

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: BZA 34-25

Case No.: 815125

(1) Applicant: Daniel C Newhouse

Address: 4313 N Janney Ave, Muncie, IN 47304 Phone: 765-702-4840

(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: Daniel C Newhouse

Owner's address: 4313 N Janney Ave, Muncie, IN 47304

(4) Record of Ownership:

Deed Book No.: _____

Page: _____

Purchase Date: _____

2012R00433
January 6th, 2012

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).

4313 N Janney Ave, Muncie, IN 47304

(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.)

Hardship variance because of space limited. We are wanting to add a carport but it will be inside of 30 feet from the street requiring the variance.

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

R2 residence zone

(10) Present use of the property:

Primary household

(11) Describe the proposed use of the property:

This is our primary household and the carport is simply to provide weather protection

(12) Is the property:

☒ Owner Occupied

☐ Renter Occupied

☐ Other: _____

Answer to #7

BZA 34-25 Daniel C. Newhouse

Request for a variance of use from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article XIV, Section 4, to allow a reduced front setback of 0' rather than 30' for a variance of 30' for a proposed 20'x22' carport in a R-2 Residence Zone.

- (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.

I have not discussed this with all of the property owners listed within 300 feet, however, it has been discussed with a couple of the neighbors who live right beside me and across from me and they have no issues with it.

- (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?

Early September

When will it be completed?

Early September

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

We are considering 2 different companies that offer to build and install carports and

And they will do a professional install.
It withstands winds up to 120 MPH.

AFFIDAVIT

(I or We) Daniel Newhouse

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:

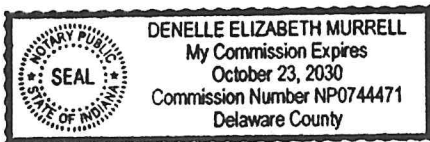
Subscribed and sworn to before me this 5 day of August, 2025

Denelle Murrell
Notary Public

October 23, 2030
Commission Expires

Resident of Delaware 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 28 day of August, 2025.

Signed: [Signature]

Date: 8/14/25

1012
Young's Title

LP



* 2 0 1 2 R 0 0 4 3 3 *

2012R00433

JANE LASATER
DELAWARE COUNTY RECORDER
RECORDED ON
01/10/2012 01:38:55PM
REC FEE: 16.00
PAGES: 1

WARRANTY DEED

THIS INDENTURE WITNESSETH, that

Troy S. McElfresh

of **Delaware County**, in the State of **Indiana**,

Convey and Warrant to

Daniel C. Newhouse

of **Delaware County**, in the State of **Indiana**, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, in the following described Real Estate in **Delaware County**, in the State of **Indiana**, to-wit:

Lot Number One hundred forty-nine (149) in Devon Park, Section "B", an Addition to the City of Muncie, Indiana, as recorded in Plat Book 8, pages 41 and 42 in the Recorder's Office of Delaware County, Indiana.

Tax Duplicate No. **180733105026000003**

SUBJECT TO TAXES DUE AND PAYABLE Prorated to Day of Closing

Property Address: **4313 N. Janney Ave., Muncie, Indiana 47304**

GRANTEES MAILING ADDRESS:

Daniel C. Newhouse

4313 N Janney Ave
Muncie, In 47304

Subject to easements, restrictions, and rights of way of record.

In Witness whereof the said **Troy S. McElfresh** has hereunto executed the foregoing deed on this 6th day of January, 2012

Troy S. McElfresh

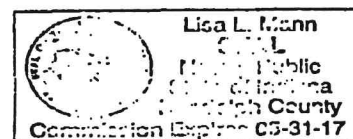
State of **Indiana**

County of **Delaware** SS:

Before me, the undersigned, a Notary Public in and for said County, on this 6th day of January, 2012, came **Troy S. McElfresh** and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal.

Lisa L. Mann (Seal)
Notary Public



My commission expires:

Resident of:

This instrument prepared by: **James R. Wesley Attorney at Law**

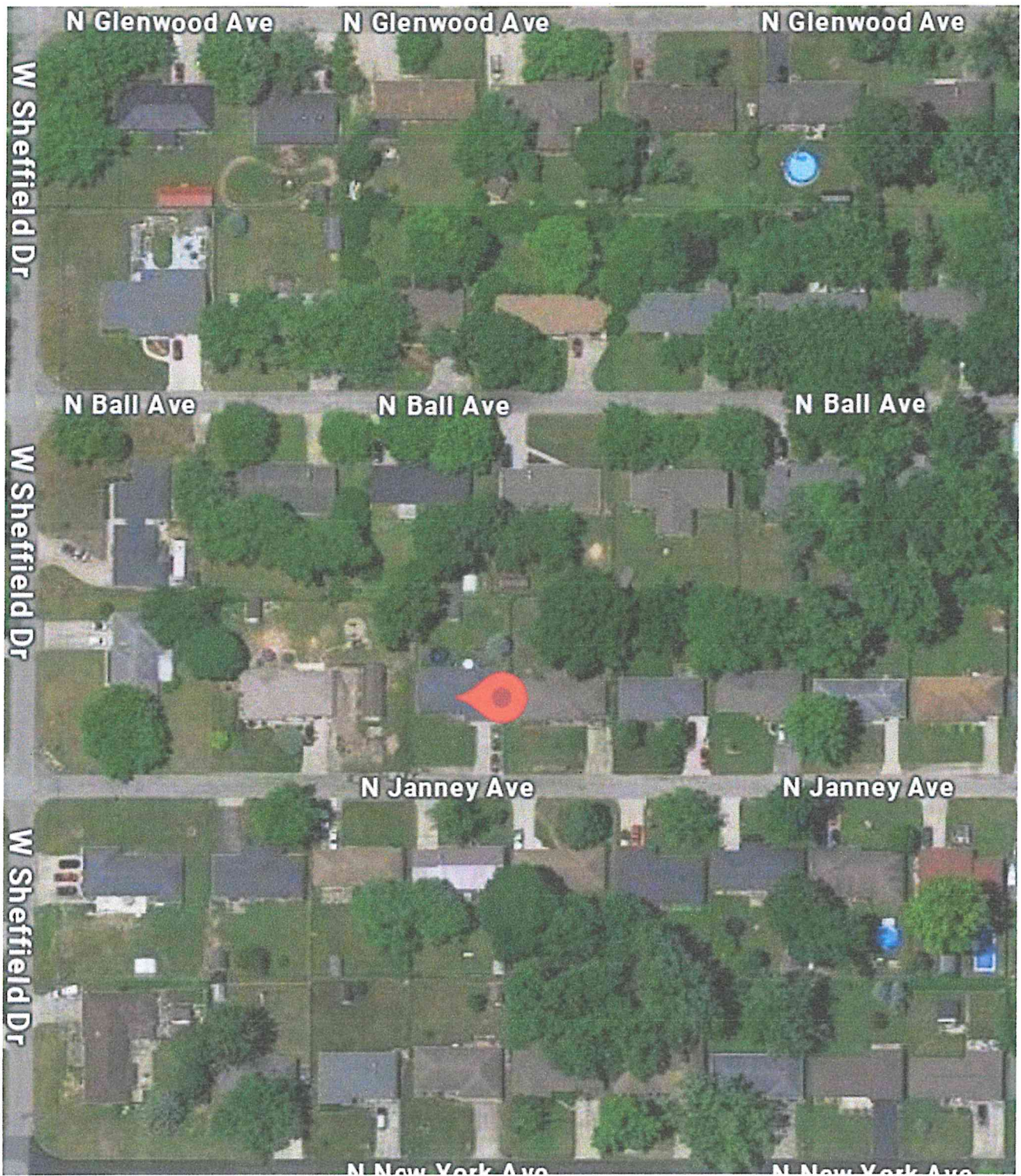
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law Lisa L. Mann

Y-201112-26

Duly Entered for Taxation
Transfer Fees \$ 5.00

JAN 10 2012 ERP

Judy Hunt
DELAWARE CO. AUDITOR



BZA 34-25
August 5th, 2025

Revised

By applicant on 8/7/2025

20'

Proposed

Carport

Revised

By applicant on 8/7/2025

440 Sq. Ft.

22

ft

wide

JANNEY AVE

4313

BZA 34-25

August 5th, 2025