



Application for Variance from Development Standards

City of Madison
Office of Planning, Preservation, & Design
101 W Main St
Madison, IN 47250
(812) 265-8300

Application Fee \$ 35.00
Ad Fee (for Legal Notice) \$ 15.00
Recording Fee \$ 25.00
Total Due \$ 75.00

Purpose: Per the City of Madison Zoning Ordinance, the Board of Zoning Appeals shall approve or deny variance from development standards from the terms of the Zoning Ordinance. The Board may impose reasonable conditions as a part of its approval. A variance may be approved only upon a determination by the Board.

This application must be filed at least 15 days prior to scheduled meeting to be eligible for consideration at that meeting. Actual deadlines vary due to holidays, office business hours and operating schedule, media publishing deadlines, etc. Deadlines are published publicly and can also be provided by contacting the Planning Office.

APPLICANT INFORMATION

Name: Madison Plaza Group LLC
Street: 145 Rose Street
City: Lexington State: KY Zip: 40507
Phone (Preferred): (859) 539-2688
Phone (Alternate): _____
Email: Garyen Denning <gdenning@crmco.com>

OWNER INFORMATION (IF DIFFERENT*)

Name: _____
Street: _____
City: _____ State: _____ Zip: _____
Phone (Preferred): _____
Phone (Alternate): _____
Email: _____

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

PROPERTY FOR WHICH A VARIANCE IS REQUESTED

Address and/or Legal Description of Property: 2536 Michigan Avenue; PVA 39-08-23-300-021.000-007

Zoning Classification: Retail Business

Description of Existing Use: vacant

Description of Proposed Use: Retail Center

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

Section 9.00, Off-street Parking (1 space per 120-sf gross) and Parking dimension is (22ftx10ft)

Describe why a variance is requested: _____

Variance request is to reduce the off street parking requirement to 1 space per 400 ft gross and parking dimension to 18ftx9ft. Reduction in parking requirements and dimensions, will have a positive impact on environment, by reducing the need for parking lots, which will lead to less stormwater runoff, less impervious surface, and less air pollution. Variance will have a positive impact on maximizing the use of property. The proposed variance will not have any adverse impact on the welfare and public safety.

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

Provide a detailed Narrative statement demonstrating that the requested variance conforms to the following standards. Respond to each question below with Yes/No and why. Use additional pages if necessary.

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

No, Variance will not have any impact on public health, safety, and general welfare of the community. Proposal is in agreement with parking requirement and Parking dimensions of the City of Louisville. Attached are the parking requirements and parking dimensions.

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?

No. The value and use of the adjacent properties will not be impacted, the proposed development is a major improvement to the surrounding area. Proposed development will be a positive impact to the surrounding properties.

3. Did the need for the variance arises from some condition peculiar to the property involved?

No, proposed variance arise from the need to minimize impervious area and maximize the use of the commercial property within the city of limit of Madison. Proposal has many environmental and economic benefits.

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

Yes. Parking requirements per zoning ordinance, will produce significant amount of unnecessary impervious area. Meeting the requirement of the zoning ordinance will make the project unfeasible. Proposal is a significant improvement to the current condition and proposal will maximize the use of vacant land

5. Does the approval of this application not interfere substantially with the Comprehensive Plan?

No, Proposal will not have any impact to the Comprehensive Plan to the City of Madison.

6. Are there any special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district?

Yes, this land is a vacant property and underutilized. The location of the subject property will make its unique for the proposed development. The success of this proposal is contingent on the approval of the waiver.

7. Will literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance?

No, but this proposal is a significant commercial improvement, that will become a destiny that has a very positive impact to the adjacent property Owners and the City of Madison.

8. Are special conditions and circumstances do not result from the actions of the applicant?

No, Approving this Variance will not have any negative conditions or circumstances.

9. Will the variance requested confer on the applicant special privilege(s) that is denied by Zoning Ordinance 2016-19 to other lands, structures, or buildings?

No. Proposal have not been denied by the Zoning Ordinance.


Include any other documents/information which you feel will aid the Board in making its determination.

Certified letters MUST be mailed to adjoining property owners (includes owners of real estate at corners, across streets, alleys or easements as well as others who may share a common boundary) at least ten (10) days prior to the meeting. The Planning Office can assist you in obtaining this information. Proof of the Certified Mail receipts and the corresponding returned green cards shall be given to the Planning Office at least one (1) working day prior to the scheduled meeting. The Board will not review the application unless these are received.

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

03/21/2022

Date


Signature of Applicant

Documentation Review (Completed by Planning Office)

- N/A Owner Authorization provided (if req'd)
- ☒ Narrative Statements completed
(Proposed Use & 1 – 7 above)
- ☒ Application is complete
- ☐ GIS Information to applicant and attached
- ☐ Certified Mail Receipts received (attach)
- ☐ Certified Mail Green Cards received (attach)

Staff Notes

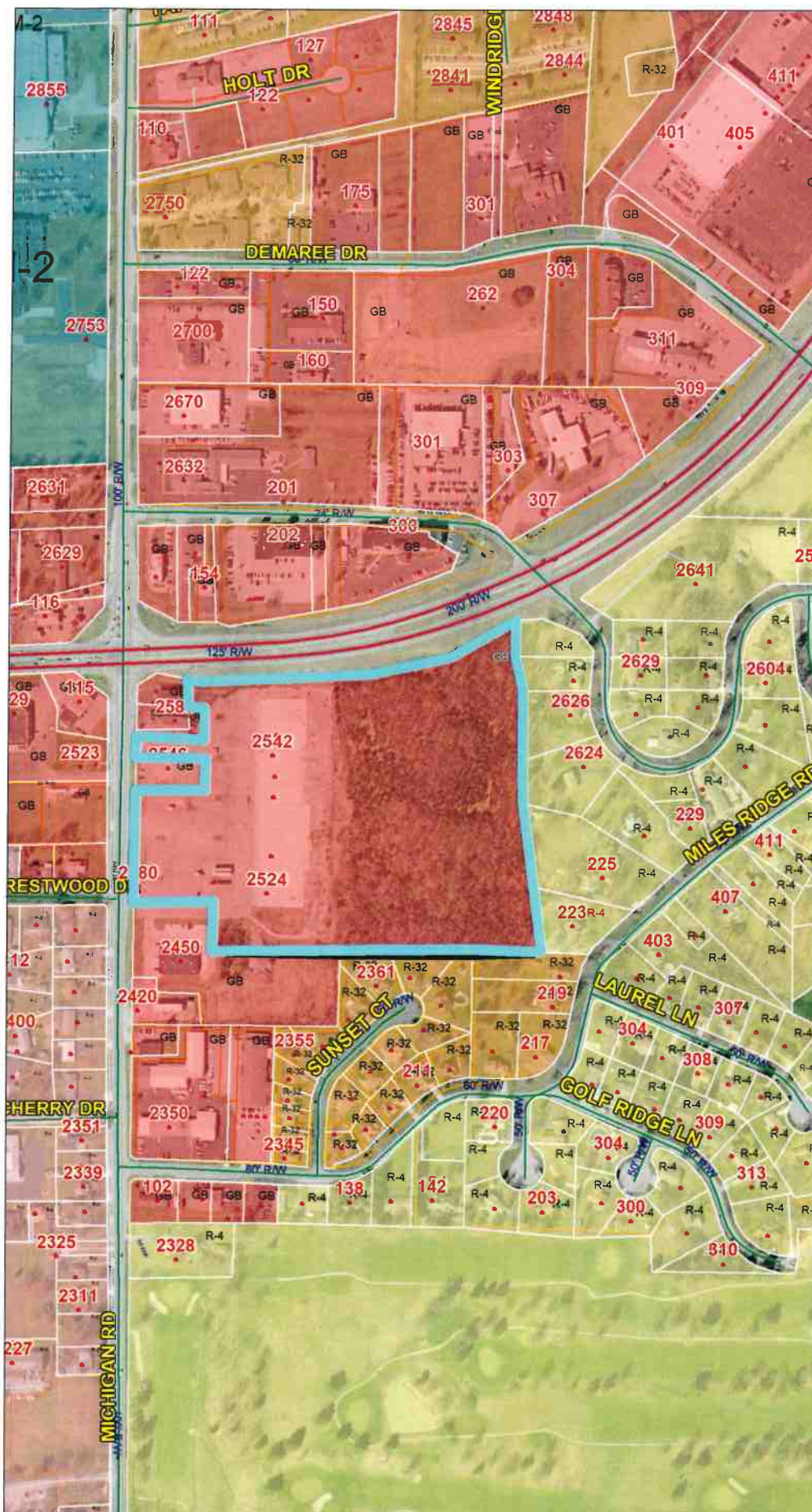
COMPLETED BY PLANNING OFFICE

Application Accepted on: 3/21/2022
Application Accepted by: JOE PATTERSON

Meeting Information: Board of Zoning Appeals

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

Meeting Date: 4/11/2022 **Time:** 6:30PM



MadisonZoning

Zoning Code:

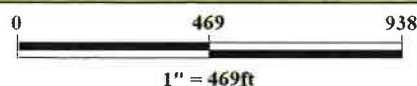
- GB
- HS
- M-2
- R-32
- R-4
- R-8

- Regional Counties
- County Boundary
- Townships
- Corporate Boundaries
- Water
- Parcels
- Drives, Alleys, etc.

Addresses

- Regional Counties
- Regional Roads
- Regional Highways
- Water
- Railroad
- Drives, Alleys, etc.
- Roads
- Highways

Madison Plaza



THINK

