

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: July 29, 2025

Case No.: BZA 32-25
Revised

(1) Applicant: Muncie Aviation Company- Martin Ingram, President

Address: 5201 N Walnut St, Muncie, IN 47303 Phone: 765-289-0145

(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.: DR221 pg 492 & Misc1997 pg 3331

Page: _____

Purchase Date: 4/1/1932

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).

5201 N Walnut 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.)

See attached.

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

AD- Airport Development Zone

(10) Present use of the property:

Restaurant facility relating to airport operations

(11) Describe the proposed use of the property:

Restaurant facility relating to airport operations

(12) Is the property:

☒ Owner Occupied

☒ Renter Occupied

☐ Other: _____

Answer to #7

BZA 32-25 Muncie Aviation Company

Request for a variance from the Delaware County Subdivision Ordinance, Article IX, Section 13, to allow the division of a lot without meeting all of the Ordinances standards for separation of a restaurant through platting, also Article XVII, Section 3.B., to allow access to the restaurant through an ingress/egress agreement with the airport, and from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XXX, Section 2E, for parking to be partially off site, and a variance from Article XXX, Section 5B, for a 0' rear and side setback rather than 15' setback for a variance of 15' and to intrude onto airport property through an encroachment agreement.

(8)

The restaurant is being separated from the airport property so that a new restaurant can move into the space. The only way to currently access this parcel is across other airport property. There is limited parking for the restaurant currently located on this parcel. We are requesting a variance for this property to not have any true road frontage and to be accessed by an easement, as well as to not have adequate onsite parking. This parcel as it currently exists is functioning in this way, having no true road frontage and limited onsite parking. There will be an ingress egress and cross parking easement & agreement recorded for this. We will also request a variance for a reduced rear setback.

RECEIVED

AUG 15 2025

DELAWARE-MUNCIE
METROPOLITAN PLAN COMMISSION

- (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) Muncie Aviation Company- Martin Ingram President


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 17th day of July, 2025,



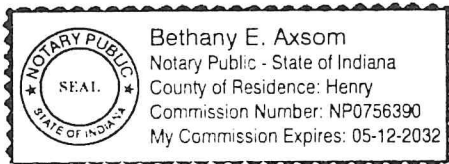
Notary Public

5/12/2032

Commission Expires

Resident of Henry County

State of IN



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: 

Date: 7.30.25

BUSINESS INFORMATION
DIEGO MORALES
INDIANA SECRETARY OF STATE
07/17/2025 01:12 PM

Business Details

Business Name: **MUNCIE AVIATION COMPANY** Business ID: **192889-059**
Entity Type: **Domestic For-Profit Corporation** Business Status: **Active**
Creation Date: **03/14/1932** Inactive Date:
Principal Office Address: **5201 N WALNUT STREET, MUNCIE, IN, 47303, USA** Expiration Date: **Perpetual**
Jurisdiction of Formation: **Indiana** Business Entity Report Due Date: **03/31/2026**
Years Due:

Governing Person Information

Title	Name	Address
Board member	Rick Manes	2812 W Royerton Road, MUNCIE, IN, 47303, USA
Treasurer	John D Stephenson	1461 N Co Rd 600W, Yorktown, IN, 47396, USA
President	Martin W Ingram	3569 N 650E, Montpelier, IN, 47359, USA

Registered Agent Information

Type: **Individual**
Name: **MARTIN W. INGRAM**
Address: **5201 N WALNUT ST, MUNCIE, IN, 47303 - 0000, USA**

DEED RECORD NO. 221

Abbott L. Johnson et al.

TO

Muncie Airport, Inc.

No. 18739

Warranty Deed.

This Indenture Witnesseth, That Abbott L. Johnson and Elizabeth G. Johnson, his wife, of Delaware County, in the State of Indiana convey and warrant to Muncie Airport, Incorporated, of Delaware County in the State of Indiana for and in consideration of One (\$1.00) Dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, the following described Real Estate in Delaware County in the State of Indiana, to-wit:

The Southeast Quarter of Section Twenty-eight (28), in Township Twenty One (21) North, Range Ten (10) East, containing one hundred Sixty (160) acres, more or less.

In Witness Whereof, The said Abbott L. Johnson and Elizabeth G. Johnson, his wife, have hereunto set their hands and seals, this 29th day of March, 1932.

Abbott L. Johnson (Seal)
Elizabeth G. Johnson (Seal)

State of Indiana, Delaware County, ss:

Before me, the undersigned, a Notary Public, in and for said County and State, this 29th day of March, A.D., 1932, personally appeared the within named Abbott L. Johnson and Elizabeth G. Johnson, his wife, Grantors in the above conveyance and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

Grace H. Hamilton
Notary Public.

L. S.
My commission expires Mar. 24, 1936
Duly entered for taxation April 1, 1932, W. Max Shafer, Auditor.
Filed April 1, 1932, 2:10 P.M.
Fee \$1.00 Pd.

Merritt Slater
R. D. C.



ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION

State Form 38333 (R7 / 4-95)

Approved by State Board of Accounts 1995

15728

APPROVED
AND
FILED

IND. SECRETARY OF STATE

MIS1997 3331 *Pr*

SUE ANNE GILROY
SECRETARY OF STATE
CORPORATIONS DIVISION
302 W. Washington St., Rm. E018
Indianapolis, IN 46204
Telephone: (317) 232-6576

INSTRUCTIONS: Use 8 1/2" x 11" white paper for inserts.
Present original and one copy to address in upper right hand corner of this form.
Please TYPE or PRINT.

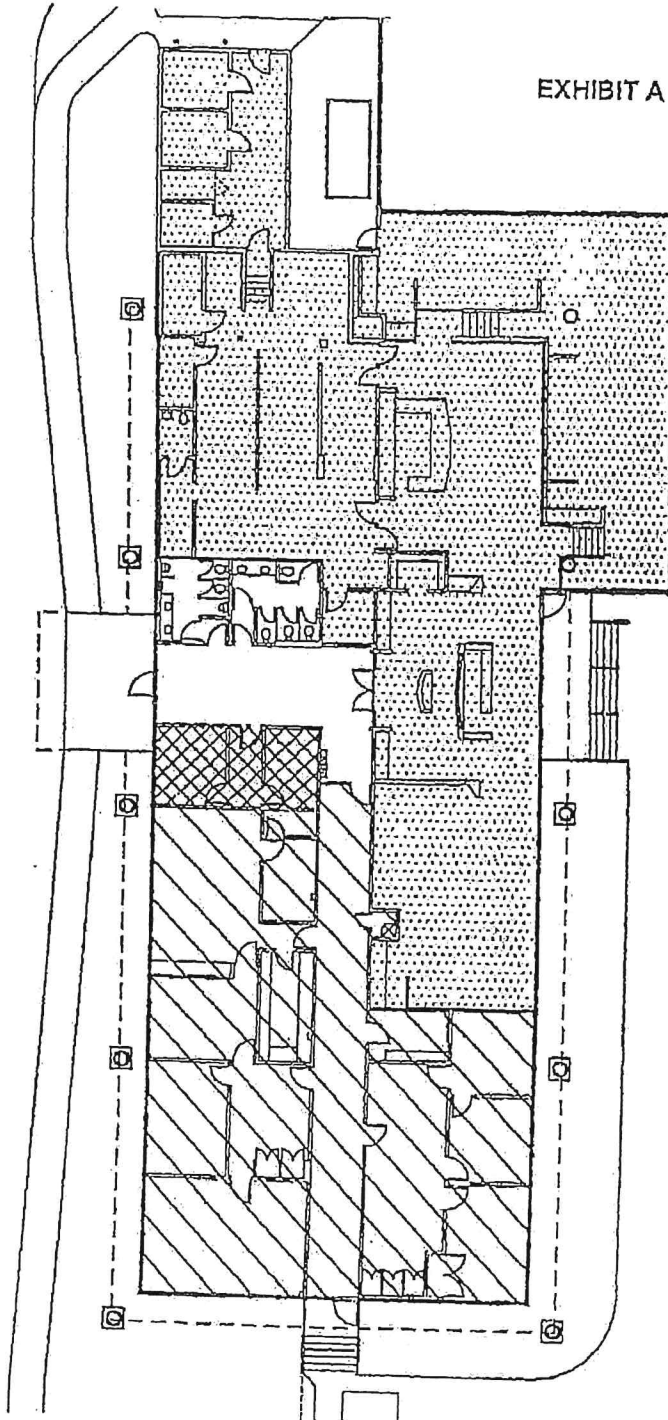
Indiana Code 23-1-38-1 et seq.

Filing Fee: \$30.00

ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION OF:	
Name of Corporation	Muncie Airport, Incorporated
The undersigned officers of:	Muncie Airport, Incorporated
<p>(hereinafter referred to as the "Corporation") existing pursuant to the provisions of: (indicate appropriate act)</p> <p><input checked="" type="checkbox"/> Indiana Business Corporation Law <input type="checkbox"/> Indiana Professional Corporation Act of 1983</p> <p>as amended (hereinafter referred to as the "Act"), desiring to give notice of corporate action effectuating amendment of certain provisions of its Articles of Incorporation, certify the following facts:</p>	
ARTICLE I Amendment(s)	
SECTION 1 The date of incorporation of the Corporation is:	March 14, 1932
SECTION 2 The name of the Corporation following this amendment to the Articles of Incorporation is:	Muncie Aviation Company
SECTION 3	
<p>The exact text of Article(s) <u>One</u> of the Articles of Incorporation is now as follows:</p> <p><u>Name.</u> The name of the corporation is Muncie Aviation Company.</p>	
<div style="float: left; width: 40%;"> <p>21-333</p> <p>7-1168</p> <p>7-1172</p> <p>7-740</p> <p>7-2107</p> <p>7-2108</p> <p>7-2363</p> <p>7-8</p> </div> <div style="float: right; width: 55%;"> <p style="text-align: center;">FILED FOR RECORD</p> <p style="text-align: center;">2:50 o'clock <u>A</u> M.</p> <p style="text-align: center;">Record 1997 Page 3331-32</p> <p style="text-align: center;">100 200 AUG 29 1997</p> <p style="text-align: center;"><i>Phyllis M. Malone</i> Recorder, Delaware County</p> <p style="text-align: center;">Duly Entered for Taxation Transfer Fees \$ <u>3.00</u></p> <p style="text-align: center;">AUG 28 1997</p> <p style="text-align: center;"><i>Delaware County</i></p> </div>	

DELAWARE-MUNCIE
POLITIAN PLAN COMMISSION

EXHIBIT A



FLOOR PLAN

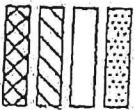
1" = 20'-0"



INFORMATION TAKEN FROM THE FOLLOWING DRAWINGS:
 HAYALTON GRAHAM ASSOCIATES - DATED 28 FEB. 1988
 GRAHAM LOVE & TAYLOR INC. - DATED 27 MARCH 1985
 RESTAURANT SEATING DIAGRAM - NO TITLE OR DATE
 GOODEN & ELLIS ARCHITECTS - DATED 20 MAY 1983

SQUARE FOOTAGE CALCULATIONS

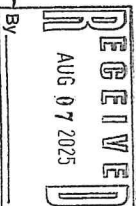
RESTAURANT	5985 SQ.FT.
CONVATION	738 SQ.FT.
OFFICE	3283 SQ.FT.
RENTAL	300 SQ.FT.



MUNCIE AVIATION COMPANY

TAYLOR ARCHITECTS INC.

03-13-07



B2A 32-25

R24 32-25