STAFF REPORT
MADISON COUNTY BOARD OF ZONING APPEALS
November 24, 2026

Petition Number: **2026-V-040**
Location: **7439 W SR 28, Elwood, IN 46036**
Petitioner/Owner: **Ralph Cole**
Zoning District: **R2**
Request: **Accessory structure in front of primary structure**

STATEMENT OF INTENT

Ralph L Cole

7439 W State Rd 28

Elwood, In 46036

317-605-7312 | lcole69812@yahoo.com

Date: October 9, 2026

To:

The Madison County Board of Zoning Appeals

Madison County Joint Planning Commission

16 E. 9th Street

Anderson, IN 46016

Subject: Petition for a Full Development Standards Variance – Detached Garage

Dear Members of the Board,

I am formally submitting this Letter of Intent and the accompanying petition for a Development Standards Variance to construct a detached accessory garage at my property located at 7439 W State Rd 28 Elwood, In 46036. The property sits within an unincorporated area of Madison County.

1. Nature of the Variance Request

I am requesting a full Development Standards Variance from Madison County Zoning Code § 93.051(A)(3)(c), which prohibits the placement of accessory structures within a designated front yard area. Specifically, I am petitioning the Board to allow a 30' x 40' x 12' detached metal garage to be constructed forward of the primary residence's front building line. The proposed structure will be situated 10 feet from the front property line and 81 feet from the east property line.

2. Justification and Practical Difficulty (The Hardship)

Strict adherence to the zoning code creates an extraordinary practical difficulty and an unnecessary hardship for the reasonable use of this property. While the primary residence sits on a 1.4-acre building parcel, the available buildable area is severely restricted by preexisting structural, mechanical, and infrastructural assets:

Continued

Septic Infrastructure Constraints: The property's active septic system and absorption field occupy the rear yard space directly behind the home. The septic field begins 25 feet off the rear of the house and extends across the yard space. Moving the garage to the rear or side vectors to comply with front-yard building limits would require heavy construction directly over this infrastructure, effectively damaging or completely destroying the septic absorption field.

Driveway Easement and Parking Configuration: The only driveway providing access to the residence is localized within a 30-foot private roadway easement, stretching 109 yards from the road to our front property boundary. Under § 93.051(A)(3)(b), accessory structures must maintain a minimum 25-foot clearance from private roadway easements. The existing driveway parking terminates precisely at the front edge of the proposed building pad. Constructing the garage at this exact location allows direct structural integration into the existing parking area without creating unnecessary, redundant pavement or encroaching on the active easement.

3. Impact on Public Health, Safety, and Welfare

The approval of this variance will not be injurious to the public health, safety, morals, or general welfare of the community, nor will it negatively impact adjacent properties:

Logical Extension of Infrastructure: Because the vehicle parking lane naturally ends at the threshold of the proposed garage opening, the configuration streamlines vehicular access, eliminates off-driveway parking on open grass, and minimizes unnecessary soil compaction near the front line.

Adjoining Land Ownership: While the primary building parcel is 1.4 acres, the applicant owns the surrounding 2.602 acres immediately to the south and west, creating a continuous tract of 4.002 acres under single ownership. Because the applicant controls the surrounding land to the south and west, the placement of the garage poses zero risk of crowding adjacent neighbors, blocking sightlines, or infringing on neighboring privacy.

Aesthetic and Architectural Harmony: To preserve neighborhood aesthetics, the proposed structure is designed to blend seamlessly with the existing property features. The professional siding and trim of the new metal garage will strictly match the established color scheme of both the primary house and the existing 18' x 21' accessory shed, ensuring a clean, uniform, and attractive look from the driveway approach.

Generous Side Setbacks: The garage will be placed a substantial 81 feet from the east property line, ensuring maximum buffer space and visual breathing room between the structure and the nearest non-owned adjacent parcel.

Substantial Setback from the Public Right-of-Way: Our front property line sits 109 yards back from the active road. With over 300 feet of total clearance between the proposed garage and the public highway right-of-way, the structure will cause zero disruption to municipal traffic sightlines, utility corridors, or roadway maintenance.

Continued

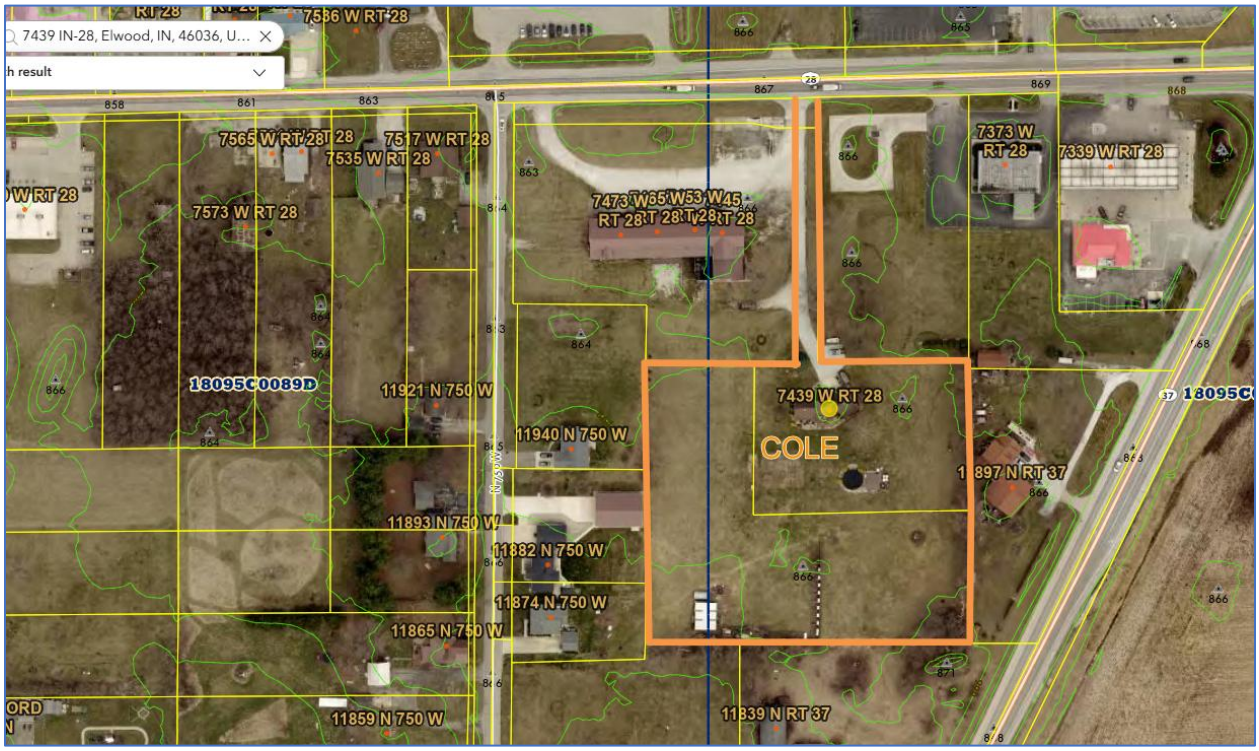
Lot Coverage and Drainage: The addition of a 1,200-square-foot garage on this site plan easily satisfies open space expectations when looking at the overall footprint of our 4.002-acre land holdings, leaving the overwhelming majority of the area as open green space with no adverse impact on neighborhood drainage patterns.

For these reasons, I kindly request that the Board of Zoning Appeals approve this full development standards variance to allow the construction of this accessory garage. Enclosed with this application is the site plan drawn accurately to a 1:40 graphic scale bar detailing all property boundaries, structures, easements, and the septic field.

Thank you for your time, review, and consideration of this petition.

Sincerely,

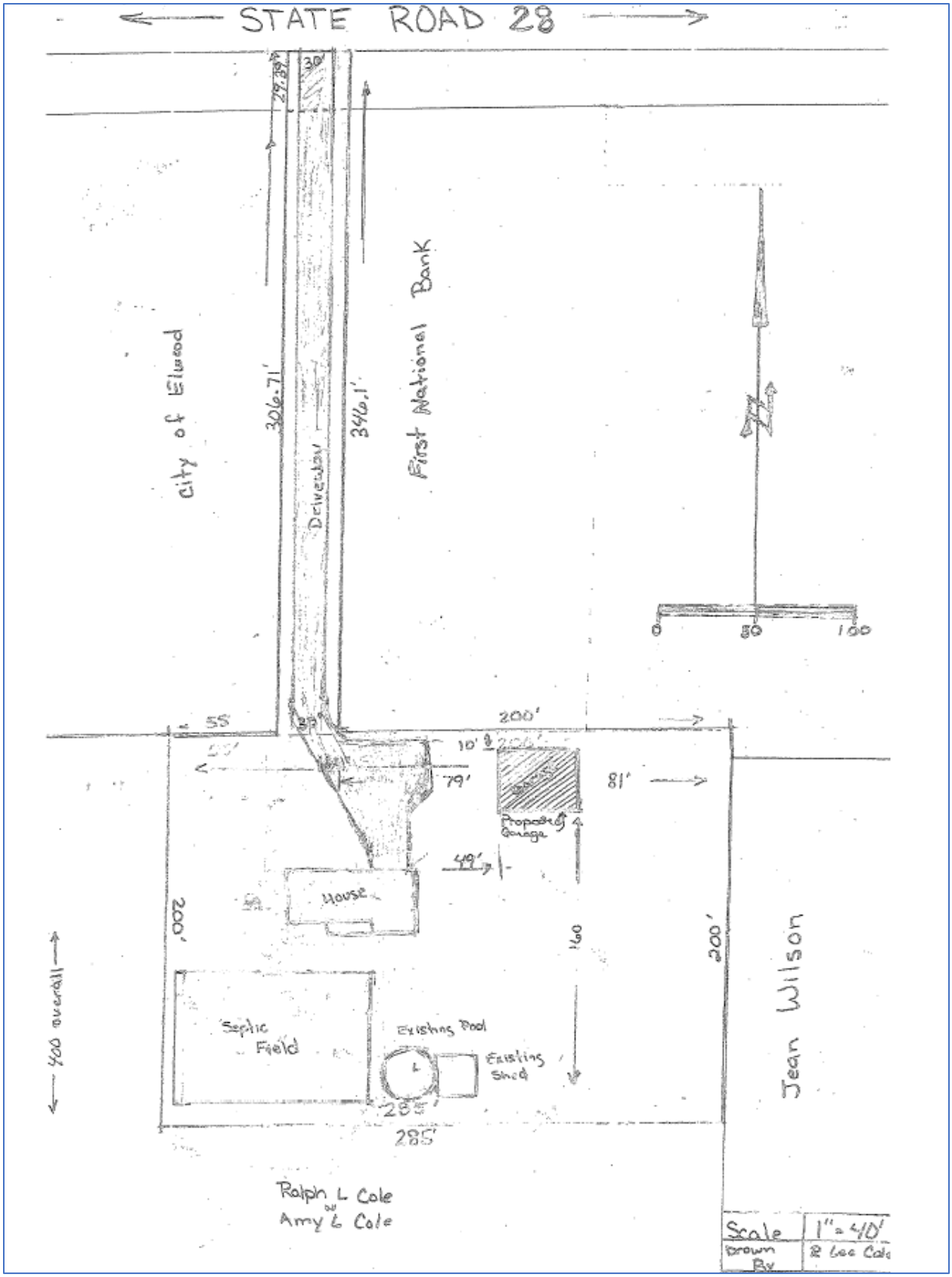
Ralph L Cole



Site

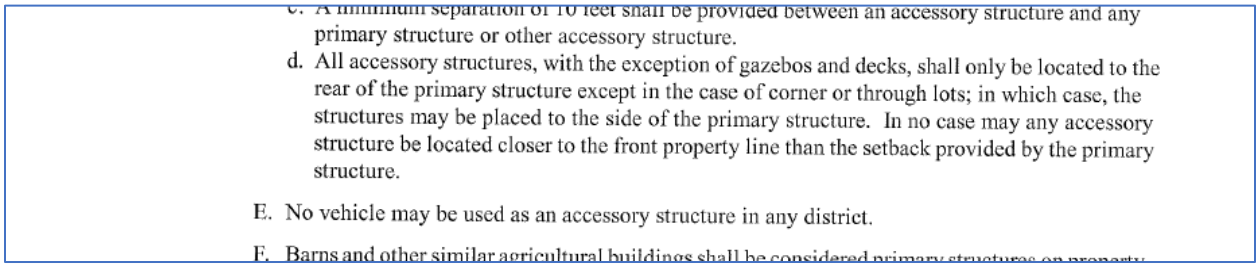
Site Characteristics

Zoning – R2/GC
Floodplain – No floodplain
SR 28 is a principal arterial


STATE ROAD 28
30'
28.39'
306.71'
340.1'
Driveway
City of Elwood
First National Bank
0
50
100
55'
200'
10'
79'
81'
Proposed Garage
49'
House
200'
160'
200'
400 overall
Septic Field
Existing Pool
Existing Shed
285'
285'
Jean Wilson
Ralph L Cole
Amy L Cole
Scale
1" = 40'
Drawn By
R Lee Cole

Site Plan

ZONING REQUIREMENTS



c. A minimum separation of 10 feet shall be provided between an accessory structure and any primary structure or other accessory structure.

d. All accessory structures, with the exception of gazebos and decks, shall only be located to the rear of the primary structure except in the case of corner or through lots; in which case, the structures may be placed to the side of the primary structure. In no case may any accessory structure be located closer to the front property line than the setback provided by the primary structure.

E. No vehicle may be used as an accessory structure in any district.

F. Barns and other similar agricultural buildings shall be considered primary structures on property

From 6.6 AS-01 (Madison County Zoning Ordinance

STAFF FINDINGS

The petitioner wants to place his barn (accessory structure) in front of the principal structure (his house). As noted in the cover letter, there are practical difficulties posed by the septic system on the west side of the petitioner's property. The actual property line for the project as shown on the map is not accurate on the northeast front (it is approximately 30' further north).

RECOMMENDATION

Staff recommends approval.

FINDINGS of FACT for VARIANCE

1. ***Will the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The proposed use as presented should not negatively impact on the public health, safety, morals, and general welfare of the community.

2. ***Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*** There should be no negative impacts on property value.

3. ***Will the strict application of the terms of the zoning ordinance result in practical difficulty in the use of the property.*** Yes, the terms of the ordinance would prevent the owner from doing the desired project.

Site Photos



View from site looking north



View from site looking east



View from site looking south



View from site looking west