

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: Aug. 27, 2025

Case No.: BZA 38-25

(1) Applicant: Ronald E Scott, Donald G Scott and Ron M Jones

Address: 1051 W CR 500 S, Muncie, IN 47302 Phone: 765-730-3359

(2) Applicant's Status: (Check the appropriate response)

☒ (a) The applicant's name is on the deed to the property.

☐ (b) The applicant is the contract owner of the property.

☐ (c) Other: _____

(3) If Item (2)(c) is checked, please complete the following:

Owner of the property involved: _____

Owner's address: _____

(4) Record of Ownership:

Deed Book No.: 2025R10451

Page: _____

Purchase Date: 08/04/2025

Legal Description: (From the Deed or Abstract)

See attached.

(5) Common Address of the Property Involved: (Give full street address. If no address, give geographic location such as s. side of CR 400S, 500' west of SR 3).

3007+3009 E Jackson St, Muncie, IN

(6) Type of Appeal: (Check the appropriate response)

☐ (a) Request for an Appeal from the Decision of the Administrative Zoning Officer according to Article XXXII, Section 5-B-1. (Attach a copy of said decision/ruling).

☐ (b) Request for a Special Use according to Article XXXII, Section 5-B-2.

☒ (c) Request for a Variance according to Article XXXII, Section 5-B-3.

(7) State explanation of requested Appeal: (State what you want to do and cite the Article and Section of the Ordinance which applies and/or creates the need for this Appeal.)

SEE ATTACHED

(8) State reasons supporting the Appeal: (If filing for a variance, refer to the attached sheet entitled "Hardship Variance" for explanation/guidance.)

The intent of this property is to divide the home from the garage through platting. The home will be sold and the garage will be retained. We are requesting a reduced side setback for the parcel the home will be on and we are requesting a variance from Article 30, Section 7, to not meet the corridor development standards on the parcel the garage is located on. All structures on this property are pre-existing. It is a private garage for hobby auto repair and is only being used by the owners at this time. We will also request a variance from Article 9, section 13 to create nonconforming lots.

(9) Present Zoning of the property: (Give exact classification)

BV- Variety Business Zone

(10) Present use of the property:

Residence/ private garage

(11) Describe the proposed use of the property:

Residence/ private garage

(12) Is the property:

☒ Owner Occupied

☒ Renter Occupied

☐ Other: _____

Answer to #7

BZA 38-25 Ronald E. Scott, Donald G. Scott, and Ron M. Jones

Request for variances from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article IX, Section 13, to allow the division of 2 lots without meeting current development standards of the Ordinance, and Article XVII, Section 5, to allow a 3.7' side setback for an existing garage rather than a 5' setback for a variance of 1.3' and Article IX, Section 14.A, to allow a residential garage without a dwelling for an existing 60'x40' garage to be on its own platted lot.

(13) Has the Applicant provided stamped, addressed envelopes to send notices of this Appeal to all property owners within 300 feet? yes

Has the Applicant discussed this Appeal with these owners personally? no

If answer is "YES", give their attitudes toward the proposal.

(14) Are there any restrictions, laws, covenants, governing the property which would prohibit its use for the purpose specified in this application? If answer is "YES", attach a copy.

No

(15) Has work for which this application is being filed already started? If answer is "YES", give details.

No

(16) Has there been any previous appeal filed in connection with this property? If answer is "YES", give the date and the decision of the appeal.

No

(17) If the Appeal is granted, when will work commence?

Immediately

When will it be completed?

2 years

(18) If the Appeal is granted, who will operate and/or use the proposed improvement for which this application has been filed?

Owner

AFFIDAVIT

(I or We) Ronald E Scott

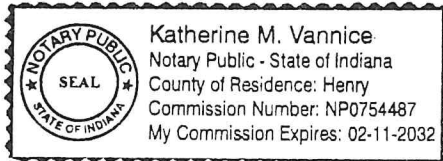
TYPE NAME(S) OF SIGNATORIES

being duly sworn depose and say that (I or We) (am or are) the (owner[s]) (contract owner[s]) of property involved in this application and that the foregoing signatures, statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my or our) knowledge and belief.

SIGNATURES:

Ronald E. Scott

Subscribed and sworn to before me this 27th day of August, 2025



Katherine M Vannice
Notary Public

Commission Expires

Resident of Henry County

State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

If properly advertised by the applicant, the application will be heard in public

hearing on the 25 day of September, 2025.

Signed:

[Signature]

Date:

9-8-25

AFFIDAVIT

(I or We) Ron M Jones

TYPE NAME(S) OF SIGNATORIES

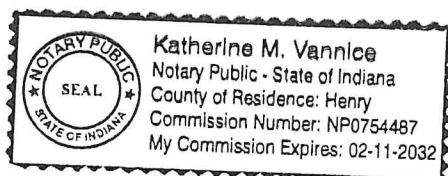
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SIGNATURES:

Ron M Jones

Subscribed and sworn to before me this 27th day of August, 2025 /

Katherine M Vannice
Notary Public



Commission Expires

Resident of Henry County

State of In

DO NOT WRITE IN THIS SPACE

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If properly advertised by the applicant, the application will be heard in public

hearing on the _____ day of _____, 20____.

Signed:

Date:

AFFIDAVIT

(I or We) Donald G Scott

TYPE NAME(S) OF SIGNATORIES

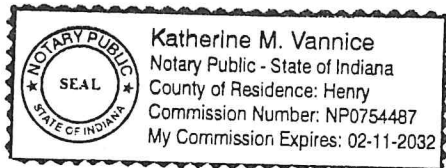
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SIGNATURES:

Donald G. Scott

Subscribed and sworn to before me this 27th day of August, 2025,

Katherine M. Vannice
Notary Public



Commission Expires

Resident of Henry County

State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

If properly advertised by the applicant, the application will be heard in public

hearing on the _____ day of _____, 20____.

Signed:

Date:

② Mathewson Law

3P

Duly Entered for Taxation
Transfer Fees \$ 10

AUG 04 2025 DAP
NE/NO

DELAWARE CO. AUDITOR
Clear Title

2025R10451

JAN SMOOT

DELAWARE COUNTY RECORDER

RECORDED ON

08/04/2025 02:08 PM

REC FEE 25.00

PAGES: 3

RECORDED AS PRESENTED

CORRECTED WARRANTY DEED

THIS INDENTURE WITNESSETH: Kelli A. Hillfiker CONVEYS and WARRANTS to Ronald E. Scott, Donald G. Scott and Ron M. Jones, as joint tenants with rights of survivorship, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate, in Delaware County, in the State of Indiana, to-wit:

A part of the West Half of the East Half of the Northeast Quarter of Section 14, Township 20 North, Range 10 East in Delaware County, Indiana and more particularly described as follows, to-wit: Beginning at a point in the North line of the said Northeast Quarter of Section 14, 80 feet West of the Northeast corner of the tract of land conveyed by Mutual Home and Savings Association of Muncie, Indiana, to Frank and Emma Scott, by a deed dated November 5, 1945 and recorded on Page 598 in Deed Record 280 in the Recorder's Office of Delaware County, Indiana; thence running Southwardly on a straight line parallel with the East line of said tract of land, a distance of 140 feet; thence running Westwardly on a straight line, parallel with the aforesaid North line of the Northeast Quarter of Section 14, 120.2 feet, more or less, to a point 11.2 feet East from the West line of the aforesaid tract of land conveyed by The Mutual Home and Savings Association to Frank and Emma Scott; thence running Northwardly, parallel to said West line, 140 feet to the North line of aforesaid Northeast Quarter of Section 14; thence running Eastwardly on said North line 120.2 feet, more or less, to the place of beginning, estimated to contain .38 of an acre, more or less.

ALSO, A part of the West Half of the East Half of the Northeast Quarter of Section 14, Township 20 North, Range 10 East, described as follows, to-wit: Beginning at a point 200.2 feet West of the intersection of the South line of State Highway 32, formerly East Jackson Street Pike, as now exists, and the East line of said West Half of the East Half of the said Northeast Quarter, running thence West on the South line of said highway to a point 3.20 chains West from the East line of said Half of the Half Quarter Section, thence South parallel with the said East line thereof to the North right of way line of the Cleveland, Chicago, Cincinnati and St. Louis Railroad Company, as now exists, thence East on and along said North right of way line to a point 80 feet West of the East line of said Half of the Half Quarter Section, thence North parallel to said East line 161 feet, more or less, to a point,



which point is 120 feet South of the South line of said State Highway, running thence West parallel to the South line of said highway 120.2 feet, thence North parallel with said East line 120 feet to the place of beginning.

ALSO, A part of the West Half of the East Half of the Northeast Quarter of Section 14 ^{Chm} Township 20 North, Range 10 East, more particularly described as follows, to-wit: Beginning at the Southeast corner of a tract of land conveyed by Frank Scott and Emma Scott, husband and wife to Eugene Scott and Florence Scott, husband and wife, dated, and recorded December 5, 1945 in Deed Record 281 pages 221 of the records of Delaware County, Indiana, and running thence South on the East line of said West Half of the East Half of the said Northeast Quarter 161 feet to the North line of the Cleveland, Chicago, Cincinnati and St. Louis Railroad Company right-of-way; thence West on and along said North right-of-way line to a point 80 feet West of the East line of said West Half of the East Half of said Northeast Quarter; thence North parallel with and 80 feet West of said East line to the Southwest corner of the tract of land conveyed to said Eugene Scott and Florence Scott; thence East on the South line of said tract of land 80 feet to the place of beginning, containing .30 of an acre, more or less.

Parcel Number: 18-11-14-226-004.000-003

Property Address: 3007 and 3009 E. Jackson Street, Muncie, IN 47302

Tax Mailing Address: 3507 E JACKSON ST, MUNCIE, IN 47302

The purpose of this corrected Warranty Deed is to correct the legal description on Warranty Deed recorded on April 16, 2025 instrument number 2025R04987 with the Delaware County Recorder's Office.

IN WITNESS WHEREOF, the Grantor has executed this Deed, this 4th day of August, 2025

Kelli A. Hillfiker
Kelli A. Hillfiker

BZA 38-25



325 W. Washington St.
Muncie, IN 47305
Ph: 765-282-5594
Fax: 765-282-5596
Heldan L. Ashton, Inc.

Variance Drawing
3007-3009 East
Jackson Street
Muncie, IN

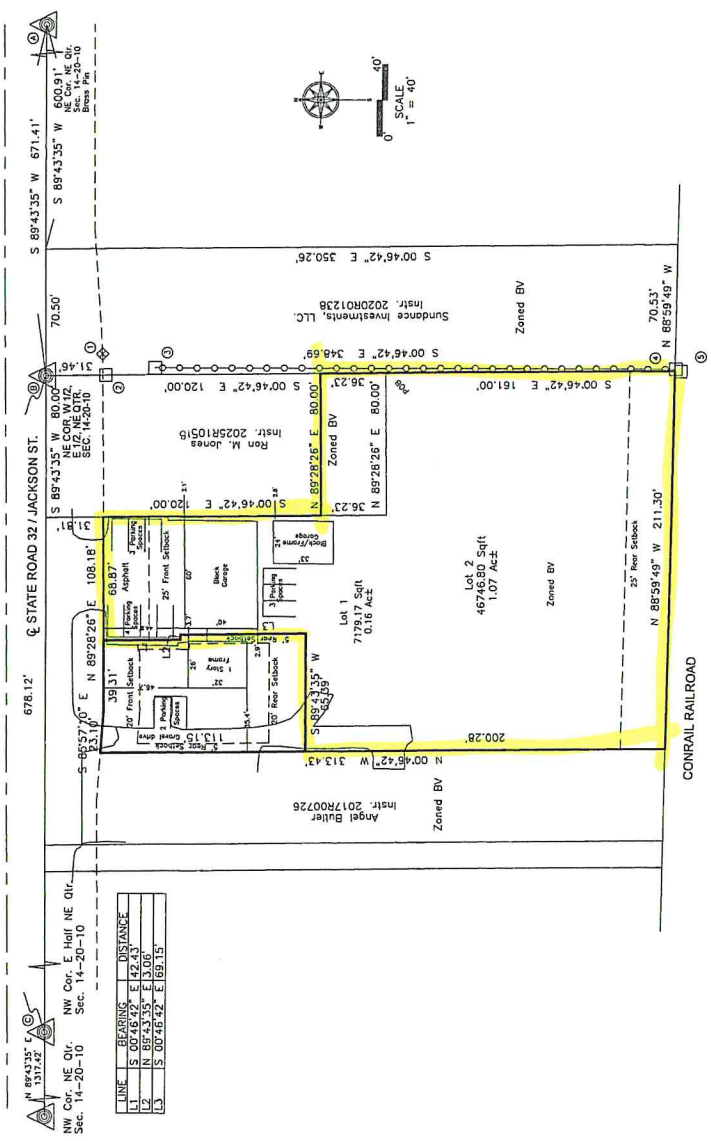
I certify, under the penalties for perjury, that I have personally examined the facts and circumstances herein, and that the same are true and correct to the best of my knowledge and belief.

SECTION CORNER COORDINATES ARE BASED ON THE DELAWARE PLANNING COMMISSION DATUM OF 1984, COGS 84 1000000

REVISIONS

No. _____
Date: _____
Revision: _____
Drawn: SH
Job: 2025-402
Client: Ron Jones
Surveyor: Ron Jones
Crew: JTM
Electronic Field Book
Created: 08/17/25
NUPPS REF: #

Sheet 1 of 1



CORNER MONUMENT	CORNER ID	CONDITION	DEPTH
① Brass Pin	NE 14-20-10	Good	At Grade
② Measured by Deed	NE E. W. NE 14-20-10	N/A	At Grade
③ Reference Location	NW E NE 14-20-10	N/A	At Grade
④ Angle Iron Post	SE NE 14-20-10	Good	N/A

MONUMENT TYPE	CONDITION	DISTANCE	DEPTH
① R/W Marker	Good	Held	N/A
② Y-Post	Cut-Off	33.25'S	N/A
③ 4x4 Wood Post	Good	28.75'S, 4.25'E	N/A
④ 4x4 Wood Post	Good	0.5'S, 1'E	N/A
⑤ Angle Iron Post	Cut-Off	3.3'S, 0.3'W	N/A

RECEIVED

AUG 27 2025

DELAWARE PLANNING COMMISSION
METROPOLITAN PLANNING COMMISSION

This Instrument Prepared by: Heldan L. Ashton
Accuracy or completeness of subsurface features is not certified.