

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
PROPOSED ZONING CHANGE APPLICATION**

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: 7-15-25

Case No.: MPC 14-25Z

(1) Applicant: Benjamin M. & Belinda D. Hughes

Address: 513 Wintergreen Ave Phone: 765-288-3651
Yorktown, IN 47303

(2) Record of Applicant's Ownership:

A. ☒ By Deed:
Deed Book No. & Page No.: 2020R14267
Date of Deed: 10/21/2020

B. ☐ By Recorded Contract:
Misc. Book No. & Page No.: _____
Date of Contract: _____

C. ☐ By Unrecorded Contract:
Date of Contract: _____
Name of Contract Seller: _____
Book No. & Page No. Of Deed in Seller's Name: _____

(3) Legal Description of Property for which rezoning is requested: (From the Deed or Abstract).

PT LOT 6 0.4000Acres STR: 042010

See attached Warranty Deed

(4) Common Address of Property Involved:

1600 N Wheeling Ave
Muncie, IN 47303

(5) Proposed zoning change: (Give exact zone classification.)

From the R-4 Residence Zone

To the BC Community Business Zone

- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)

Change from residential rental use to retail store focusing on the sale education materials to families of children with autism.

- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.

Owner will develop

- (8) State how the proposed change will not adversely affect the surrounding area.

Neighboring properties are currently in Community Business, Variety Business, and Limited Business zones; the proposed retail store operation is focused on a very limited customer base; and the retail store will have limited operating hours.

- (9) Will certain variances be requested if the proposed zoning change is granted?
(If yes, list the variances)

No.

- (10) Has the applicant provided stamped, addressed envelopes to send notices of this rezoning to all the property owners within 300 feet? Yes

Has the applicant discussed this rezoning with those owners personally? No

(If answer is yes, give their attitudes toward the rezoning.)

NA

- (11) Are there any restrictions, easements, and/or covenants governing the property prohibiting its use for the purpose specified in this application?

(If answer is yes, attach copy of it and/or explain.)

No.

AFFIDAVIT

(I or We) Benjamin M. Hughes & Belinda D. Hughes being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(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/our knowledge and belief.

SIGNATURES:

Benjamin M. Hughes

Belinda D. Hughes

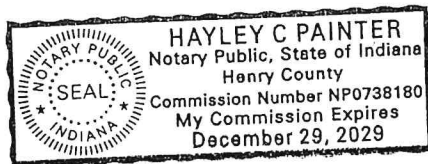
Subscribed and sworn to before me this 16 day of June, 20 25

Hayley C. Painter
Notary Public

12-29-29
My 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 submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 7 day of August, 20 25.

Signed 7/25/2025

Date Denille Murrell

Belinda Hughes
2p


2020R14267
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
10/21/2020 11:00 AM
REC FEE 25.00
PAGES: 2
RECORDED AS PRESENTED

File No.: 20202348
Parcel Number: 18-11-04-455-009.000-003

WARRANTY DEED

This Indenture Witnesseth, That **Carole F. Bashore** (Grantor) **Conveys and Warrants** to **Benjamin M. Hughes and Belinda D. Hughes**, as joint tenants with right of survivorship (Grantee) for the sum of One & 00/100 Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

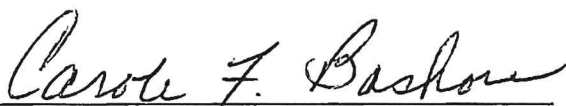
A part of the fractional southeast quarter of Section four (4), in Township twenty (20) north of Range 10 (10) east, described as follows:

Beginning at a point in the south line of said fraction southeast quarter, three hundred sixty five and forty three hundredths (365.43) feet west of the west line of Hackley's Reserve, and running thence northwesterly eighty eight and eight tenths (88.8) feet to the southeast corner of a tract of land conveyed to Gettude C. Calvin by Mary E. Orman et al on November 27, 1922 by deed recorded in deed record 184, page 474 of the records of Delaware County, Indiana; Thence west on the south line of said Calvin Tract, one hundred eighty-seven (187) feet to the centerline of the Muncie and Wheeling Turnpike; Thence southeasterly on said centerline ninety four and seven tenths (94.7) feet to the south line of said fractional southeast quarter; Thence east on said south line one hundred fifty-eight and six tenths (158.6) feet to the place of beginning. 

The parties acknowledge that the preparer has not conducted a title search in connection with this transaction and makes no guarantee as to the status or condition of the real estate title.

Subject To any and all easements, assessments, agreements, and restrictions of record.

In Witness Whereof, Grantor has executed this deed this 21 day of October, 2020



Carole F. Bashore

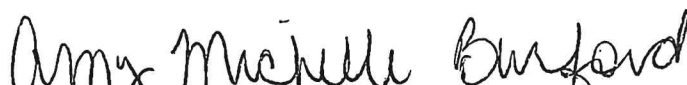
State of Indiana, County of Delaware SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared **Carole F. Bashore** who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21 day of October, 2020.

My Commission Expires





File No.: 20202348
Warranty Deed
Page 2

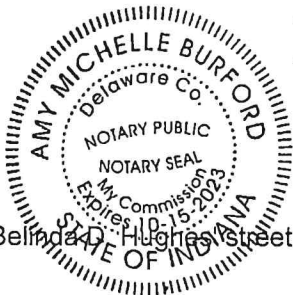
CERTIFICATE OF PROOF

Krista Landreth
Witness Signature
Krista Landreth
Witness Names Printed

STATE OF INDIANA
COUNTY OF DELAWARE

Before me, a Notary Public in and for said County and State, on the 21 day of October, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows **Carole F. Bashore** to be the individual described in and who executed the foregoing instrument; that said WITNESS was present and saw said him/her/them execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

My Commission Expires: 10/15/23



Amy Michelle Burford
Notary Public -
Residing in Delaware County

Send tax bills to and Belinda D. Hughes street or rural route address is: 513 Wintergreen Dr., Yorktown, IN 47396

Benjamin M. Hughes' street or rural route address is: 1600 N. Wheeling Ave., Muncie, IN 47303

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. James W. Smith, Attorney-at-Law

This instrument prepared by: James W. Smith, Attorney-at-Law

RECEIVED
JUL 15 2025
By _____

