

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: Sept 2, 2025

Case No.: BZA 42-25

(1) Applicant: Michael Gregory

Address: 1224 E 22nd St., Muncie, IN 47302 Phone: 765-730-6557

(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.: 2022R00345

Page: See Attachment

Purchase Date: See Attachment

Legal Description: (From the Deed or Abstract)

See Attachment

(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).

1224 E 22nd St., Muncie, IN 47302

(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.)

Request for a variance from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article IX, Section 14B, to allow a pole barn to be 24' tall rather than 17' for a variance of 7', for a 40'x64' pole barn in a residence zone.

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

I would like to build a pole barn so that I can store my camper, tractor, boat, personal belongings inside so the random people walking by and through my property doesn't mess with my items.

Proposed New Building to be 24' Rather than 17'

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

R4 residence zone

(10) Present use of the property:

Residence

(11) Describe the proposed use of the property:

Continue use of residence

(12) Is the property:

☒ Owner Occupied

☐ Renter Occupied

☐ Other: _____

- (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? Yes
If answer is "YES", give their attitudes toward the proposal.

Everyone that I have talked to, nobody has an issue with me wanting to build a pole barn.

- (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?

Approximately 2 months

When will it be completed?

Within 1 month weather permitting

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

Owner

(I or We) Michael & Marlina Gregory

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:

Michael Gregory
Marlina N. Gregory

Subscribed and sworn to before me this 2 day of September, 2025



Denelle Murrell
Notary Public

October 23, 2030
Commission Expires

Resident of Delaware County

State of Indiana

PRINT

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:

9/8/25

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 10.00
Jan 06 2022 - ER

Adam J. Cuyper

NC/ND

DELAWARE COUNTY AUDITOR

2022R00345
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
01/06/2022 09:41 AM
REC FEE 25.00
PAGES: 4
RECORDED AS PRESENTED

QUITCLAIM DEED

Parcel ID: 18-11-22-405-012.000-003

THIS INDENTURE WITNESSETH, that **Michael Gregory ("Grantor")**, of Delaware County, in the State of Indiana, QUITCLAIMS to **Michael Gregory and Marlina Gregory**, husband and wife, ("**Grantee**"), of Delaware County, in the State of Indiana, for *no consideration*, which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

See Attached Exhibit A

Commonly known as: 1224 East 22nd Street, Muncie, IN 47302

Grantee's Address: 1224 East 22nd Street, Muncie, IN 47302

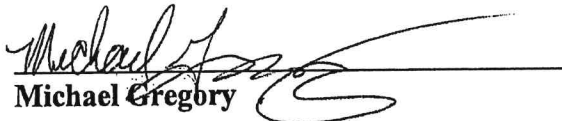
Send Tax Statements to: 1224 East 22nd Street, Muncie, IN 47302

Subject to (i) all easements, highways, rights-of-way, covenants, conditions, restrictions and other matters of record; (ii) all current, non-delinquent real estate taxes and assessments; and (iii) all matters that would be disclosed by an accurate survey or physical inspection of said real estate.

This conveyance is for no economic consideration and Sales Disclosure Form 46021 is not required.

****REMAINDER OF PAGE INTENTIONALLY LEFT BLANK****

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 29th day of DECEMBER, 2021.


Michael Gregory

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)
DELAWARE MI

Before me, a Notary Public in and for said County and State, personally appeared **Michael Gregory** who acknowledged the execution of the foregoing Quitclaim Deed. Witness my hand and Notarial Seal this 29th day of DECEMBER, 2021.

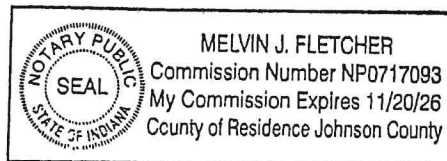
My Commission Expires:

NOV. 20, 2026



, Notary Public

Residing in JOHNSON County, IN



Prepared by: Thomas W. Vander Luitgaren, VAN VALER LAW FIRM, LLP, 225 S. Emerson Ave., Ste. 181, Greenwood, IN 46143; Phone (317) 881-7575, The parties herein confirm and agree by their signatures above and/or acceptance of this document that the preparer of this document has not advised the parties on the propriety or suitability of the conveyance; has been engaged by ATA National Title Group solely for the purpose of preparing this instrument; has prepared the instrument only from information given to preparer by ATA National Title Group and that they agree to hold harmless, indemnify and defend the preparer from and against any and all losses, liabilities, claims, demands, actions, suits, proceedings, and costs of every nature arising therefrom. The parties herein further agree at any time, and from time to time, to cooperate, adjust, initial, execute, re-execute and/or re-deliver such further deeds and documents, correct any defect, error or omission and do any and all such further things as may be necessary to implement and carry out the intent of the parties in making this conveyance. Preparer shall not be liable for any consequences arising from modifications to this document not made or approved by the preparer.

Return deed to: ATA National Title Group of Indiana, LLC, 201 South Emerson Avenue, Suite 140, Greenwood, IN 46143

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Thomas W. Vander Luitgaren.

EXHIBIT A

A part of the Southeast quarter of Section 22, Township 20 North, Range 10 East, more particularly described as follows:

Commencing at a point 875.9 feet east of the east line of Hackley Street and 1570 feet North of the North line of Twenty-sixth street, running thence in a northeasterly direction on a curve to the left whose radius is 1282.04 feet to a point 234 feet east of the said east line of Hackley Street and 1940 feet north of the said north line of Twenty-sixth Street; thence in an easterly direction parallel to the said north line of Twenty-sixth Street to a point 1185.5 feet west of the east line of said Section 22, thence in a southerly direction parallel to said east line of Section 22 a distance of 370 feet; thence in a westerly direction parallel to the said north line of Twenty-sixth Street 690.5 feet, more or less, to the place of beginning, estimated to contain 5.471 acres, more or less. The east 25 feet, the south 25 feet and the west 25 feet having been donated to the public for highway purposes, excepting from the above described tract the following described tract of ground, to-wit: a part of the southeast quarter of Section 22, Township 20, North, Range 10 East, more particularly described as follows: Commencing at a point 875.9 feet east of the east line of Hackley Street and 1570 feet north of the north line of Twenty-sixth Street; running thence in a northeasterly direction on a curve to the left whose radius is 1282.04 feet to a point 934 feet east of the east line of Hackley Street, and 1940 feet north of the said north line of Twenty-sixth Street, thence in an easterly direction parallel to the said north line of Twenty-sixth Street 167.25 feet; thence in a southerly direction parallel to the east line of said section 22 (22), 370 feet, thence in a westerly direction parallel to the said north line of Twenty-sixth Street 232.1 feet, more or less, to the place of beginning, estimated to contain 1.696 acres, more or less. The south 25 feet and the west 25 feet of the above described tract are donated to the public for highway purposes and leaving in the tract hereby conveyed, 3.775 acres, more or less.

S. Grant St.

1200 E. 2nd St.
1208 E. 2nd St.

2816 E. Grant

2814 E. Grant

2812 E. Grant

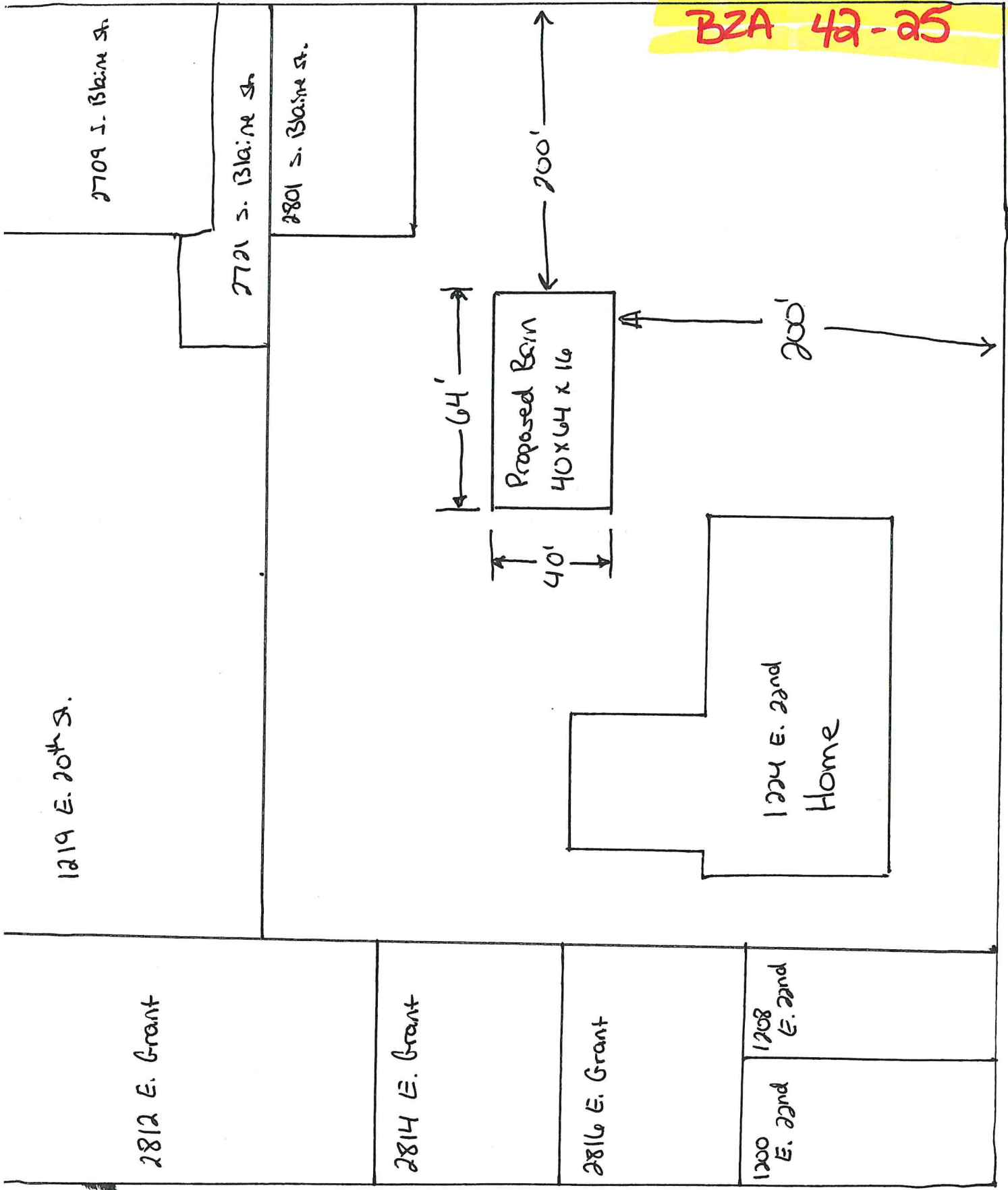
1219 E. 20th St.

22nd Street

BZA 42-25

S. Blaine St.

21st





Overview



Legend

Major Roads

- INTERSTATE
- MAJOR ROAD
- STATE ROAD
- US HIGHWAY
- Geocoded Streets
- RR Lines
- Airport Runways

Cadastral Line

- Geographic Township Line
- Lot Line
- Misc Line
- Parcel Line
- Political Township Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- Subdivision Line
- Unknown
- Water Line
- <all other values>
- Parcels
- Muncie Parks
- Major Waterbodies
- Lakes and Ponds

Parcel ID	1122405012000	Alternate ID	18-11-22-405-012.000-003
Sec/Twp/Rng	n/a		
Property Address	1224 E 22ND ST MUNCIE	Class	1 Family Dwell - Unplatted (0 to 9.99 Acres)
		Acreage	3.18

Owner Address	GREGORY MICHAEL & MARLINA GREGORY 1224 E 22ND ST MUNCIE, IN 47302
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District	MUNCIE
Brief Tax Description	PT SHALF 3.1800Acres STR: 222010 IN: OUT: (Note: Not to be used on legal documents)

Land Records: The land record layers including parcel information is a work in progress. Some errors and omissions have occurred in the transfer of property information from paper plat books to the digital format that is available on this website. Delaware County is currently working to identify and correct these issues. Land records displayed on this site are for GRAPHIC REPRESENTATION AND GENERAL INFORMATION RETRIEVAL PURPOSES ONLY. Refer to official deeds and surveys for detailed parcel information. Delaware County