LATITUDE: 38°44'43.89" N  
(38.74552622)  
LONGITUDE: 85°26'36.86" W  
(-85.44357128)  
NAVD 1988  
ELEVATION 809.20 AMSL

GRID NORTH BY G.P.S.  
OBSERVATION +/- 10 SECONDS



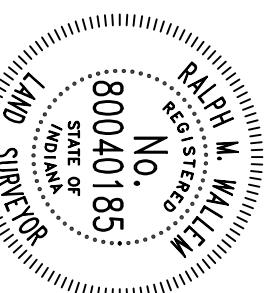
SCALE: 1"=40'  
(11"X17" PLOT)

NORTH IS BASED ON INDIANA STATE PLANE  
COORDINATE SYSTEM EAST ZONE AND WAS  
DETERMINED BY COMPUTATION FROM G.P.S.  
OBSERVATION ON SEPTEMBER 15, 2025



Ralph M. Wallen

PLS NO. IN LS S80040185



**verizon** ✓

**TAG**  
TOWER

**BENCHMARK**  
SERVICES, INC.

Parcel Number  
39-08-31-000-023.000-006

**MISSION 1**  
COMMUNICATIONS

Consulting Engineers  
3118 North Main Street  
Huntingburg, IN 47542  
benchmark@nw.kwcbc.com

**GOALS**  
GOALS

I HEREBY CERTIFY THAT THIS PLAT AND SURVEY WERE MADE BY ME  
OR UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR  
MEASUREMENTS AS WITNESSED BY MONUMENTS SHOWN HEREON ARE  
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
NOTE: FLOOD ZONE INFORMATION SHOWN HEREON IS BASED ON INFORMATION FROM A FEMA  
SCALED MAP AND GPS OBSERVATION.  
GENERAL NOTES:  
THE ACCESS & UTILITY EASEMENT TERMINATE AT THE QUARTER SECTION LINE AND BEING THE PROPERTY LINE OF  
PARCEL 39-08-31-000-023.000-006 PASSING OVER THE WESTERN RIGHT OF WAY.  
THE LEASE AREA AND EASEMENT LIE ENTIRELY WITHIN THE PARENT PARCEL.  
AT THE TIME OF THE SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS LOCATED ON THE LEASE AREA OR  
EASEMENTS.

AT THE TIME OF THE SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS LOCATED ON THE LEASE AREA OR  
EASEMENTS.

LINE TABLE		
Owner Name	TANDY BRUCE & CHERYL	
Parcel Number	39-08-31-000-023.000-006	
Location Address	N GOINS ROAD	
Owner Address	MADISON, IN 47250-0000	
	3582 N SR 7	
	Madison, IN 47250-7961	

SURVEYOR NOTE:  
THIS EXHIBIT DRAWING IS FOR GENERAL INFORMATION ONLY. DISTANCES SHOWN FROM THE  
CENTER OF TOWER TO PROPERTY LINES WERE DERIVED FROM PROVIDED PLATS AND  
DESCRIPTIONS. THE DATA SHOWN IS BASED ON LIMITED ACCURACY MEASUREMENTS  
THEREFORE NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION  
OF NEW IMPROVEMENTS AND/OR FENCES

**PARCEL DETAIL** SCALE: NONE

N GOINS ROAD  
MADISON, IN 47250

LEASE AREA:  
10000 SQ. FT.

DEED BOOK-PAGE  
INSTR#201403409

COUNTY:  
JEFFERSON COUNTY

LATITUDE: 38°44'43.89" N  
LONGITUDE: 85°26'36.86" W

DATE: 9.19.25

REV/ISSUE DATE:  
NO. 1

MM: SURVEY PLAN

SHEET: 1 OF 2

NOTE: THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

## TOWER TITLE

Title File No.: MTA-214817-PR  
 Client File No.: TAG Towers, LLC – IN-2012 West Madison  
 Effective Date: 8/21/2025  
 Address Reference: 300 North Goins Road, Madison, IN 47250  
 Parcel ID No.: 39-08-31-000-023.000-006  
 VESTING  
 Bruce Tandy and Cheryl Tandy, husband and wife

### SURVEYOR CERTIFICATION

#### CERTIFICATION TO: TOWER TITLE & TAG TOWERS

I CERTIFY THAT THIS PLAT AND SURVEY WERE MADE BY ME UNDER MY SUPERVISION, AND THAT THE ANGULAR AND LINEAR MEASUREMENTS, PLAT AS WITNESSED BY MONUMENTS SHOWN HEREON, ARE TRUE AND CORRECT TO THE BEST OF MY ABILITY AND BELIEF. THIS SURVEY AND PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF THE GOVERNING AUTHORITIES.

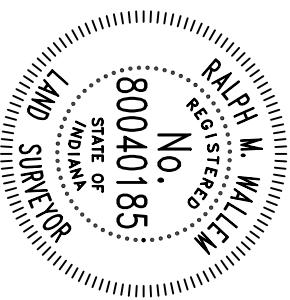
SURVEYOR STATEMENT—MY COMMENTS ARE BASED SOLELY ON THE TITLE DOCUMENT THAT HAVE BEEN SUPPLIED TO ME BY THE TITLE COMPANY. SINCE THE TITLE DOCUMENTS ARE FURNISHED FOR THE PARENT TRACT, OUR TOPOGRAPHIC SURVEY IS OF A PORTION OF THAT TRACT. MY COMMENTS ARE RESTRICTED TO EXCLUSIONS THAT I CAN DETERMINE AFFECT ONLY OUR PORTION OF THE PARENT TRACT. NO BOUNDARY SURVEY WAS PERFORMED ON THE PARENT TRACT. THUS IT IS NOT POSSIBLE TO DETERMINE WITH CERTAINTY EXCLUSIONS.

### SCHEDULE "B" ITEMS

THERE ARE NO SCHEDULE "B" ITEMS TO ADDRESS.

### END OF SCHEDULE "B" ITEMS

RALPH M. WALLEM  
 PLS NO. IN LS S80040185



RALPH M. WALLER  
 REGISTERED  
 LAND SURVEYOR  
 No. 80040185  
 STATE OF INDIANA

COMMENCING AT A 5/8" REBAR FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 04 MINUTES 25 SECONDS WEST 8.53 FEET TO THE TRUE PLACE OF BEGINNING OF THIS ACCESS AND UTILITY EASEMENT; THENCE CONTINUING SOUTH 00 DEGREES 04 MINUTES 25 SECONDS WEST 30.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 114.96 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 24 SECONDS WEST 35.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 30.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 100.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 24 SECONDS WEST 100.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 30.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 24 SECONDS EAST 35.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS EAST 74.16 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 30.10 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 15.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 30.09 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS EAST 25.78 FEET TO THE TRUE PLACE OF BEGINNING AND CONTAINING 6,900 SQUARE FEET, (0.16 ACRES), MORE OR LESS.

A PART OF THE NORTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 10 EAST LOCATED IN MADISON TOWNSHIP, JEFFERSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 04 MINUTES 25 SECONDS WEST 8.53 FEET TO THE TRUE PLACE OF BEGINNING OF THIS ACCESS AND UTILITY EASEMENT; THENCE CONTINUING SOUTH 00 DEGREES 04 MINUTES 25 SECONDS WEST 30.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 114.96 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 24 SECONDS WEST 35.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 30.00 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 100.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 24 SECONDS WEST 100.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST 30.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 24 SECONDS EAST 35.00 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS EAST 74.16 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 30.10 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 15.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 30.09 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 36 SECONDS EAST 25.78 FEET TO THE TRUE PLACE OF BEGINNING AND CONTAINING 6,900 SQUARE FEET, (0.16 ACRES), MORE OR LESS.

THE ABOVE DESCRIBED PARCELS ARE SUBJECT TO ALL LEGAL RIGHTS OF WAYS AND EASEMENTS OF RECORD.

## DESCRIPTION OF LEGAL DESCRIPTION-EXHIBIT "A" TITLE REPORT

### LEGAL DESCRIPTION

The following described real estate in Jefferson County, in the State of Indiana, to-wit:  
 Being a part of the Northeast Quarter of Section 31, Township 4 North, Range 10 East, Located in Madison Township, Jefferson County, Indiana and being more particularly described as follows:

Commencing at a found iron pin marking the Northeast corner of Section 31, Township 4 North, Range 10 East, thence along the East line of said Section S 00 degrees 01' 54" E, a distance of 1322.45 feet to a set 5/8" re-bar with cap and the True Point of Beginning of this description; thence continuing along the East line of Section 31, Township 4 North, Range 10 East S 00 degrees 01' 54" E, a distance of 1322.44 feet to a found (said re-bar set as the Southeast corner of the Northeast Quarter of Section 31, Township 4 North, Range 10 East), thence S 00 degrees 04' 00" E, a distance of 104.45 feet to a set mag nail in Goins Road, thence leaving said road and running along the North property line of a parcel owned by Sandra L. Butler (Instrument Number 2004-0283) as recorded in the Jefferson County Recorder's Office S 89 degrees 39' 40" W, a distance of 420.50 feet to a set 5/8" re-bar with cap (passing thru a set 5/8" re-bar at 40 feet on this line), thence along the property line of Indiana Michigan Electric Company (Deed Record 1-46, Page 319-325 as recorded in the Jefferson County Recorder's Office), N 00 degree 04' 07", W, a distance of 104.45 feet to a set 5/8" re-bar with cap in the half Section line of Section 31, Township 4 North, Range 10 East thence continuing along aforesaid property line and the half Section line S 89 degrees 39' 40" W, a distance of 901.27 feet to a found stone, thence along the West property lines of Property owned by James and Charlene Barry (Instrument Number 2008-04363), Jeffrey and Angela Arnick (Instrument Number 2008-00287) and David and Constance Goodman (Deed Record 173, Page 828) N 00 degree 08' 54" W, a distance of 1317.45 feet to a found re-bar with cap (Pettit), thence along the South property lines of property owned by David Goodman (Instrument Number 2013-04088), Bruce and Cheryl Tandy (Instrument Number 2012-00267) and Raymond and Carol Vaugh (Instrument Number 2006-02744) N 89 degrees 26' 45" E, a distance of 1324.49 feet to the Point of Beginning and containing 41.100 acres more or less.

Parcel ID: 39-08-31-000-023.000-006

Being the same property conveyed to Bruce Tandy and Cheryl Tandy, husband and wife from Bruce Tandy and Cheryl Tandy, husband and wife in Warranty Deed dated September 8, 2014 and recorded September 22, 2014 in Instrument No. 201403409

## DESCRIPTION OF LEASE AREA

A PART OF THE NORTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 10 EAST LOCATED IN MADISON TOWNSHIP, JEFFERSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:



**verizon**



**BENCHMARK SERVICES, INC.**  
 Consulting Engineers  
 Land Surveyors  
 318 North Main Street  
 Huntingburg, IN 47542  
 benchmark@nw.kwcbc.com

LEASE AREA:	PARCEL ID NUMBER:
10000 SQ. FT.	IN-2012

DEED BOOK-PAGE	COUNTY:
INSTR#201403409	JEFFERSON COUNTY

Latitude:	Longitude:
38°44'43.89" N	85°26'36.86" W

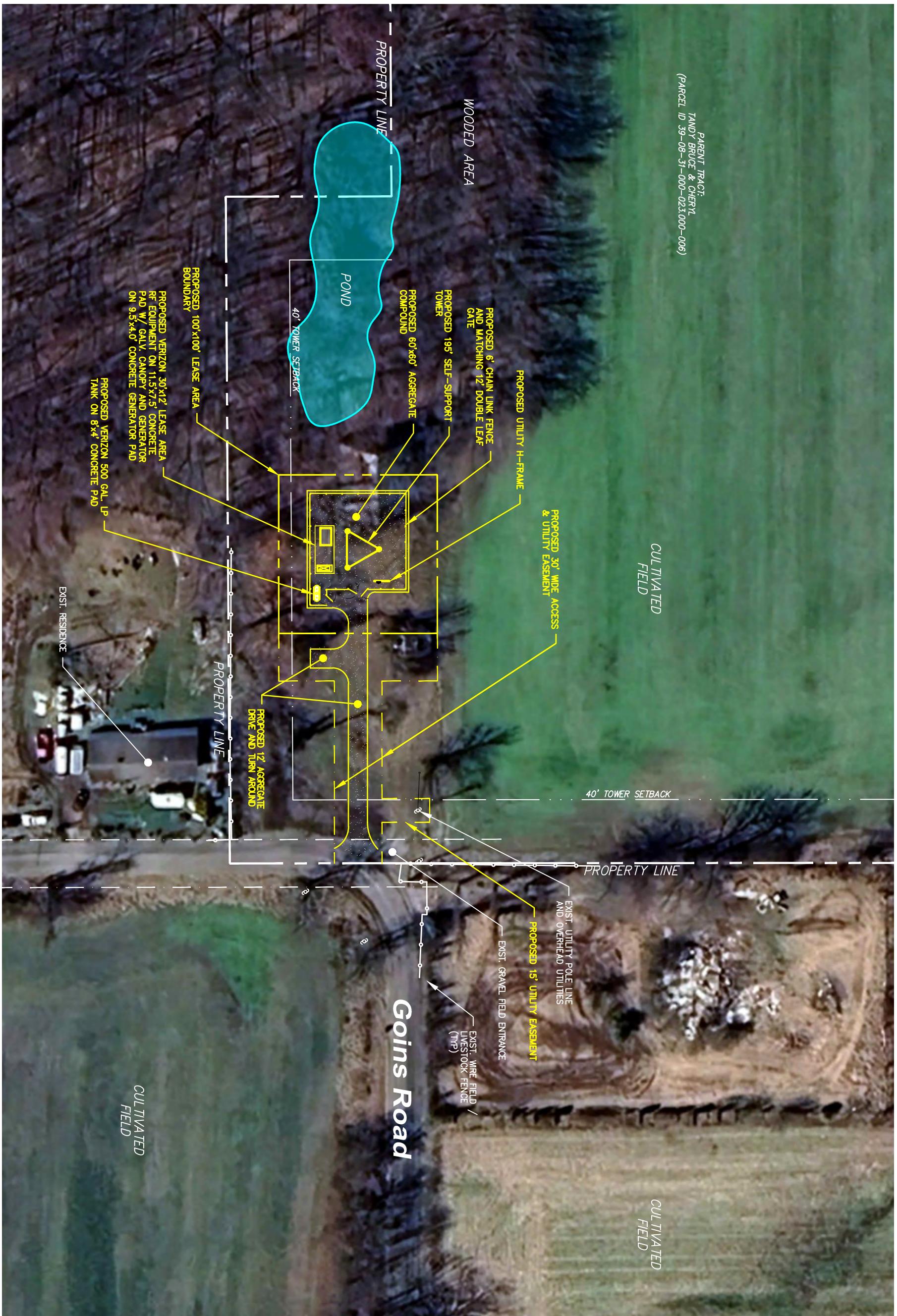
DNG BY:	CMDO BY:	DATE:
GVW	RMW	9.19.25

**MLE: SURVEY PLAN**

**SHEET:**

**2 OF 2**

# Overall Site Plan w/ Aerial Overlay



IN-2012  
WS WEST  
MADISON  
CELL SITE

THIS DRAWING IS COPYRIGHTED AND  
IS THE SOLE PROPERTY OF THE OWNER.  
IT IS PRODUCED SOLELY FOR USE BY  
THE OWNER AND ITS AFFILIATES.  
REPRODUCTION OR USE OF THIS DRAWING  
AND/OR THE INFORMATION CONTAINED  
IN IT IS FORBIDDEN WITHOUT THE  
WRITTEN PERMISSION OF THE OWNER.

RELEASE	
REV. DATE	08-11-2025
	LEASE EXHIBIT
	11-10-2025
	ZONING DRAWINGS

SITE NAME:

SITE ADDRESS:

SHEET TITLE:

PRELIMINARY  
NOT FOR  
CONSTRUCTION

CERTIFICATION:



OVERALL SITE PLAN  
w/ AERIAL OVERLAY

SHEET NO.:

C-1





## Detailed Site Plan



1 inch = 30 feet

APPARENT 30' RIGHT-OF-WAY

PROPERTY LINE / EXIST FIELD FENCE

**COPY NAME**  
REPRODUCTION OR USE OF THIS DRAWING  
AND/OR THE INFORMATION CONTAINED  
IN IT IS FORBIDDEN WITHOUT THE  
WRITTEN PERMISSION OF THE OWNER.

THIS DRAWING IS COPYRIGHTED AND  
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IT IS PRODUCED SOLELY FOR USE BY  
THE OWNER AND ITS AFFILIATES.

11-10-2025 ZONING DRAWINGS

08-11-2025 LEASE EXHIBIT

PRELIMINARY  
NOT FOR  
CONSTRUCTION



**Call** before you dig  
Call 811 or  
1-800-382-5544  
Toll Free

**NORTH GOINS ROAD  
MADISON, IN 47250**

**IN-2012  
WS WEST  
MADISON  
CELL SITE**

**NORTH GOINS ROAD  
MADISON, IN 47250**

**IN-2012  
WS WEST  
MADISON  
CELL SITE**

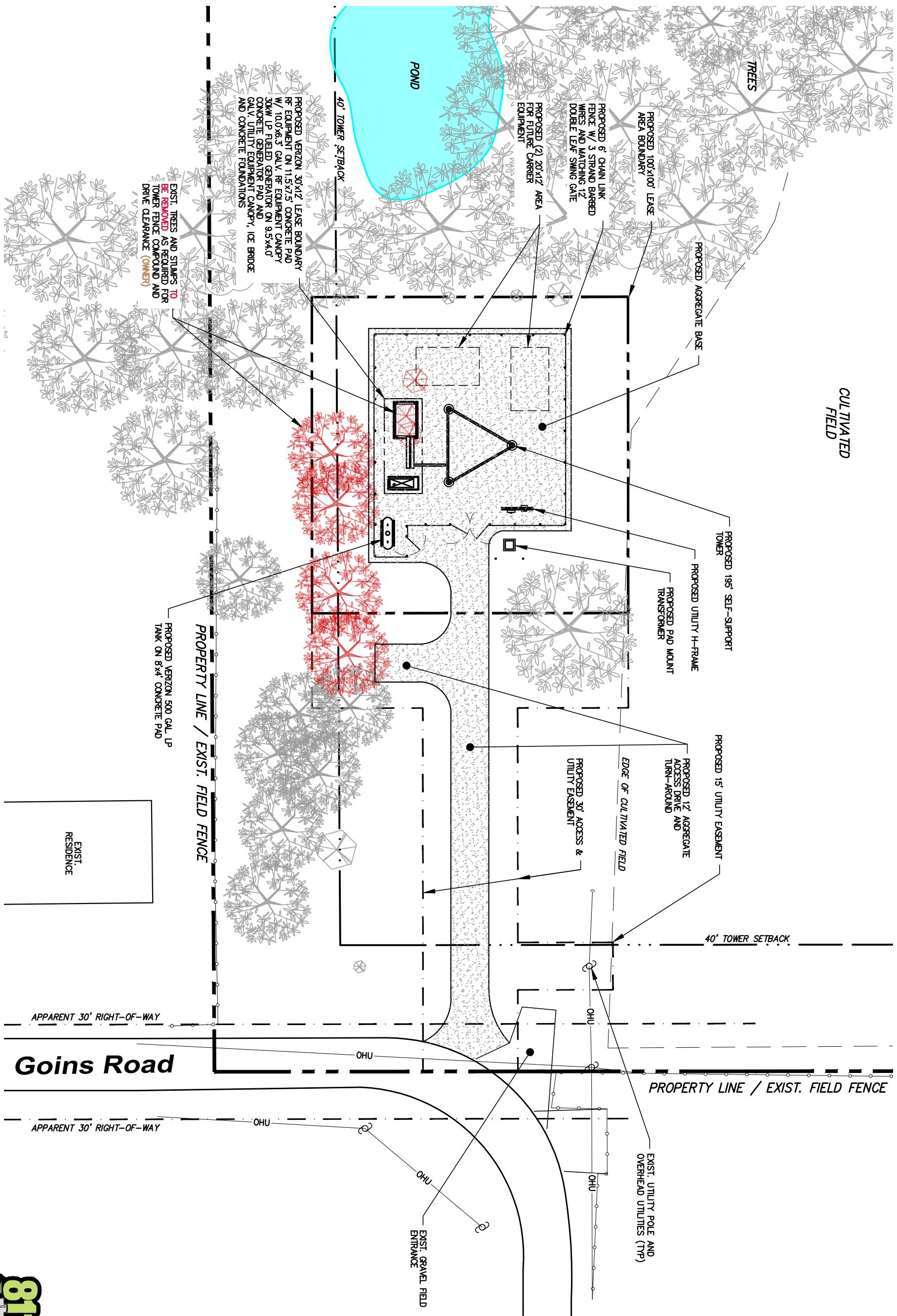
**CERTIFICATION:** **MISSION 1** COMMUNICATIONS



The Verizon logo is displayed in its signature red color. To the right of the logo, the text "CELLCO PARTNERSHIP, d/b/a" is written vertically in a black, sans-serif font.

TAG  
TOWERS

## CULTIVATED FIELD







199'-0" ELEV.  
PROPOSED TIP OF  
LIGHTNING ROD

195'-0"± ELEV.  
TOP PROPOSED  
TOWER

190'-0"± ELEV.  
PROPOSED  
VERIZON WIRELESS  
PANEL ANTENNA CL.

175'-0"± ELEV.  
PROPOSED FUTURE  
ANTENNA CL.

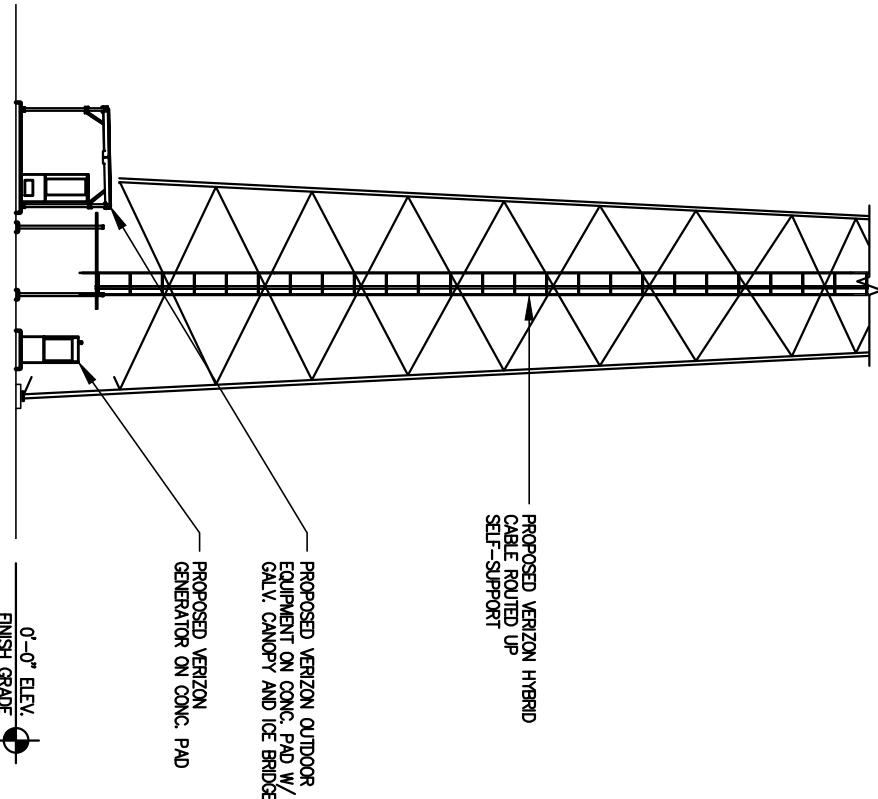
160'-0"± ELEV.  
PROPOSED  
ANTENNA CL.

0'-0" ELEV.  
FINISH GRADE

## General Notes

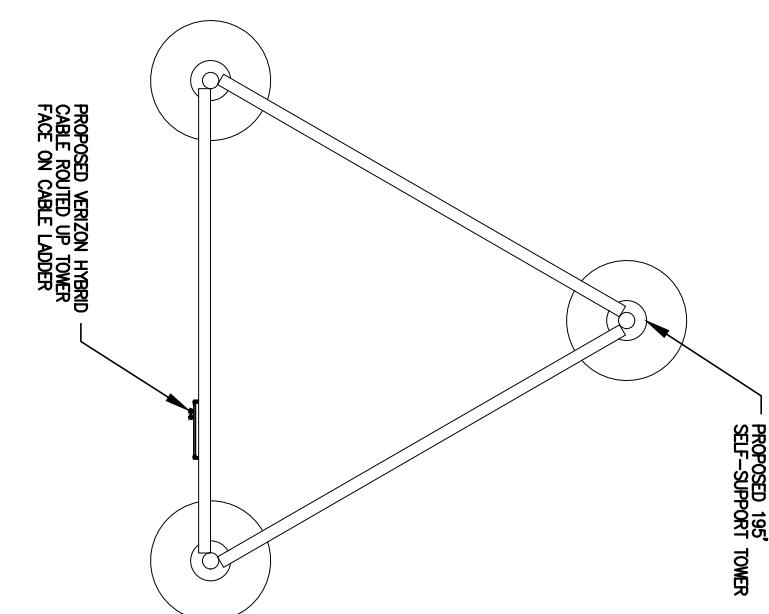
1. VERIFY EACH COAXIAL CABLE LENGTH, ROUTING, AND ALL MOUNTING APPURTEANCES WITH OWNER PRIOR TO ORDERING.
2. COLOR CODE ALL MAIN CABLES. VERIFY COLOR CODES WITH VERIZON CONSTRUCTION MANAGER. CABLES TO BE TAGGED IN TWO (2) LOCATIONS:
  - A. AT O/P AT ANTENNA ELEVATION
  - B. AT O/P ON EQUIPMENT H-FRAME ADJACENT TO RF CABINETS
3. EACH COAX CABLE SHALL BE SUPPORTED WITH COLUMN GRIP HUNG FROM A J-HOOK AT THE TOP OF THE TOWER.
4. EACH COAX CABLE SHALL BE GROUNDED AT THREE (3) LOCATIONS:
  - A. TOWER PLATFORM OR T-FRAME
  - B. TOWER BASE
  - C. AT EQUIPMENT LOCATION PRIOR TO TERMINATING AT O/P MOUNTED ON EQUIPMENT H-FRAME
5. COAX CABLE TO BE SUPPORTED EVERY 3' O.C. ON PLATFORM OR T-FRAME WITH STAINLESS STEEL HANGERS.
6. COAX CABLES TO BE SUPPORTED ON THE TOWER EVERY 18" WITH STAINLESS STEEL HANGERS.
7. VERIZON COAX CABLE TO BE ROUTED UP FACE OF SELF-SUPPORT TOWER.
8. REFER TO STRUCTURAL ANALYSIS REPORT FOR ADDITIONAL INFORMATION  
PERFORMED BY:  
NOT AVAILABLE AT THIS TIME OF RELEASE
9. REFER TO MOUNT ANALYSIS REPORT FOR ADDITIONAL INFORMATION  
PERFORMED BY:  
NOT AVAILABLE AT THIS TIME OF RELEASE

## TOWER STRUCTURE AND FOUNDATIONS DESIGNED BY OTHERS



## Tower Elevation

SCALE: 1" = 30'-0"



## Coax Base Plan



IN-2012  
WS WEST  
MADISON  
CELL SITE

NORTH GOINS ROAD  
MADISON, IN 47250

SHEET TITLE:

TOWER ELEVATION,  
NOTES AND DETAILS

SHEET NO.:

TE-1

RELEASE	
REV DATE	
08-11-2025	LEASE EXHIBIT
11-10-2025	ZONING DRAWINGS

SITE NAME:

MISSION 1  
COMMUNICATIONS





## PROJECT BRIEF – BZCU-25-29

**Application Date:** December 18, 2025

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed requesting conditional use approval for "476 Relay Towers & Transmitting Stations (TV, Radio, & Telephone) to construct a new telecommunications tower.

<b>Current Zoning:</b> Residential Agricultural (RA)	<b>Project Location:</b> 300+ N Goins Rd Parcel ID (39-08-31-000-023.000-006)
<b>Applicant:</b> Fred Low	<b>Owner:</b> Theresa Cardwell

**Preliminary Staff Recommendation: Approval**

**Conditions:**

**Reasoning:** The requested conditional use meets all of the standards outlined in the zoning ordinance. The applicant has submitted site drawings reflecting these requirements, and submitted verification form a professional engineer licensed in Indiana that, if there is failure, the fall zone for the tower is a 50 foot radius. Additionally, the applicant revised and reduced the overall height of the tower after discussions with adjoining property owners in order to reduce any potential impacts.

**History, Relevant Information, & Prior Approvals:**

**History:** There is no known history for this property.

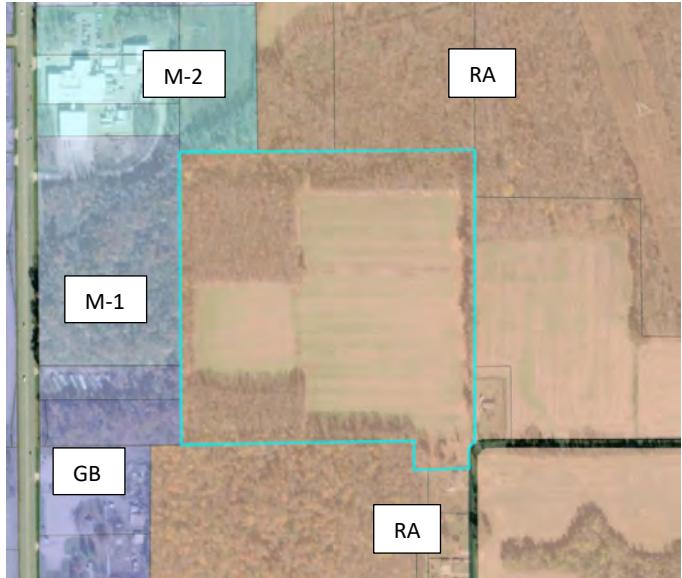
**Relevant Information:** The applicant is proposing to construct a 195-foot self-supported communications tower. The applicant originally requested to construct a 250-foot tower; however, after discussions with neighboring property owners, revised the request to a height of 195 feet. At the proposed height of 195 feet, the FAA does not require lighting or marking for aviation safety, which will reduce some of the potential impacts on properties in the vicinity. The proposed tower will be located in a 100 ft x 100 ft leased area, and within that the structure and necessary equipment will be secured in a six-foot fence with three strand barbed wire on top.

The applicant originally filed application on a parcel adjacent to the subject property as the subject property does not have an existing/current address. The correct parcel is approximately 40.8 acres.

**Prior Approvals:** There is no known prior approvals for this property.

## Surrounding Zoning and Land Use:

<b>North:</b> Residential Agricultural (RA) Heavy Manufacturing (M-2)
<b>South:</b> Residential Agricultural (RA)
<b>East:</b> Residential Agricultural (RA)
<b>West:</b> General Business (GB) Light Manufacturing (M-1)



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### **AGRICULTURE/RURAL RESIDENTIAL (Page 74-78)**

*The Agricultural/Rural Residential land use designation generally occurs outside of the incorporated boundaries but within the two-mile fringe. The designation implies traditional farming practices such as crop production, livestock, agricultural production, and storage centers such as grain elevators); agricultural research; stables; wineries, and other natural and food production related activities. This also includes Rural Residential development. Activities characterized as agritourism (farm trails, farmers' markets, and roadside stands) may occur here. Development in this area will likely not be connected to municipal water or sanitary sewer. Development other than agriculture or associated rural residential should not be encouraged to minimize potential conflicts.*

### Ordinance:

#### **SECTION 6.11 RESIDENTIAL AGRICULTURAL (RA) (pg. 39)**

#### **SECTION 6.11-C-4 VARIOUS PUBLIC AND QUASI PUBLIC UTILITIES (pg. 42)**

- a. No structure shall be placed within fifty (50) feet of any lot line.
- b. All structures erected, placed, or moved specifically for the operation of the utility to which the lot is devoted shall be completely surrounded or enclosed by a building or fence. A fence shall be at least seven (7) feet high and in compliance with national safety codes governing such construction.
- c. No unsafe, uncomfortable, or offensive, vibrations, noises, visual effects, odors, or air pollutants shall be allowed to radiate across lot lines.
- d. Parking lots shall be placed behind or alongside the principal buildings and shall be screened from the view of the surrounding dwelling units. Further, no parking area shall be located within forty (40) feet of lot lines.
- e. Further, this conditional use should not be allowed in this district if there are other less restrictive districts that could furnish equivalent space with no additional economic expense to the utility. This should be closely scrutinized by the Plan Commission for each request.

### Finding of Fact:

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes. Section 6.11.C.4 lists Various Public and Quasi-Public Utilities as a Conditional Use (Section 7.00 - 476)
Staff Response:	Yes. Staff agrees with the applicant that the requested use "476 Relay Towers & Transmitting Stations (TV, Radio, & Telephone)" is considered a conditional use in the RA zoning district.

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes. The One Madison Comprehensive Plan confirms multiple wireless cellular coverage is good within the corporate boundary, but drops off sharply as you exit the extra-territorial jurisdiction (page 118 Data Networks). The proposed facility would help to address that issue in coverage. The proposed facility would also improve wireless access points in the area as indicated in Goal 3 of the Infrastructure and Public Services Section indicating the goal to continue to establish wireless access points throughout the city (page 128 Enhance public infrastructure to promote investment/reinvestment). Additionally the site design meets the ordinance requirements listed in Section 6.11.C.4.
Staff Response:	Yes. The comprehensive plan outlines recommendations to secure high-speed internet access throughout Madison (Infrastructure & Public Services Goal 1, Recommendation 1), improving digital Wi-Fi coverage (Economic Development Goal 2 Recommendation 3).

*Finding #2 has been satisfied.*

*Finding of Fact #3 - Do you agree this will be designed, constructed, 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?*

The applicant has provided the following response:	Yes. As the proposed facility is designed to operate unmanned, the essential character of the general vicinity will not be impacted at a significant level. The facility operation will not significantly impact traffic flow and the facility does not produce odor or noise that would affect the surroundings. Regularly scheduled maintenance will be conducted in accordance with industry standards.
Staff Response:	Yes. The submitted site plans meet all the standards outlined in Section 6.11-C-4. The center of the proposed tower is 82 feet from the nearest (south) property line (min. 50 ft). The fencing is approximately 50 feet from the nearest (south) property line. The proposed chain-link fencing will be 6 feet in height with 3 strand barbed wire on top (min. 7 ft). The proposed turn-around for parking is in line with the fencing (min. 40 ft).

*Finding #3 has been satisfied.*

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	Yes. The proposed tower will be specifically designed to have a fall radius within the subject parcel (see stamped design letter dated 10/31/25 defining fall radius equal to 50 ft). Additionally the site is to be unmanned with limited traffic (approximately 1 vehicle per month post construction), does not produce odor nor loud noise during operation. Also, the proposed tower will not be required to be lighted per the FAA (see attached FAA Determination of No Hazard – Study No. 2025-AGL-13926-OE)
Staff Response:	Yes. The proposed site plan meets all the standards outlined in Section 6.11-C-4. Staff will defer to the professional determination from the submitted materials.

*Finding #4 has been satisfied.*

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, 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?*

The applicant has provided the following response:	Yes. Utilities required by the facility are power and fiber. Power source is readily available within ROW near the site. The facility owner will be responsible for costs associated with power and fiber installation. Traffic post construction is estimated at 1 vehicle per month and will not significantly increase demand on existing roadway. No water, sewer service nor refuse disposal is required for operation of the facility.
Staff Response:	Yes. Staff agrees with applicant finding.

*Finding #5 has been satisfied.*

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	Yes. The proposed facility does not produce demand on public services. Installation of all utilities required at the facilities are funded by the facility owner. The facility will be a benefit to the economic welfare of the community by improved accessibility of wireless voice and data transmission.
Staff Response:	Yes. The proposed use should create a negligible increase onto public facilities and services. There is no sewer or water needed and no commercial traffic is expected onto the site post construction.

*Finding #6 has been satisfied.*

*Finding of Fact #7 - Do you agree this will 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?*

The applicant has provided the following response:	Yes. The proposed facility is unmanned and is designed to have low impact on the surrounding area. Operation of the facility does not produce odors, noise at an appreciable level, smoke or fumes.
Staff Response:	Yes. Staff agrees with applicant finding.

*Finding #7 has been satisfied.*

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	Yes. Access to the facility from Goins Rd will be via a 30' Access/Utility easement. The location of the proposed access drive is approximately the same location as the existing drive accessing the agricultural field.
Staff Response:	Yes. Staff agrees with applicant finding.

*Finding #8 has been satisfied.*

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	Yes. The area at the site is relatively flat farm field. Existing trees and vegetation will be preserved to the greatest extent possible.
Staff Response:	Yes. The submitted site plan shows approximately 7 trees to be removed for the construction of the site. The original submittal actually showed more trees to be removed; however, the reduction in overall height allowed for the preservation of an existing mature tree.

*Finding #9 has been satisfied.*

# **APPLICATION PACKET:**

## **BZCU-26-1**

Angela Koehler/Marc and Angela Koehler

Conditional Use Approval for “749 Other Recreation (including Camping & Picnic Areas)” to construct and operate a campground on a parcel that will include an owner-occupied primary dwelling, two for short-term rental structures, two low-impact glamping tents, six primitive tent sites, and a small structure will provide two bathrooms and showers for tent campers

Location:

2175 North K Rd (39-09-30-000-008.000-006); 2000 + N K Rd (39-09-30-000-009.000-006); and 1000 + N Rykers Ridge Rd (39-09-30-000-011.000-006)

Zoned RA

**Conditional Use Permit****BZCU-26-1**

Submitted On: Jan 11, 2026

**Applicant**

 Angela Koehler  
 317-421-9131  
 angelakoehler1023@outlook.com

**Primary Location**

2175 N K RD  
MADISON, IN 47250

**General Information****Are you the property owner?**

Yes

**Permit Information****Type of Application**

Initial Application

**Zoning Classification**

Residential Agricultural District (R-A)

**Legal Description of Property**

 ber 39-09-30-000-008.000-006

**Description of Existing Use**

short term rental

**Description of Proposed Use**

The proposed conditional use spans three contiguous parcels under common ownership and will be developed as a single, cohesive property that includes an owner-occupied primary residence, two traditionally constructed short-term rental homes, two low-impact glamping tents, and six primitive tent sites, all designed to preserve the rural and scenic character of the land. The development is intentionally low-density and phased, with overnight use limited to registered guests only, no large gatherings or events, and on-site owner management to ensure quiet operations and property oversight. A small pole barn structure will provide two bathrooms and showers solely for registered overnight guests as a sanitation support facility for the limited tent accommodations and is not intended for public access or commercial campground use. Access to the property will be controlled through gated entry for registered guests and owners only, resulting in minimal traffic levels comparable to low-density residential use and full compliance with all applicable local and state regulations.

**Proposed Schedule of Uses Category #**

agritourism

**Narrative****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. The proposed use is a conditional use as provided for under Article V and is identified within the Official Schedule of District Regulations for the applicable zoning district, subject to approval through the conditional use process.

**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. The proposed use is harmonious with and consistent with the objectives of the City's Comprehensive Plan and Zoning Ordinance by promoting low-density, rural-appropriate development that preserves open space, scenic character, and existing natural features. The use supports responsible land stewardship through limited, owner-managed lodging that complements residential and rural land uses while minimizing traffic, noise, and infrastructure impacts. The proposal aligns with the intent of conditional uses by allowing a carefully controlled use that is compatible with surrounding properties and consistent with the long-term planning goals for the area.

**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?**

Yes. The proposed use will be designed, constructed, operated, and maintained to remain harmonious with the existing rural and residential character of the surrounding area. Structures will be modest in scale, thoughtfully sited, and designed to blend with the natural landscape, with preservation of open space, wooded areas, and scenic features prioritized. Operations will be owner-managed and intentionally low-intensity, with limited overnight occupancy, controlled access, and no large gatherings or events. As a result, the use will not alter the essential character of the area and will function in a manner consistent with low-density residential and rural land uses.

**Will this use not be hazardous or disturbing for existing or future neighboring uses?**

Yes. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. The development is intentionally low-density and owner-managed, with limited overnight occupancy, gated access for registered guests only, and no large gatherings, events, or amplified outdoor activities. Traffic volumes will be minimal and comparable to low-density residential use, and lighting will be limited and designed to preserve dark-sky conditions. The use will operate quietly and predictably, with on-site oversight to ensure compatibility with surrounding properties and to prevent nuisance conditions.

The proposed use will be adequately served by existing public facilities and services. Access to the property will be limited to standard passenger vehicles only; the use does not include RVs, campers, buses, or commercial traffic. Guest volume is intentionally low and dispersed, resulting in minimal traffic impact comparable to a small number of residential dwellings. No road improvements or traffic control measures are required, and the use will not interfere with surrounding agricultural operations or farm equipment. Police and fire protection are available through existing county services, and emergency access will be maintained at all times. On-site water and sanitary facilities will be provided in compliance with local and state requirements, and refuse will be managed through scheduled private service. The proposed use will not place demand on local schools or other public services beyond typical residential impact.

**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. The proposed use will be adequately served by existing public facilities and services. Access will be limited to standard passenger vehicles only. Police and fire protection are provided through existing county services. Water service will be provided via a permitted on-site well, with a cistern tank maintained as a supplemental backup supply. The project will connect to the public sanitary sewer system. Existing drainage patterns will be maintained. Refuse will be handled through scheduled private service. The proposed use will not create demand for local schools beyond typical residential use.

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## Narrative (Continued)

**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?**

Yes. The proposed use will not create excessive additional requirements at public expense for public facilities or services. All necessary infrastructure, including on-site water supply, connection to the public sanitary sewer system, drainage, and refuse service, will be privately provided and maintained. The low-intensity nature of the use will not require roadway improvements or expanded public services. The proposed use is compatible with surrounding rural and residential uses and is expected to have a neutral to positive impact on the local economy through modest visitor spending without placing additional burden on public resources.

**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?**

Yes. The proposed use will not involve activities or conditions of operation that are detrimental to persons, property, or the general welfare. The use is low-intensity in nature and will not generate excessive traffic, noise, smoke, fumes, glare, or odors. Guest access will be limited to standard passenger vehicles only, with no commercial or heavy vehicle traffic. Operations will be quiet, primarily evening and overnight in nature, and consistent with surrounding rural and residential uses.

**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?**

Yes. Vehicular access to the property will utilize existing driveways and entrances designed for standard passenger vehicles only. The low volume of traffic generated by the proposed use will not interfere with traffic flow on surrounding public roads. No new access points, turn lanes, or roadway modifications are required, and sight distances and emergency access will be maintained.

**Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?**

Yes. The proposed use will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance. Development will be limited in scale and designed to work with existing topography and vegetation. Natural and scenic features of the property will be preserved, and no known historic structures or features will be impacted by the proposed use.

**Acknowledgement**

*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.*

**Digital Signature**

true

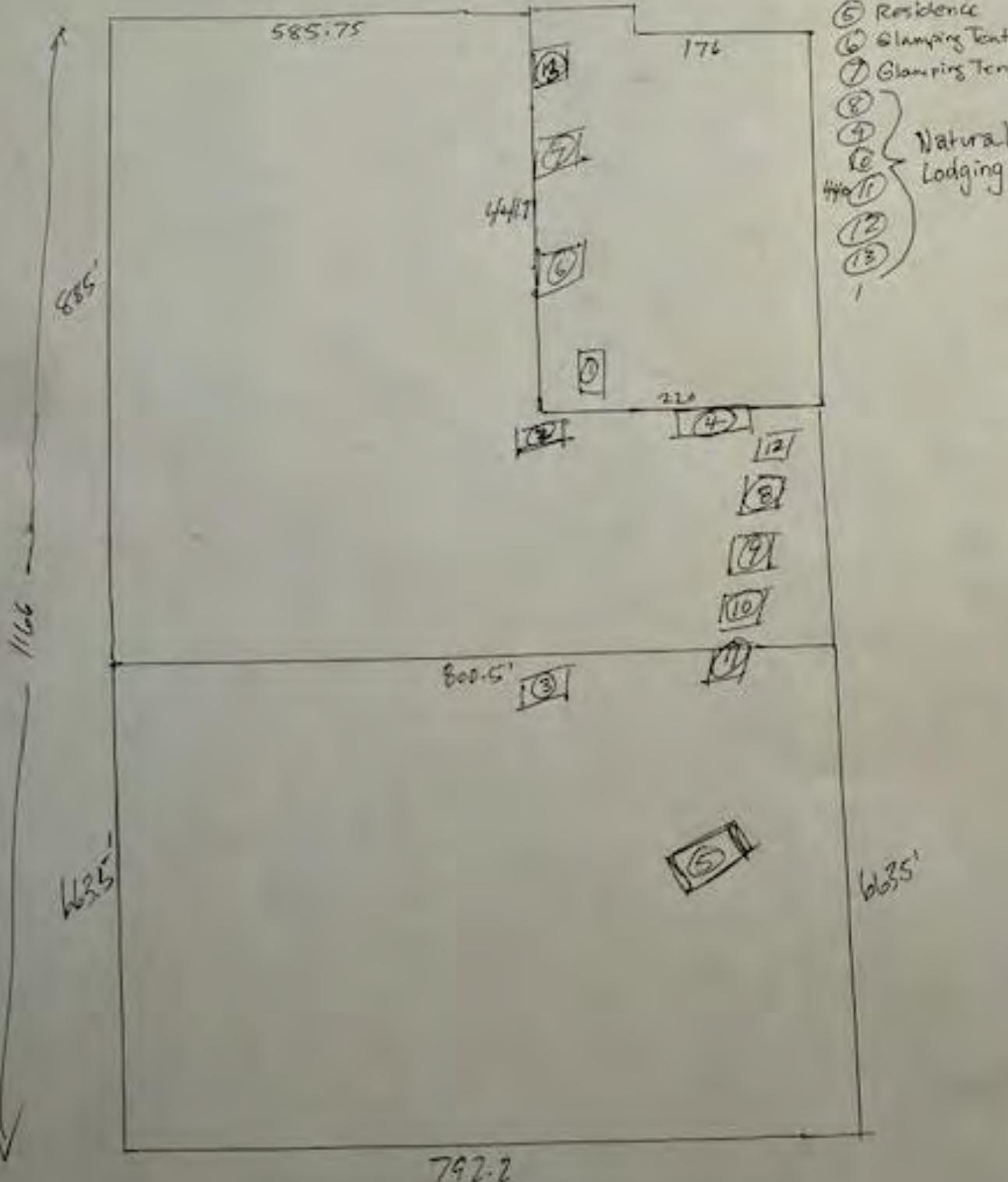
**I certify that the information provided in this application is true and accurate to the best of my ability and I understand and agree to the Certified mail stipulations.**

2175 N. K RD

## SITE PLAN:

LEGEND:

- ① Existing Shed
- ② STR 1
- ③ STR 2
- ④ Pole Barn
- ⑤ Residence
- ⑥ Slamping Tent
- ⑦ Glamping Tent
- ⑧
- ⑨
- ⑩
- ⑪ Natural Lodging
- ⑫
- ⑬





## PROJECT BRIEF – BZCU-26-1

**Application Date:** January 2, 2026

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed for requesting conditional use approval for "749 Other Recreation (including Camping & Picnic Areas)" to construct and operate a campground with multiple levels of sleeping options. They are proposing to build and operate a Camping & Picnic Area.

<b>Current Zoning:</b> Residential Agricultural (RA)	<b>Project Location:</b> 2175 North K Street (39-09-30-000-008.000-006); 2000 + N K Rd (39-09-30-000-009.000-006); and 1000 + N Rykers Ridge Rd (39-09-30-000-011.000-006)
<b>Applicant:</b> Angela Koehler	<b>Owner:</b> Marc and Angela Koehler

**Preliminary Staff Recommendation:** Approve with Conditions

**Conditions:**

1. The applicant provides an adequate means of trash disposal.
2. The Fire Department and EMA shall review a detailed, dimension site plan and layout to ensure adequate emergency accessibility is provided prior to building permits being issued.
3. The maximum occupancy of all sites, excluding the single-family house, shall not exceed 60 people.
4. The minimum setback shall be at least 25 feet from all property lines unless a greater setback is required by the zoning ordinance. If the adjacent parcel is part of this application, it only need to meet setbacks required by the zoning ordinance.
5. Storage of unoccupied temporary lodging structures, including RVs, is prohibited.
6. No additional campsites or lodging structures are permitted without BZA approval as an amendment to this application.

**Staff Comments:**

1. The applicant is required to obtain all permits and approvals from any required board, commission, and department prior to the construction of any structures on the subject parcels affected by this application.
2. The applicant meets all standards set forth in the zoning ordinance, particularly the requirements for this use outlined in Section 6.11-C-8-d.
3. A campground with 10 or more campsites is subject to the regulations established by state standards per 410 IAC 6-7.1. If state approval is needed, the applicant must obtain that approval prior to a building permit.
4. All sewage disposal is required to be approved prior to issuance of a building permit.

## History, Relevant Information, & Prior Approvals:

**History:** There is no known history of the properties.

**Relevant Information:** The applicant provides the following: *"The proposed conditional use spans three contiguous parcels under common ownership and will be developed as a single, cohesive property that includes an owner-occupied primary residence, two traditionally constructed short-term rental homes, two low-impact glamping tents, and six primitive tent sites, all designed to preserve the rural and scenic character of the land. The development is intentionally low-density and phased, with overnight use limited to registered guests only, no large gatherings or events, and on-site owner management to ensure quiet operations and property oversight. A small pole barn structure will provide two bathrooms and showers solely for registered overnight guests as a sanitation support facility for the limited tent accommodations and is not intended for public access or commercial campground use. Access to the property will be controlled through gated entry for registered guests and owners only, resulting in minimal traffic levels comparable to low-density residential use and full compliance with all applicable local and state regulations."*

The applicant's request, while requesting to operate "short-term rentals", is being described more as campground/camping area than a short-term rental. The proposed conditional use "749 Other Recreation (including Camping & Picnic Areas)", is defined in the existing zoning ordinance as:

**"Camp, Public** – Any area or tract of land used or designed to accommodate two (2) or more automobile house trailers, recreational vehicles, mobile manufactured homes or two (2) or more camping parties, including cabins, tents, or other camping outfits."

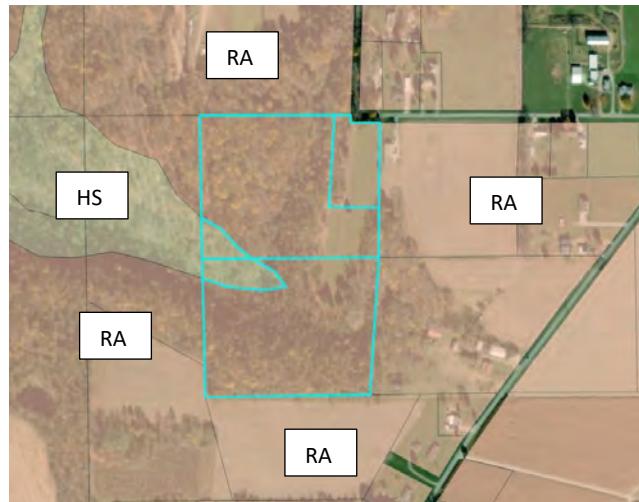
Based upon the applicant's description of proposed activities and discussions with the applicant, staff determines this is the best land use description of the proposed use.

**Prior Approvals:** There are no known prior approvals for the properties.

## Surrounding Zoning and Land Use:

<b>North:</b> Residential Agricultural (RA)
<b>South:</b> Residential Agricultural (RA)
<b>East:</b> Residential Agricultural (RA)
<b>West:</b> Residential Agricultural (RA)*

\*There are portions of the subject and adjacent parcels that are showing a zoning of the Hillside District (HS).



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### **AGRICULTURE/RURAL RESIDENTIAL (Page 74-78)**

*The Agricultural/Rural Residential land use designation generally occurs outside of the incorporated boundaries but within the two-mile fringe. The designation implies traditional farming practices such as crop production, livestock, agricultural production, and storage centers such as grain elevators); agricultural research; stables; wineries, and other natural and food production related activities. This also includes Rural Residential development. Activities characterized as agritourism (farm trails, farmers' markets, and roadside stands) may occur here. Development in this area will likely not be connected to municipal water or sanitary sewer. Development other than agriculture or associated rural residential should not be encouraged to minimize potential conflicts.*

#### **HILLSIDE (Page 74-78)**

The hillside constitutes approximately 10% of the 17% of open space in the city. This land use is characterized by steep hills, bluffs, and cliffs and is not considered developable. While this land constitutes open space, it is not active so it is called out separately from the Park/Open Space/Cultural Amenity designation above.

### Ordinance:

#### **SECTION 6.10 RESTRICTIONS – RESIDENTIAL DISTRICTS (pg 37)**

#### **SECTION 6.11 RESIDENTIAL AGRICULTURAL (RA) (pg 39-44)**

#### **Section 6.11-C-8 (pg 44)**

Cultural, Entertainment, Recreational Activities, and Farms (711, 712, 719, 724, 731, 739, 743, 744, 749, 751, 752, 769, 817, 821, 829, 831 832, 839)

Providing that the following restrictions are adhered to, and upon receiving approval from the Board of Zoning Appeals, these uses may be permitted in this district:

- a. No structure shall be placed within fifty (50) feet of any lot line.
- b. Lighted areas shall be approved prior to development and shall be placed in such a way that they do not infringe upon the rights of adjacent property owners. It is recommended that no light standard be placed closer than seventy-five (75) feet from any adjacent property line.
- c. Areas for parking shall not be closer than forty (40) feet from any lot line.
- d. The structure(s) should be designed and landscaped so as not to destroy the continuity of the district. Plans shall require Plan Commission approval prior to construction.
- e. For adult entertainment uses, the provisions of City Ordinance Chapter 112 Sexually Oriented Businesses, as amended, shall also be complied with.

**Finding of Fact:**

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes. The proposed use is a conditional use as provided for under Article V and is identified within the Official Schedule of District Regulations for the applicable zoning district, subject to approval through the conditional use process.
Staff Response:	Yes. The proposed use is considered "749 Other Recreation (including Camping & Picnic Areas)" which is a conditional use in the RA district.

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes. The proposed use is harmonious with and consistent with the objectives of the City's Comprehensive Plan and Zoning Ordinance by promoting low-density, rural-appropriate development that preserves open space, scenic character, and existing natural features. The use supports responsible land stewardship through limited, owner-managed lodging that complements residential and rural land uses while minimizing traffic, noise, and infrastructure impacts. The proposal aligns with the intent of conditional uses by allowing a carefully controlled use that is compatible with surrounding properties and consistent with the long-term planning goals for the area.
Staff Response:	Yes. The applicant's submitted items does show a proposed use that aligns with the future land use map of the comprehensive plan. Section 6.11-C-8-d requires Plan Commission approval for all structures related to this type of use, so the applicant will be required to submit plans for review and approval for all structures on the subject properties.

*Finding #2 has been satisfied with Conditions.*

*Finding of Fact #3 - Do you agree this will be designed, constructed, 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?*

The applicant has provided the following response:	Yes. The proposed use will be designed, constructed, operated, and maintained to remain harmonious with the existing rural and residential character of the surrounding area. Structures will be modest in scale, thoughtfully sited, and designed to blend with the natural landscape, with preservation of open space, wooded areas, and scenic features prioritized. Operations will be owner-managed and intentionally low-intensity, with limited overnight occupancy, controlled access, and no large gatherings or events. As a result, the use will not alter the essential character of the area and will function in a manner consistent with low-density residential and rural land uses.
Staff Response:	Yes, based upon the applicant's submitted drawing, it appears this is satisfied. The submitted drawings are not scaled but looking at the drawing and an aerial image of the properties, it appears that the proposed use should be obscured by existing vegetation on the property. The proposed use should not have a large impact due to the limited scope of the operation.

*Finding #3 has been satisfied.*

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	Yes. The proposed use will not be hazardous or disturbing to existing or future neighboring uses. The development is intentionally low-density and owner-managed, with limited overnight occupancy, gated access for registered guests only, and no large gatherings, events, or amplified outdoor activities. Traffic volumes will be minimal and comparable to low-density residential use, and lighting will be limited and designed to preserve dark-sky conditions. The use will operate quietly and predictably, with on-site oversight to ensure compatibility with surrounding properties and to prevent nuisance conditions. The proposed use will be adequately served by existing public facilities and services. Access to the property will be limited to standard passenger vehicles only; the use does not include RVs, campers, buses, or commercial traffic. Guest volume is intentionally low and dispersed, resulting in minimal traffic impact comparable to a small number of residential dwellings. No road improvements or traffic control measures are required, and the use will not interfere with surrounding agricultural operations or farm equipment. Police and fire protection are available through existing county services, and emergency access will be maintained at all times. On-site water and sanitary facilities will be provided in compliance with local and state requirements, and refuse will be managed through scheduled private service. The proposed use will not place demand on local schools or other public services beyond typical residential impact.
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Staff Response:	Yes. The zoning ordinance outlines requirements for this type of use in 6.11-C-8, which the applicant is required to be met. Aerial imagery shows adequate spacing and vegetation to ensure adequate distance from property lines to ensure that impacts to adjoining properties align with the rural character of the surrounding area.
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*Finding #4 has been satisfied.*

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, 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?*

The applicant has provided the following response:	Yes. The proposed use will be adequately served by existing public facilities and services. Access will be limited to standard passenger vehicles only. Police and fire protection are provided through existing county services. Water service will be provided via a permitted on-site well, with a cistern tank maintained as a supplemental backup supply. The project will connect to the public sanitary sewer system. Existing drainage patterns will be maintained. Refuse will be handled through scheduled private service. The proposed use will not create demand for local schools beyond typical residential use.
Staff Response:	Yes. The applicant is proposing to provide toilets and showers for guests in a structure on the property, exclusively for guest use. The proposed use should not create an extraneous burden on public facilities and services. The applicant did not provide information on refuse disposal, which should be provided by the applicant in a manner satisfactory to the board. The applicant states in Finding #4 that no RV's will be served by this use.

*Finding #5 has been satisfied with conditions.*

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	Yes. The proposed use will not create excessive additional requirements at public expense for public facilities or services. All necessary infrastructure, including on-site water supply, connection to the public sanitary sewer system, drainage, and refuse service, will be privately provided and maintained. The low-intensity nature of the use will not require roadway improvements or expanded public services. The proposed use is compatible with surrounding rural and residential uses and is expected to have a neutral to positive impact on the local economy through modest visitor spending without placing additional burden on public resources.
Staff Response:	Yes. This should not add extra strain on public facilities and services due to the size of the proposed use. The Fire Department and EMS should review a detailed site plan to ensure accessibility for emergency services.

*Finding #6 has been satisfied with conditions.*

*Finding of Fact #7 - Do you agree this will 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?*

The applicant has provided the following response:	Yes. The proposed use will not involve activities or conditions of operation that are detrimental to persons, property, or the general welfare. The use is low-intensity in nature and will not generate excessive traffic, noise, smoke, fumes, glare, or odors. Guest access will be limited to standard passenger vehicles only, with no commercial or heavy vehicle traffic. Operations will be quiet, primarily evening and overnight in nature, and consistent with surrounding rural and residential uses.
Staff Response:	Yes. The initial construction phase may cause minor noise during business hours. Once operational, negative impacts should be minimal.

*Finding #7 has been satisfied.*

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	Yes. Vehicular access to the property will utilize existing driveways and entrances designed for standard passenger vehicles only. The low volume of traffic generated by the proposed use will not interfere with traffic flow on surrounding public roads. No new access points, turn lanes, or roadway modifications are required, and sight distances and emergency access will be maintained.
Staff Response:	Yes. The existing driveway should be adequate for the proposed use due to the limited scope of the proposed use. The only concern staff has is the location of the existing drive, which is in the middle of a 90 degree turn.

*Finding #8 has been satisfied.*

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	Yes. The proposed use will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance. Development will be limited in scale and designed to work with existing topography and vegetation. Natural and scenic features of the property will be preserved, and no known historic structures or features will be impacted by the proposed use.
Staff Response:	Yes. It appears that the properties are heavily wooded, and the proposed use should not impact the natural features of the property or surrounding properties.

*Finding #9 has been satisfied.*

# **APPLICATION PACKET:**

## **BZCU-26-2**

Kevin Mason & Electricom, Inc/Georgia Hall

Conditional Use Approval for “581 Tourist Home” to  
operate a short term rental

Location:

506 Jefferson St (39-13-02-122-038.000-007)

Zoned HDR

**Conditional Use Permit****BZCU-26-2**

Submitted On: Jan 12, 2026

**Applicant**

 Kevin Mason  
 8122163220  
 kmason@electricominc.com

**Primary Location**

506 JEFFERSON ST  
MADISON, IN 47250

**General Information****Are you the property owner?**

Yes

**Permit Information****Type of Application**

Initial Application

**Zoning Classification**

Historic District Residential (HDR)

**Legal Description of Property**

39-13-02-122-038.000-007

**Description of Existing Use**

Single Family Home

**Description of Proposed Use**

AirB&amp;B/VRBO Short term rental, signed contract on purchase of property subject to approval of conditional use permit.

**Proposed Schedule of Uses Category #**

581 Tourist Home

**Narrative****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, the Property will be rented for short term use through AirB&B, VRBO or direct booking on our website.

**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, we currently have 3 properties in French Lick that we operate as AirB&B/VRBO's. Our Host Lori Kendall is rated as a "super host" with a 4.91 rating out of 5. She lives in French Lick and is available to deal with any issues that arise. Our rules restrict rentals to a 2-night minimum, require the renter to be at least 25 years of age, limit the number of inhabitants, strictly enforce quiet hours as not to disturb neighbors and restrict the use of the house from parties. For this property we would cater to couples and families visiting to enjoy the shopping, restaurants and activities available in historic downtown Madison.

**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?**

Yes, we have no plans to change or alter the outside appearance of the property.

**Will this use not be hazardous or disturbing for existing or future neighboring uses?**

Yes, we strictly enforce our rules as not to disturb or invade the privacy of the neighborhood.

**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, the proposed use would not impact current public facilities or services.

---

### **Narrative (Continued)**

**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?**

Yes, there will be no additional public expense associated with the proposed use and it should bring in additional tourism dollars to the community.

**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?**

Yes, there will be no impact to the general welfare due to excessive traffic or noise.

**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?**

No, renters will use currently available street parking.

**Will this use not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance?**

Yes, the historic structure and appearance of the property will be preserved.

---

### **Acknowledgement**

*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.*

#### **Digital Signature**

true

**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.**

AMENDMENT # 1 TO PURCHASE AGREEMENT

For use only by members of the Indiana Association of REALTORS®

1 Date: January 15, 20262 This Amendment is attached to and made a part of Purchase Agreement dated January 6, 2026,  
3 on property known as 506 Jefferson Street4 Madison, Indiana,5 Zip 47250 (the "Property").

6 It is mutually agreed to amend Purchase Agreement as follows: (check appropriate paragraph letter)

7  A. The time for making application(s) for financing necessary to complete the transaction, or approval of  
8 mortgage assumption, is extended to \_\_\_\_\_.9  B. The time for obtaining favorable commitment(s) for financing necessary to complete the transaction, or  
10 approval of mortgage assumption, is extended to \_\_\_\_\_.11  C. The time for closing the transaction is extended to within 3 days after approval of Conditional Use Permit.12  D. The time that Seller may retain possession of the Property is changed to \_\_\_\_\_.

13 \_\_\_\_\_

14  E. The time for making any responses to inspections is extended to \_\_\_\_\_.15  F. The time for delivering homeowner association/condominium documents is extended to \_\_\_\_\_.

16 \_\_\_\_\_

17  G. Other changes in the Purchase Agreement: Buyer is required by the City of Madison to go before the  
18 Board of Zoning Appeals for a Conditional Use Permit to rent as stated in the purchase agreement due to  
19 home being in the Historic District. Buyer is on the next agenda of February 9, 2026 to request approval.20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_

29 All other terms and conditions of the Purchase Agreement remain unchanged.

30 By signature below, the parties acknowledge receipt of a signed copy of this Amendment.

Authentisign

31 Kevin Mason, Pres. 01/15/26

32 BUYER'S SIGNATURE

DATE

Authentisign

33 Georgia Hall

3:16 PM

01/15/26

SELLER'S SIGNATURE

DATE

34 Electricom Inc

PRINTED

34 Georgia Hall

PRINTED

35 BUYER'S SIGNATURE

DATE

SELLER'S SIGNATURE

DATE

36 PRINTED

PRINTED

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## LEAD-BASED PAINT CERTIFICATION AND ACKNOWLEDGMENT

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards  
(SALES)

For use only by members of the Indiana Association of REALTORS®

1 PROPERTY ADDRESS: 506 Jefferson ST, Maddison, IN 47250

2 **LEAD WARNING STATEMENT**

3 *Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that  
4 such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead  
5 poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities,  
6 reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to  
7 pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information  
8 on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any  
9 known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended  
10 prior to purchase.*

11 **SELLER'S DISCLOSURE**

12 (a.) Presence of lead-based paint and/or lead-based paint hazards: (check (i) or (ii) below)

13  (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain): \_\_\_\_\_  
14 \_\_\_\_\_  
15  (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.  
16 \_\_\_\_\_

17 (b.) Records and reports available to the seller: (check (i) or (ii) below)

18  (i) Seller has provided the buyer with all available records and reports including *Seller's Residential Real Estate Sales  
19 Disclosure form*, if applicable, pertaining to lead-based paint and/or lead-based paint hazards in the housing (list and  
20 attach documents below): \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23  (ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.  
24 \_\_\_\_\_

25 **BUYER'S ACKNOWLEDGEMENT (initial)**

26 (c.) \_\_\_\_\_ Buyer has received copies of all information listed above.  
27 (d.) \_\_\_\_\_ Buyer has received the pamphlet Protect Your Family From Lead In Your Home.  KMP  
28 (e.) \_\_\_\_\_ Buyer has (check (i) or (ii) below):  
29 (i)  received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for  
30 the presence of lead-based paint and/or lead-based paint hazards;  
31 OR  
32 (ii)  KMP waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or  
33 lead-based paint hazards.  
34 \_\_\_\_\_

35 **BROKER'S ACKNOWLEDGMENT (initial)**

36 (f.)  SB Broker has informed the seller of seller's obligations under the Residential Lead-Based Paint Hazard Reduction Act  
37 of 1992 (42 U.S.C. 4852d) and is aware of Broker's responsibility to ensure compliance. (NOTE: where the word  
38 "Broker" appears, it shall mean "Licensee" as provided in I.C.25-34.1-10-6.8.)  
39 \_\_\_\_\_  
40 \_\_\_\_\_  
41 \_\_\_\_\_  
42 \_\_\_\_\_  
43 \_\_\_\_\_  
44 \_\_\_\_\_  
45 \_\_\_\_\_

506 Jefferson ST, Maddison, IN 47250

(Property Address)

Page 1 of 2 (Lead-Based Paint - Sales)

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**CERTIFICATION OF ACCURACY**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

This *Certification and Acknowledgment* may be executed simultaneously or in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The parties agree that this *Certification and Acknowledgment* may be transmitted between them electronically or digitally. The parties intend that electronically or digitally transmitted signatures constitute original signatures and are binding on the parties. The original document shall be promptly delivered, if requested.

*Kevin Mason, Pres*

01/06/26

BUYER'S SIGNATURE

DATE

PRINTED

BUYER'S SIGNATURE

DATE

PRINTED

*Meredith Eversole*

SELLING BROKER\*

DATE

*Georgia Hall*

6:28 PM 08/04/25

SELLER'S SIGNATURE

DATE

**Georgia Hall**

PRINTED

*Scott Bohnert*

LISTING BROKER

*Scott Bohnert*

4:02 PM 08/04/25

DATE

\*Only required if the Buyer's Broker receives compensation from the Seller.



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Applicant Submittals





## PROJECT BRIEF – BZCU-26-2

**Application Date:** January 12, 2026

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed requesting conditional use approval for "581 Tourist Home" to operate a short-term rental.

<b>Current Zoning:</b> Historic District Residential (HDR)	<b>Project Location:</b> 506 Jefferson St
<b>Applicant:</b> Kevin Mason	<b>Owner:</b> Electricom, Inc.

**Preliminary Staff Recommendation:** Approve with Conditions

**Conditions:**

1. Coordinate with the HDBR and building department prior to installation of the concrete driveway.

**Reasoning:**

The proposed use is similar in impact to the area as a residential use of the existing structure. No additions, expansions, or alterations are proposed, and the applicant is proposing to add additional off-street parking at the rear of the property, further reducing the impact on surrounding properties, and minimizing the impact on the character of the area.

**History, Relevant Information, & Prior Approvals:**

**History:** There is no known history of the property.

**Relevant Information:** The applicant stated in their application that the description of the proposed use, *"AirB&B/VRBO Short term rental, signed contract on purchase of property subject to approval of conditional use permit."*

The subject property is located within the historic district. The applicant is not proposing any alteration or expansion of the exterior of the property, therefore does not require HDBR approval for the proposed use. The applicant is proposing to add a concrete driveway from the rear alley for additional parking.

**Prior Approvals:** There are no known prior approvals for this property.

## Surrounding Zoning and Land Use:

North: Historic District Residential (HDR)
South: Light Industry(M-1)
East: Historic District Residential (HDR)
West: Historic District Residential (HDR) General Business (GB)



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### *NEIGHBORHOOD MIXED-USE (Page 74-78)*

*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-C-1 – HISTORIC DISTRICT RESIDENTIAL (HDR) (Page 63-67)*

*All Conditional Uses permitted in the Official Schedule of Uses shall conform to the General Restrictions. In addition, the following restrictions, as appropriate, shall be observed:*

*1. Rooming and Boarding Houses, Fraternity, Sorority Houses, Residence Halls and Dormitories, Apartments, Condominiums and Tourist Homes (110, 111, 121, 122, 124, and 130, )*

- a) For all apartments adjacent to single family structures side and back yards must be 20 feet.*
- b) Parking lots shall be placed behind or alongside the principal building and shall be screened from the view of the surrounding dwelling units. Further, no parking area shall be located within fifteen (15) feet of surrounding dwelling units.*
- c) Necessary lighting should not adversely affect any adjacent property. Such devices should be approved by the Plan Commission prior to installation.*

**Finding of Fact:**

*Finding of Fact #1 - Do you agree this is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved?*

The applicant has provided the following response:	Yes, the Property will be rented for short term use through AirB&B, VRBO or direct booking on our website.
Staff Response:	Yes, the proposed use "581 Tourist Home" is the listed use staff has used for short-term rentals. This is a valid conditional use in Section 7.00.

*Finding #1 has been satisfied.*

*Finding of Fact #2 - Do you agree this will be harmonious with and in accordance with the general objectives, or with any specific objectives of the City's Comprehensive Plan and/or the Zoning Ordinance?*

The applicant has provided the following response:	Yes, we currently have 3 properties in French Lick that we operate as AirB&B/VRBO's. Our Host Lori Kendall is rated as a "super host" with a 4.91 rating out of 5. She lives in French Lick and is available to deal with any issues that arise. Our rules restrict rentals to a 2-night minimum, require the renter to be at least 25 years of age, limit the number of inhabitants, strictly enforce quiet hours as not to disturb neighbors and restrict the use of the house from parties. For this property we would cater to couples and families visiting to enjoy the shopping, restaurants and activities available in historic downtown Madison.
Staff Response:	Yes. The proposed use will not have any greater impact on surrounding properties than a residential dwelling would create. The applicant's submitted plans show compliance with Section 6.15.

*Finding #2 has been satisfied.*

*Finding of Fact #3 - Do you agree this will be designed, constructed, 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?*

The applicant has provided the following response:	Yes, we have no plans to change or alter the outside appearance of the property.
Staff Response:	Yes. If applicant decides to expand or alter the exterior of the property, they shall meet the requirements of the zoning ordinance and the HDBR.

*Finding #3 has been satisfied.*

*Finding of Fact #4 - Do you agree this will not be hazardous or disturbing to existing or future neighboring uses?*

The applicant has provided the following response:	Yes, we strictly enforce our rules as not to disturb or invade the privacy of the neighborhood.
Staff Response:	Yes. This proposed use should not create any hazardous or disturbing uses for adjoining properties, as it is similar to a residential use.

*Finding #4 has been satisfied.*

*Finding of Fact #5 - Do you agree this will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structure, 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?*

The applicant has provided the following response:	Yes, the proposed use would not impact current public facilities or services
Staff Response:	Yes. This is proposed to use an existing structure that is already served by existing facilities and services, and the proposed use should not increase the demand for these services and facilities.

*Finding #5 has been satisfied.*

*Finding of Fact #6 - Do you agree this will not create excessive requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community?*

The applicant has provided the following response:	Yes, there will be no additional public expense associated with the proposed use and it should bring in additional tourism dollars to the community.
Staff Response:	Yes. The proposed use is similar to a residential use; however, there will be times when the dwelling is not used or rented, therefore being less impactful on the services and facilities.

*Finding #6 has been satisfied.*

*Finding of Fact #7 - Do you agree this will 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?*

The applicant has provided the following response:	Yes, there will be no impact to the general welfare due to excessive traffic or noise.
Staff Response:	Yes. The proposed use is a low impact use, that will be managed locally by the applicant.

*Finding #7 has been satisfied.*

*Finding of Fact #8 - Do you agree this will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?*

The applicant has provided the following response:	No, renters will use currently available street parking.
Staff Response:	Yes. On-street parking is available for the proposed use. The impacts on this will be similar to a residential use. Additionally, the applicant is proposing to add a concrete driveway off the rear alley for additional parking.

*Finding #8 has been satisfied with conditions.*

*Finding of Fact #9 - Do you agree this will not result in the destruction, loss or damage of natural, scenic, or historic features of major importance?*

The applicant has provided the following response:	Yes, the historic structure and appearance of the property will be preserved.
Staff Response:	Yes. There are no proposed alterations or expansions to the exterior of the structure proposed.

*Finding #9 has been satisfied.*

# **APPLICATION PACKET:**

## **BZVD-25-18**

Charles Webb/Tanner and Anny Little

Variance from Development Standards for a zero foot  
setback on both side yards for an accessory building

Location:

520 West St (39-13-02-211-024.000-007)

Zoned CBD

**Application for Variance from Development Standards****BZVD-25-18**

Submitted On: Dec 30, 2025

**Applicant**

Charles Webb  
502-558-2789  
buildwithwg@gmail.com

**Primary Location**

520 WEST ST  
MADISON, IN 47250

**General Information****Are you the property owner?**

No

**Property Owner Information****Property Owner Name**

Tanner Little

**Mailing Street Address**

520 West Street

**City**

Madison

**State**

IN

**Zip Code**

47250

**Phone Number**

765-524-8167

**Email**

Tanner.L.Little@gmail.com

**Permit Information****Address and/or Legal Description of Property**

Home Residence

**Zoning Classification**

CBD

**Description of Existing Use**

Home Residence

**Description of Proposed Use**

Home residence, just trying to add indoor parking in the rear

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

Section 5.40 and 6.21 in the Madison Zoning Ordinance

**Describe why a variance is requested**

Property is only 21' wide, makes it very difficult to have a garage that allows two cars parked side by side.

**Is this application requesting a variance from setbacks?**

Yes

**Variance from Setback Request**

**Current North Lot Line (Ft)**

3

**Current East Lot Line (Ft)**

3

**Current South Lot Line (Ft)**

3

**Current West Lot Line (Ft)**

3

**Requested North Lot Line (Ft)**

0

**Requested East Lot Line (Ft)**

3

**Requested South Lot Line (Ft)**

0

**Requested West Lot Line (Ft)**

3

**Narrative****Will this variance be injurious to the public health, safety, morals, and general welfare of the community?**

No, a parking lot resides to the north and a resident that is willing to put in writing they are fine with the variance to the south.

**Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?**

It will improve value and curb appeal of both properties beside the address in this application.

**Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property?**

No

**Acknowledgement**

*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.*

**Digital Signature**

true

**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.**



# MADISON

Indiana

Planning, Preservation and Design

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

## PROPERTY OWNER AUTHORIZATION FORM

I/We, Tanner Little hereby authorize

(Property Owner(s) – Please Print)

Charlie Webb, representative for WG Construction LLC

(Applicant's Name)

(Company, Firm, Organization)

to make application for a Building Permit to

(Type of Permit)

Build a pole barn style garage at

(Description of Proposed Work)

520 West Street

(Property Address)

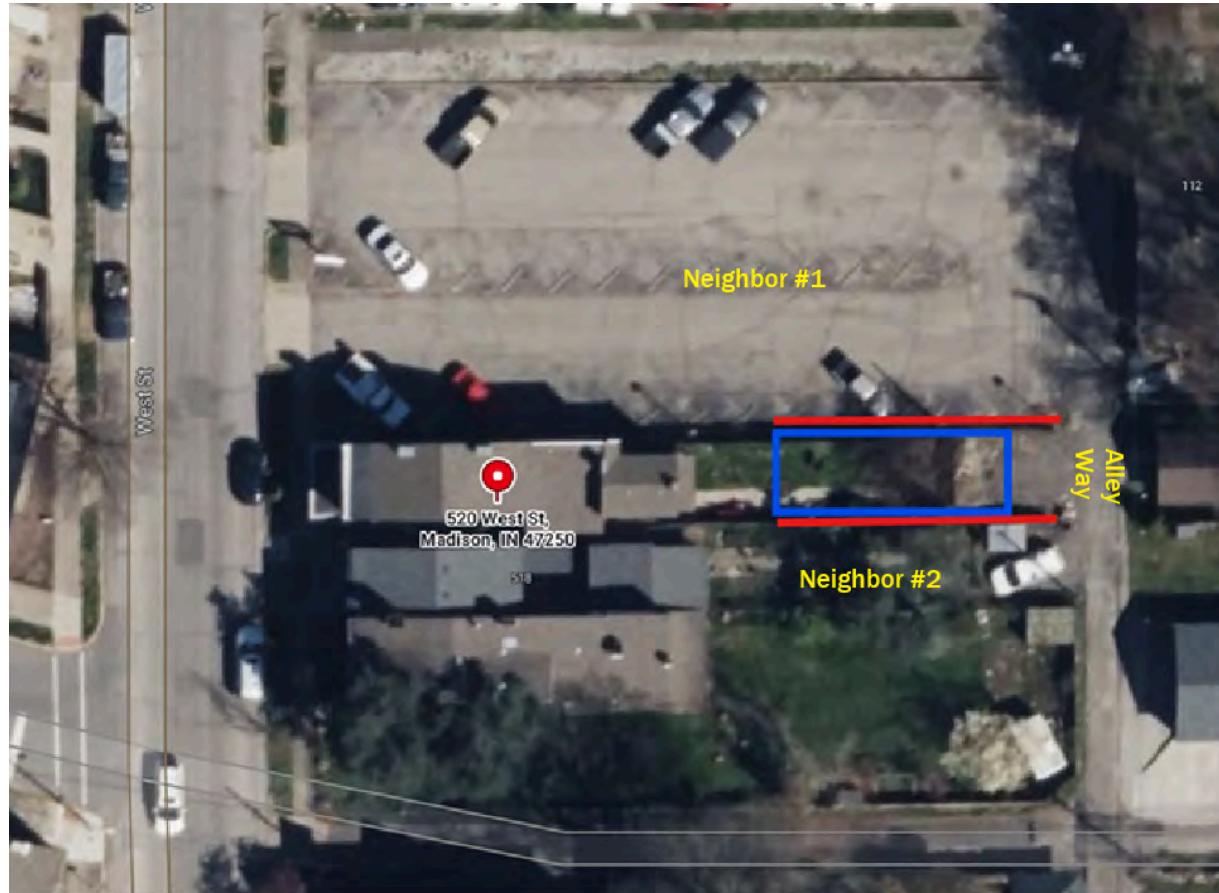
Madison, IN 47250

(City, State, Zip Code)

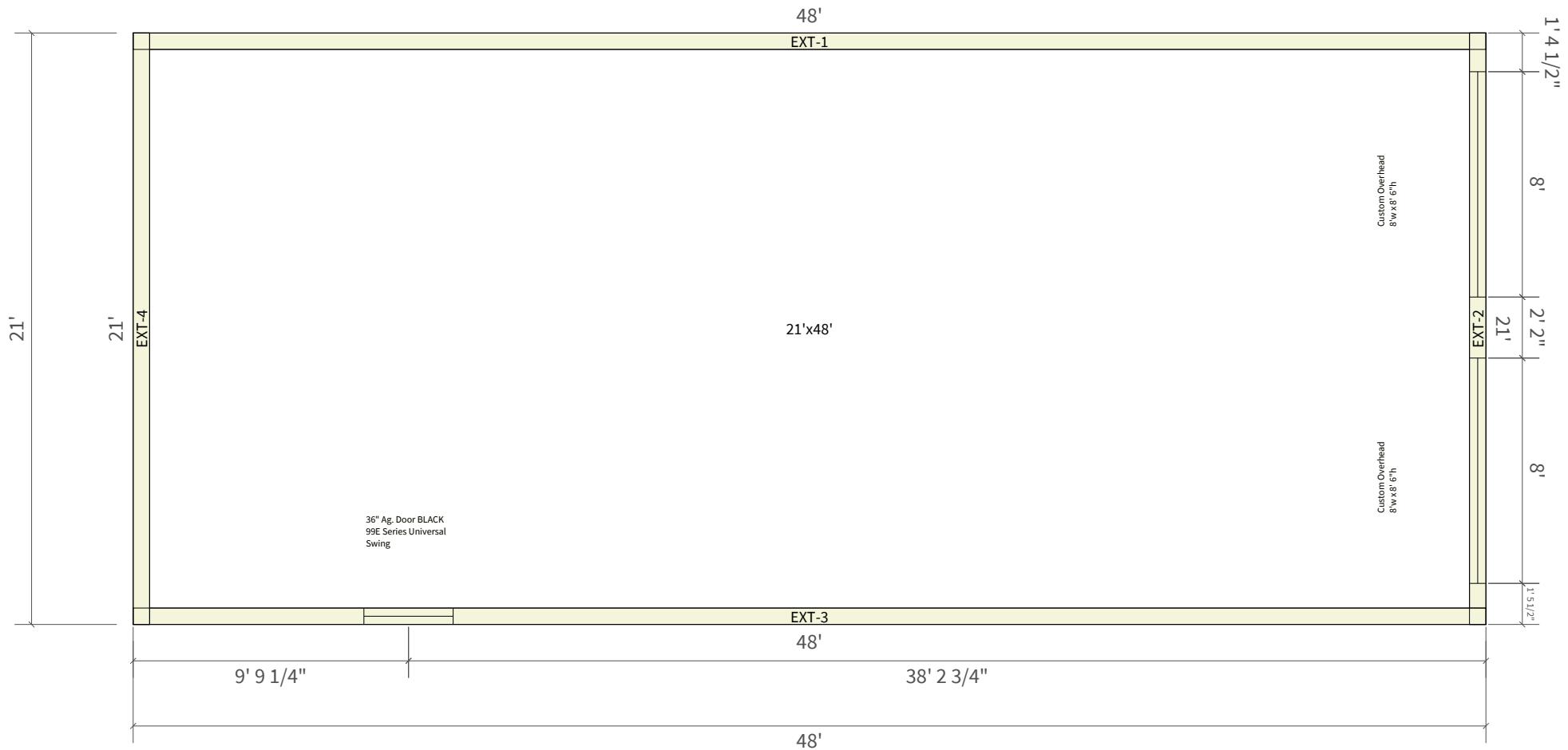
T. Little  
(Property Owner Signature)

12-17-25  
(Date)

## Proposed Site Plan for Tanner Little Building

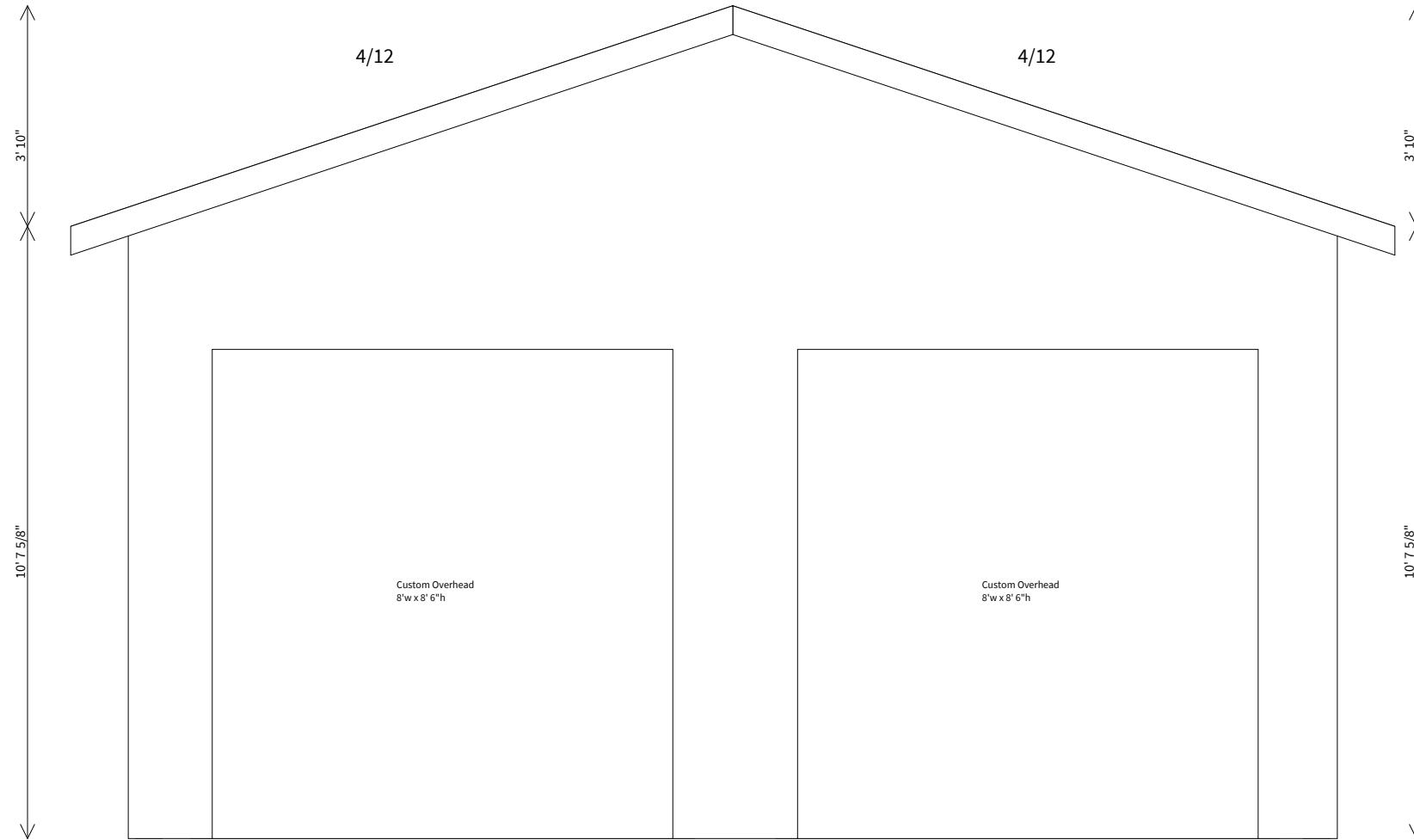


Blue-Proposed Building Red-Removed Fence Length of Lot: 168'  
Width of Lot: 21' Garage Door will be 21' from center of alley



# Front Elevation

Job: Tanner Little Option A  
Date: 12/26/2025  
Time: 3:20 PM



## Right Elevation

Job: Tanner Little Option A  
Date: 12/26/2025  
Time: 3:20 PM





## PROJECT BRIEF – BZVD-25-18

**Application Date:** December 30, 2025

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed requesting a variance from the development standards for the side setbacks for an accessory building. The request is for zero (0) foot setback on both sides.

<b>Current Zoning:</b> Central Business District (CBD)	<b>Project Location:</b> 520 West St
<b>Applicant:</b> Charles Webb	<b>Owner:</b> Tanner and Anna Little

**Preliminary Staff Recommendation: Approval with Conditions**

**Conditions:**

1. Prior to approval of a building permit, the applicant shall verify that the structure can be located on their property without any portions of the structure (including the eaves) projecting beyond their property line. *See highlighted comments below.*

**History, Relevant Information, & Prior Approvals:**

**History:** The only known history of this property is a building permit (BP-25-164) was filed on December 16, 2025 for this property, and its status is pending the decision of this Board.

**Relevant Information:** The applicant states that the request is for the construction of a detached garage at the rear of the parcel. It is unknown what type of exterior material the applicant is proposing to use. Note that any construction would require compliance and approval by the Historic District.

The applicants request presents a practical difficulty as his request for zero (0) foot side setbacks does not currently meet the standards set forth in Section 6.21 of the existing ordinance, but does meet the standards for the CBD district for accessory structure side setbacks in the new proposed UDO that is currently in the adoption process. This property also is located in a part of the city with a historical development pattern that builds up to the property line; the front of the house's porch abuts the sidewalk. *Staff strongly recommends conducting a survey prior to construction if the applicant has not yet done so. When building up to property lines, it is imperative to know exactly where your property lines are.*

The applicant submitted drawings for a 21ft x 48 ft (1,008 sq ft) detached garage that measures 10' 7 5/8" to the low eave, and measures 14' 5 5/8" to the top of the gable. The garage is proposed to be 21 ft to the center of the alley, which is approximately 5.5 feet from the rear property line. *The provided drawings show the building footprint to be 21 ft wide, which is the width of the property shown on the*

property card from the County Assessor; however, the eaves overhang the footprint of the building by approximately one foot on each side of the structure.

**Prior Approvals:** There are no known prior approvals for this property.

### Surrounding Zoning and Land Use:

<b>North:</b> Central Business District (CBD)
<b>South:</b> Central Business District (CBD)
<b>East:</b> Historic Residential District (HDR)
<b>West:</b> Central Business District (CBD) Historic District Residential (HDR)

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

#### Comprehensive Plan:

##### **NEIGHBORHOOD MIXED-USE (Page 74-78)**

*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 6.21 CENTRAL BUSINESS DISTRICT (pg 78)**

A. General Restrictions

1. Floor Area Ratio – No restriction
2. Lot Area – No restrictions
3. Lot Width – No restriction
4. Side Yard and Rear Yard Setback – Minimum of three feet
5. Height Restriction – 45 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, a parking lot resides to the north and a resident that is willing to put in writing they are fine with the variance to the south..
Staff Response:	No. The proposed request is to provide off-street parking from an alley for a personal residence. The proposed accessory structure compliments the existing historic development pattern of the area.

*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:	It will improve value and curb appeal of both properties beside the address in this application.
Staff Response:	No. The proposed request is very similar to the area. There are at least four properties with detached garages accessed by an alley within one block in either direction from the subject property.

*Finding #2 has been satisfied with conditions.*

*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:	Yes. The proposed request comes at a unique time where there is need for a slight variance from the existing standard, but the request comes at a time where a new ordinance is going through the adoption process, and in that ordinance the proposed structure would be permitted without variances needed.

*Finding #3 has been satisfied.*

# **APPLICATION PACKET:**

**BZVD-26-1**

Robert Stilwell

Variance from Development Standards for a 4 ft x 12 ft  
sign in a residential district

Location:

720 S Deer Bed Dr (39-13-06-300-041.000-002)

Zoned R-4

**Application for Variance from Development Standards****BZVD-26-1**

Submitted On: Jan 19, 2026

**Applicant**

👤 Robert Stilwell  
📞 216-630-8897  
✉️ stilwerf@gmail.com

**Primary Location**

720 S DEER BEND DR  
HANOVER, IN 47243

**Property Owner Information****Property Owner Name**

Stilwell Robert S &amp; Julie

**Mailing Street Address**

720 DEER BEND DR

**City**

HANOVER

**State**

IN

**Zip Code**

47243

**Phone Number**

2166308897

**Email**

stilwerf@gmail.com

**Permit Information****Address and/or Legal Description of Property**

Residence

**Zoning Classification**

R4

**Description of Existing Use**

Single residence with attached pergola in front yard

**Description of Proposed Use**

R4

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

See attachment

**Describe why a variance is requested**

See attachment

**Is this application requesting a variance from setbacks?**

No

1. Will approval of this application be injurious to the public health, safety, morals, and general welfare of the community?

No.

The sign is 4 ft high × 12 ft long, mounted on top of an existing pergola on private residential/commercial property. The lighting that was previously on the sign has been permanently turned off since the day I received the notice from zoning. In the four months the sign has existed, there have been no accidents, no driver-distraction complaints, and no safety issues reported. It sits lower and farther back from SR-56 than many other existing business signs in Hanover.

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.

The sign is clean and attractive and advertises a friend's local small business. Neighbors I have spoken with either like it or have no objection. This stretch of SR-56 is already a mix of homes and small businesses; one modest 4 × 12 sign with no illumination fits the character of the area and supports local commerce.

3. Does the need for this variance arise from some condition peculiar to the property?

Yes.

This is a corner lot with mixed residential/commercial zoning and a pre-existing elevated pergola in the front yard—the only practical elevated location for a sign that can be seen from SR-56 without cutting mature trees or building a new freestanding pole. No other property in Hanover has this exact combination.

4. Will the strict application of the terms of the zoning ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought?

Yes.

Strict enforcement would remove the only reasonable and affordable location for my friend's small local business to be visible to the thousands of vehicles that pass daily on SR-56. A ground-level sign would be hidden by the slope and trees, and a new pole sign would cost several thousand dollars that a small business cannot afford.

5. Does the approval interfere substantially with the Comprehensive Plan?

No.

The Comprehensive Plan encourages small-business visibility along the SR-56 corridor while preserving Hanover's small-town character. One modest, unlighted 4 ft × 12 ft sign on an existing structure fully supports those goals.

Additional comments / narrative (bottom of form or attached sheet):

I have no financial interest in the sign—I am simply allowing a friend who owns a small local business to place this one 4 ft × 12 ft sign on my pergola at no charge so they can remain visible to customers.

More than three years ago I attempted repeatedly to obtain a sign permit, but the office was short-staffed and my calls were never returned. When the pergola needed repair

*Peter J. Toland*  
11-25-2025

recently, we installed the current sign in good faith. The only issue raised by zoning was the lighting; it was turned off the same day I received the notice and will remain off. The zoning administrator has inspected the site, agrees the sign is attractive and creates no problems, and is advocating on my behalf. I am happy to make any additional minor adjustments the Board requests.

*Frank Stoland*  
11-25-2025



## PROJECT BRIEF – BZVD-26-1

**Application Date:** December 2, 2025

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed requesting a variance from the development standards Section 6.10-A-2-c for maximum sign size.

<b>Current Zoning:</b> Low Density Residential (R-4)	<b>Project Location:</b> 720 Deer Bend Dr, Hanover
<b>Applicant:</b> Robert Stillwell	<b>Owner:</b> Robert S and Julie Stillwell

**Preliminary Staff Recommendation: Denial**

**Reasoning:** Based on the information provided, the applicant has not demonstrated a hardship that the ordinance has created or placed on this residential property.

**History, Relevant Information, & Prior Approvals:**

**History:** A violation was issued in 2025 for the sign, and this application is a result of that violation.

**Relevant Information:**

The applicant has affixed a 4ft x 8ft sign to a pergola in the front yard of the subject property. Originally, the sign had lights illuminating it at night; however, the applicant states they removed the lights once they received a notice of violation from Staff. The sign has been up since approximately August 2025.

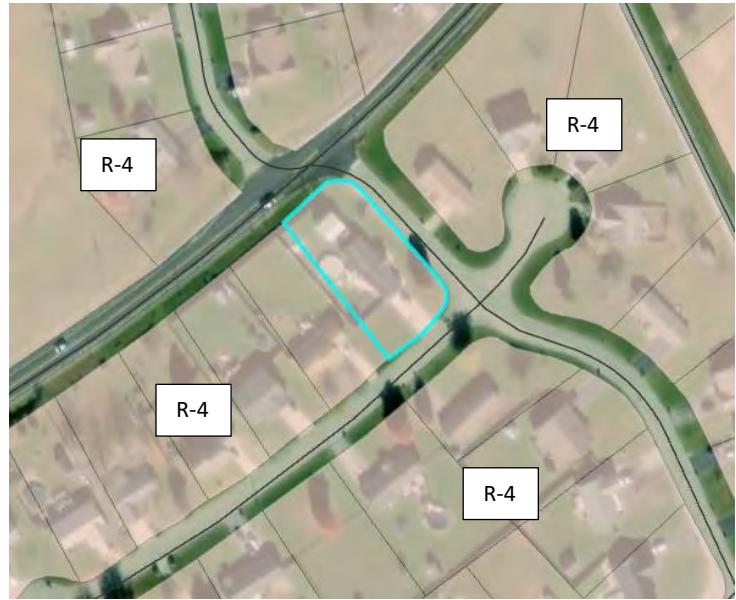
The applicant originally submitted an application for a use variance, which after working with staff updated to the correct application. Some of the information originally submitted for their findings align with standards required for use variances, not development standard variances. Their submitted findings will be included at the end of this staff report.

A street view image shows a pergola in close proximity to the public right-of-way, and the pergola appears to be approximately 10 feet in height from grade. The applicant, in their submitted text, stated the, *"4 ft high x 12 ft long sign, is mounted on top of an existing pergola..."* The height of the top of the sign would be approximately 14 ft from grade, which is not permitted in the R-4 district.

**Prior Approvals:** There is no known prior approvals for this property.

## Surrounding Zoning and Land Use:

North: Low Density Residential (R-4)
South: Low Density Residential (R-4)
East: Low Density Residential (R-4)
West: Low Density Residential (R-4)



## Comprehensive Plan, Ordinances, & Finding of Fact

### Comprehensive Plan:

#### **SUBURBAN RESIDENTIAL (Page 74-78)**

*Suburban Residential refers to neighborhoods of single-family of low to moderate densities, as well as attached, manufactured, and multifamily developments. This category is characterized by larger lot and housing*

*typically built after World War II. Suburban residential areas may also contain institutional uses such as civic, religious, and educational facilities. New development should always be required to connect to existing infrastructure and utility services. Residential neighborhoods should be connected by streets and sidewalks or multi-use paths to schools and other compatible non-residential areas. Cul-de-sac streets, which do not encourage connectivity, should be minimized.*

### Ordinance:

#### **SECTION 6.10 RESTRICTIONS – RESIDENTIAL DISTRICTS (pg 37-39)**

##### SECTION 6.10-A-2: Signs Intended to be seen outside lot lines (pg 38)

- a. Non-illuminated business signs are permitted.
- b. No sign shall project beyond a lot line, obstruct in any way a driver's vision of the road or hinder his passage in any way. Further, no sign shall be placed so as to hinder or obstruct any pedestrian path.
- c. No sign, except for real estate signs, shall be larger than two (2) square feet per side. Real estate signs shall not exceed eight (8) square feet, are permitted on a temporary basis and shall be removed when the property is no longer for sale or rent.

**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. The sign is 4 ft high and 12 feet long, mounted on top of an existing pergola on private/residential/commercial property. The lighting that was previously on the sign has been permanently turned off since the day I received the notice from zoning. In the four months the sign existed, there have been no accidents, no driver-distraction complaints, and no safety issues reported. It sits lower and farther back from SR-56 than many other existing business signs in Hanover.
Staff Response:	No. While signs are not inherently injurious to the public health, safety, morals, or welfare, standards to maintain the character of an area are important to uphold.

*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. The sign is clean and attractive and advertises a friend's local small business. Neighbors I have spoken with either like it or have no objection. This stretch of SR-56 is already a mix of homes and small businesses; one modest 4 x 13 sign with no illumination fits the character of the area and supports local commerce.
Staff Response:	Yes. The sign in question is located in an R-4 district, and is mounted on a pergola which is almost abutting the property line with the public right-of-way along Deer Bend Dr. It is unknown whether the pergola was properly permitted, or if it was constructed to meet the standards at the time of construction. This sign height total is approximately 14 feet tall from grade, which is taller and larger than any sign within 2,600 feet to the east (Dutch Discount Market) and 3,900 feet to the west (Fast Pace Urgent Care). This unpermitted sign is not residential in nature, does not meet the standards set forth for the area on the future land use map of the comprehensive plan, and does not meet the standards of the zoning ordinance.

*Finding #2 has **NOT** 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:	Yes. Strict enforcement would remove the only reasonable and affordable location for my friend's small local business to be visible to the thousands of vehicles that pass daily on SR-56. A ground-level sign would be hidden by the slope and trees, and a new pole sign would cost several thousand dollars that a small business cannot afford.
Staff Response:	No. The strict application of the terms of this ordinance will not result in a practical difficulty for the use of the property. The requested variance has no bearing on the residential use of the property. The unpermitted sign is advertising a business not located on the property; the use of the property will remain residential whether the sign is on the property or not.

*Finding #3 has **NOT** been satisfied.*

# **APPLICATION PACKET:**

## **BZVU-26-1**

Jason Anderson/GJTJJ Realty, LLC

Variance of Use for “110 Dwelling Unit” to build a 2-family dwelling

Location:

435 Green Rd (39-08-27-113-072.000-007)

Zoned GB

**Application for Variance Of Use****BZVU-26-1**

Submitted On: Jan 13, 2026

**Applicant**

 Jason Anderson  
 8127015389  
 @ jasong0224@gmail.com

**Primary Location**

435 GREEN RD  
MADISON, IN 47250

**Property Owner Information****Property Owner Name**

Jason Anderson

**Mailing Street Address**

6412 W Interstate Block Rd

**City**

Madison

**State**

IN

**Zip Code**

47250

**Phone Number**

812-701-5389

**Email**

jasong0224@gmail.com

**Permit Information****Address and/or Legal Description of Property**

Single Family Home

**Zoning Classification**

GB

**Description of Existing Use**

House and barn are in very rough shape and will need extensive work to repair and make livable and usable again

**Schedule of Use Category #**

110

**Description of Proposed Use**

I am requesting a USE VARIANCE to allow me to demolish house and barn and build a new duplex on the lot. The current home is run down and is an eye sore for the neighborhood. There is a church across the road and I would like to add a more appealing 2 family duplex to add to the appearance of the lot and neighborhood.

**Acknowledgement****Digital Signature**

true

PROPERTY OWNER AUTHORIZATION FORM

I/We, Jon, Grover, Tonia, Joshua, Jason / GJTJJ Realty, LLC hereby authorize  
(Property Owner(s) – Please Print)

Jason Anderson, representative for GJTJJ Realty, LLC  
(Applicant's Name) (Company, Firm, Organization)

to make application for a USE VARIANCE to  
(Type of Permit)  
Remove house and barn and build a duplex at  
(Description of Proposed Work)

435 Green Rd  
(Property Address)

Madison, IN 47250  
(City, State, Zip Code)

Jason Anderson 1/8/2026  
(Property Owner Signature) (Date)  
Jon Anderson  
Joshua Anderson  
Grover Anderson  
Tonia Cline

# Application for Variance from Subdivision Regulations

Request to Remove Existing Structures and Construct a Duplex at 435 Green Rd, Madison

## Applicant Information

Name: GJTJJ Realty, LLC

Address: 2914 Clifty Dr, Madison, IN 47250

Phone: (812)701-5389

Email: jasong0224@gmail.com

Date: 01/08/2026

## Property Information

Property Address: 435 Green Rd, Madison

Parcel Number: 39-08-27-113-072.000-007

## Request for Variance

I am writing to formally request a variance from the Subdivision Regulations for the property located at 435 Green Rd, Madison. The property currently contains a single-family house and a barn, both of which are in poor and deteriorating condition. After careful evaluation, it has been determined that these structures are no longer suitable for rehabilitation or continued use.

## Proposed Plan

The intent is to remove the existing house and barn and replace them with a newly constructed duplex. The proposed duplex will be built in accordance with all applicable building codes and will enhance the overall appearance and utility of the property. The new construction will provide modern, safe, and energy-efficient housing, contributing positively to the community.

## Justification for Variance

- The current structures are older and unsightly.
- Rehabilitation of the existing house and barn is not economically feasible due to their poor condition.
- Replacing the outdated structures with a duplex will improve property values and neighborhood character.
- The new duplex will comply with all other applicable zoning and building requirements, except for the subdivision regulation from which a variance is being sought.

## Impact on Surrounding Area

The proposed duplex will be designed to fit the character of the surrounding neighborhood. Adequate parking, landscaping, and setbacks will be provided in accordance with local requirements. The project aims to minimize disruption to neighbors and enhance the aesthetic appeal of Green Rd.

## Conclusion

I respectfully request that the variance be granted to allow the removal of the existing house and barn and the construction of a new duplex at 435 Green Rd, Madison. I am available to attend the next meeting of the Planning Commission or Board of Adjustment to provide further information and answer any questions.

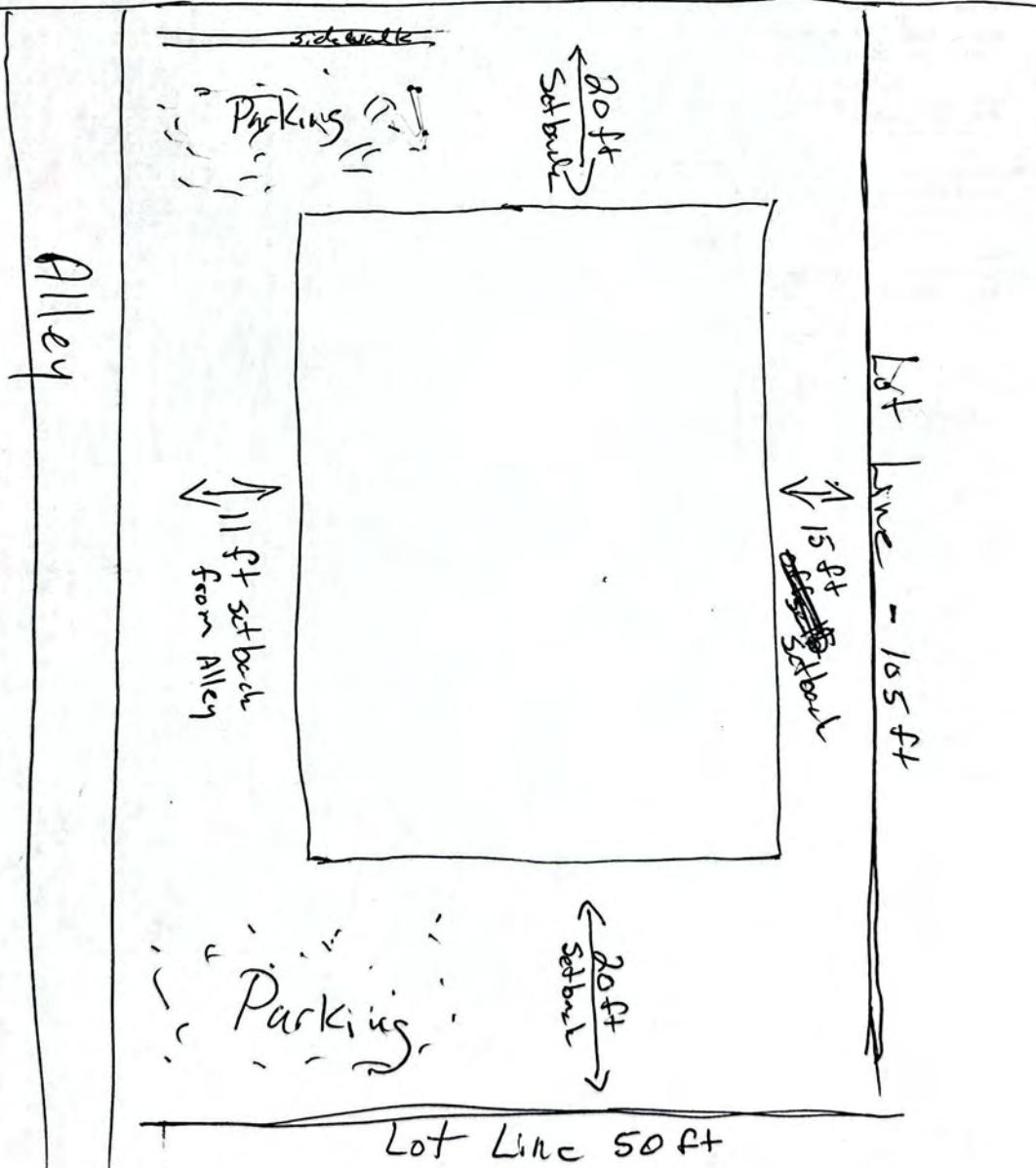
Thank you for your consideration.

Sincerely,

Jason Anderson

GJTJJ Realty, LLC

Green Rd





## PROJECT BRIEF – BZVU-26-1

**Application Date:** January 13, 2026

**Meeting Date:** February 9, 2026

**Application Description:**

An application has been filed requesting variance of use approval for "110 Dwelling Unit" to build a 2-family dwelling.

<b>Current Zoning:</b> General Business (GB)	<b>Project Location:</b> 435 Green Rd
<b>Applicant:</b> Jason Anderson	<b>Owner:</b> GJTJJ Realty, LLC

**Preliminary Staff Recommendation: Approval**

**Conditions:** None

**Reasoning:**

The applicant is requesting to continue a use in an area zoned GB, which permits condos and apartments by right. By definition, the proposed use is considered "110 dwelling unit", but does function in a similar manner to these permitted uses. This approval will allow the property to continue to be utilized how it has historically been and simultaneously allows for the removal of an unsafe structure, and the construction of two new dwelling units for the community.

**Staff Comment:** Note that setbacks in the GB district under the current zoning ordinance are set on a case by case basis by the Plan Commission. However, the proposed UDO that is being considered specifies setbacks for GB and this parcel would require a variance from those setbacks due to the size.

**History, Relevant Information, & Prior Approvals:**

**History:** There is a history of nuisance violations on the subject property. NUIV-25-277 was filed in July 2025 for "mowing & weed eating; trash & tire removal and disposal". NUIV-25-373 was filed in October 2025 for "mowing & weed eating; trash removal".

**Relevant Information:** The applicant states in their submitted materials, *"The property currently contains a single-family house and a barn, both of which are in poor and deteriorating condition. After careful evaluation, it has been determined that these structures are no longer suitable for rehabilitation or continued use."* The applicant also states, *"The intent is to remove the existing house and barn and replace them with a newly constructed duplex. The proposed duplex will be built in accordance with all applicable building codes and will enhance the overall appearance and utility of the property. The new construction will provide modern, safe, and energy-efficient housing, contributing positively to the community."*

Regarding the impact on the surrounding areas, the applicant states, "The proposed duplex will be designed to fit the character of the surrounding neighborhood. Adequate parking, landscaping, and setbacks will be provided in accordance with local requirements. The project aims to minimize disruption to neighbors and enhance the aesthetic appeal of Green Rd."

The request of a use variance is being requested as "110 Dwelling Units" are neither a permitted nor a conditional use in the GB district. The area is a mix of residential and community serving commercial and institutional uses. The previous use was residential, even though it was located in the GB district. This request will allow for the removal of an unsafe structure and the construction of a new residential structure, which will allow the property to continue to be used in a residential manner.

**Prior Approvals:** There are no known prior approvals for this property.

#### Surrounding Zoning and Land Use:

<b>North:</b> General Business (GB)
<b>South:</b> General Business (GB)
<b>East:</b> Residential Medium Density (R-8)
<b>West:</b> General Business (GB)



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

##### Comprehensive Plan:

##### **COMMUNITY COMMERCIAL (Page 74-78)**

*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 7.00 OFFICIAL SCHEDULE OF DISTRICT REGULATIONS (pg 93-99)**

**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:	Not submitted – see attached applicant letter.
Staff Response:	No. The requested use variance, if approved, will permit the applicant to demolish and remove an unsafe structure, and replace it with a new, safe dwelling (duplex).

*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 be affected in a substantially adverse manner?*

The applicant has provided the following response:	Not submitted – see attached applicant letter.
Staff Response:	No. The granting of this use variance will allow the continuance of the current/previous use.

*Finding #2 has been satisfied.*

*Finding of Fact #3 – Does the need for this variance arise from some conditions peculiar to the property?*

The applicant has provided the following response:	Not submitted – see attached applicant letter.
Staff Response:	Yes. The existing structure has been used in a residential manner prior and up to this request. The zoning classification and the use of the property do not align, therefore not permitting the continuance of the use and the removal of an unsafe structure.

*Finding #3 has been satisfied.*

*Finding of Fact #4 – Will the strict application of the terms of the zoning ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought?*

The applicant has provided the following response:	Not submitted – see attached applicant letter.
Staff Response:	Yes. The strict application of this ordinance will not allow the continued use of the property in its historical and current manner. Further, it will permit an unsafe structure to continue to be on the property.

*Finding #4 has been satisfied.*

*Finding of Fact #5 – Does the approval interfere substantially with the Comprehensive Plan?*

The applicant has provided the following response:	Not submitted – see attached applicant letter.
Staff Response:	No. The community commercial future land use designation is, "primarily a mix of single and two-family homes and small multifamily buildings". Further, this land use states that, "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."

*Finding #5 has been satisfied.*