

**DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS**

**APPLICATION FOR APPEAL**

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: Aug. 20, 2025

Case No.: BZA 36-25

(1) Applicant: Damon Goodman

Address: 12701 S County Rd 300 E Phone: 765-228-6427

(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.: 2022R04699

Page: \_\_\_\_\_

Purchase Date: March 11th 2022

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).

12701 S County Rd 300 E 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 of use from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 1, to allow the storage of work trucks and supplies, and employee parking, and for the sale of wood obtained off-site, all for the operation of a tree cutting business, in a farm zone.

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

Security all of our truck got broken into at our commercial office.

We have 3 employees that park their personal vehicles at our house while they drive our company trucks out to jobsites. They are usually parked here from 7am to 5pm five day a week. We also occasionally bring wood to property for heating our home. We also sell firewood to customers at times but not often.

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

F Farm Zone

(10) Present use of the property:

Residential

(11) Describe the proposed use of the property:

Residential with business storage and parking

(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? 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.

Yes for about 1 year since our trucks got broken into at our office.

- (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?

continue

When will it be completed?

N/A

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

Damon Goodman

# AFFIDAVIT

(I or We) Damon Goodman  
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 19 day of August, 201

  
Notary Public

9-9-2025

Commission Expires

Resident of Delaware County


State of Indiana

## DO NOT WRITE IN THIS SPACE

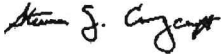
The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

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

25 day of September, 2025.

Signed: 


Date: 9-8-25

DULY ENTERED FOR TAXATION  
TRANSFER FEES \$ 10.00  
Mar 23 2022 - ER  
  
DELAWARE COUNTY AUDITOR

**2022R04699**  
**MELANIE MARSHALL**  
**DELAWARE COUNTY RECORDER**  
**RECORDED ON**  
**03/23/2022 09:31 AM**  
**REC FEE 25.00**  
**PAGES: 3**  
**RECORDED AS PRESENTED**

## WARRANTY DEED

THIS INDENTURE WITNESSETH that: **David J. Wiggs and Angela Wiggs, husband and wife**, of Delaware County, State of Indiana, Convey(s) and Warrant(s) to:

 **Damon G. Goodman, an adult**, of Delaware County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Delaware County, State of Indiana, to wit:

**See attached Exhibit A**

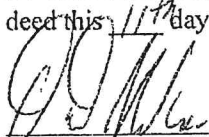
Parcel # 1524400006000  
State ID # 18-15-24-400-006.000-012  
Property Address: 12701 S Co Rd 300 E, Muncie, IN 47302

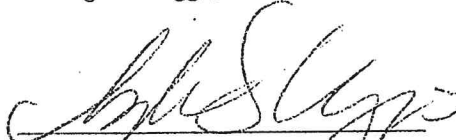
**SUBJECT** to the Spring installment of real estate taxes for the year 2021 due and payable in 2022 together with all subsequent taxes which the Grantee(s) herein assume(s) and agree(s) to pay as part of the consideration thereof.

**SUBJECT** to any and all other easements, highways, rights-of-way, covenants, conditions, restrictions, assessments and other matters of record or that would be disclosed by an accurate survey or physical inspection of the real estate.

No evidence or opinion of title has been requested of or provided by the law firm preparing this document regarding the hereinbefore described real estate.

IN WITNESS WHEREOF, David J. Wiggs and Angela Wiggs, husband and wife, have executed this deed this 11<sup>th</sup> day of MARCH, 2022.

  
\_\_\_\_\_  
David J. Wiggs

  
\_\_\_\_\_  
Angela Wiggs

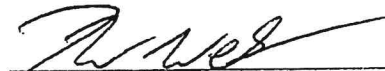
STATE OF Florida

COUNTY OF Okaloosa

Before me, a Notary Public, in and for said County and State personally appeared **David J. Wiggs and Angela Wiggs, husband and wife**, who have acknowledged the execution of this instrument. WITNESS, my hand and notarial seal this 11 day of March, 2022.



RAVEN WELLS  
Commission # HH 137405  
Expires June 3, 2025  
Bonded Thru Budget Notary Services

  
Printed: Raven Wells, Notary Public  
Resident of Okaloosa County FL  
My Commission Expires: 6/3/2025

I affirm under penalties for perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. Craig C. Parker  
This instrument prepared by Craig C. Parker, Attorney-at-Law 303 South A Street, Richmond, IN 47374

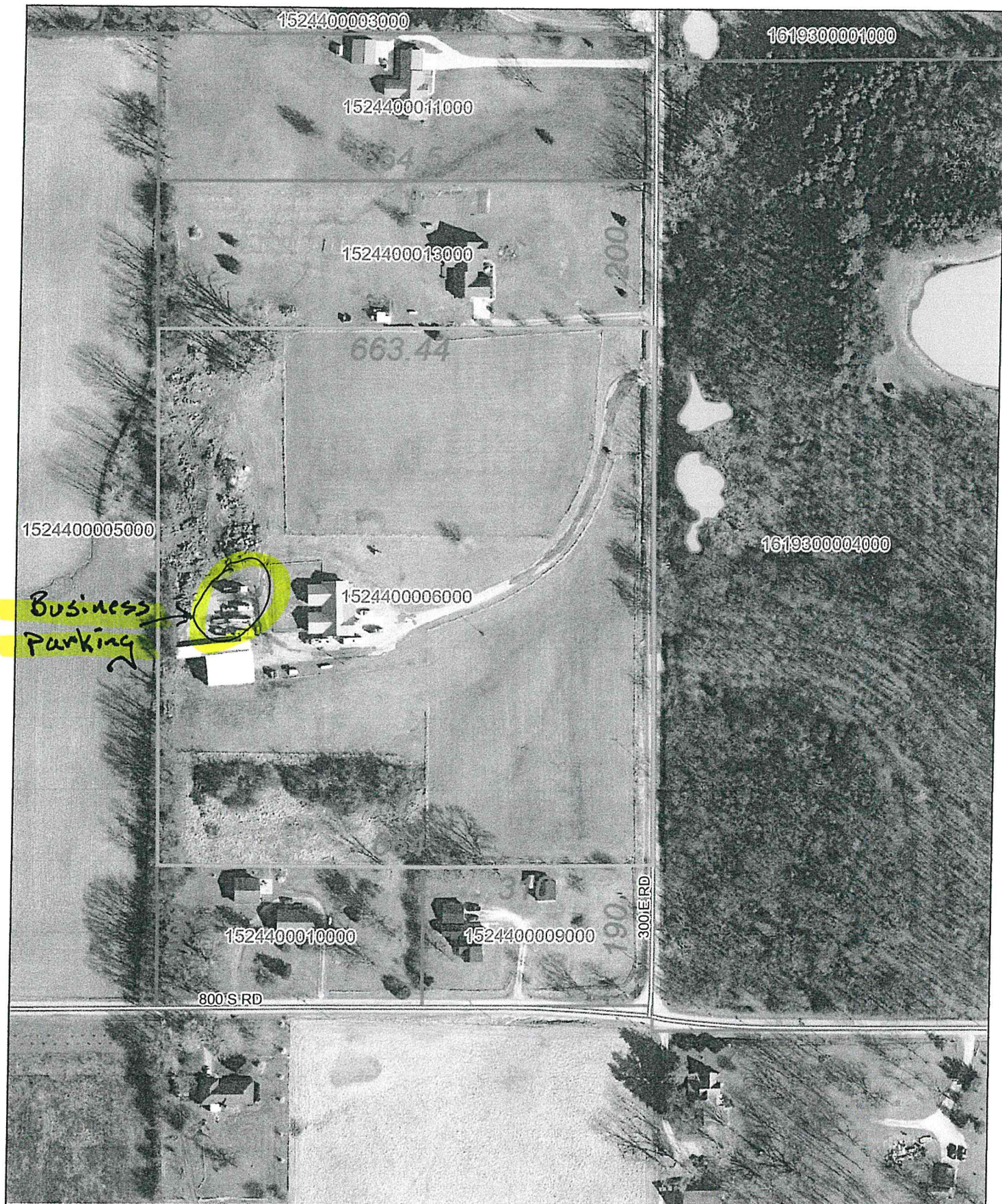
PROPERTY ADDRESS: 12701 S Co Rd 300 E, Muncie, IN 47302  
GRANTEE/TAX MAILING ADDRESS: \ \ \ \ \

## EXHIBIT "A"

A certain tract or parcel of land in Delaware County, in the State of Indiana, described as follows: part of the east half of the southeast quarter of the southeast quarter of Section 24, Township 19 north, Range 10 east, more particularly described as follows, to-wit: Beginning at a point on the east line of the east half of the southeast quarter of the southeast quarter of Section 24, Township 19 north, Range 10 east, one hundred ninety (190.00) feet north of the southeast corner of said east half of the southeast quarter of the southeast quarter; thence west parallel with the south line of the said east half of the southeast quarter of the southeast quarter to the west line of the said east half of the southeast quarter to the southeast quarter; thence north on the west line of said east half of the southeast quarter of the southeast quarter to a point two hundred (200.00) feet south of the northwest corner of the said east half of the southeast quarter of the southeast quarter; thence east parallel with the north line of said east half of the southeast quarter of the southeast quarter to the east line of said east half of the southeast quarter of the southeast quarter; thence south on the east line of said east half of the southeast quarter of the southeast quarter to the place of beginning, estimated to contain 14.00 acres, more or less.

Excepting therefrom: a part of the east half (E 1/2) of the southeast quarter (SE 1/4) of the southeast quarter (SE 1/4) of Section twenty-four (24), Township nineteen (19) north, Range ten (10) east, more particularly described as follows, to-wit: Beginning at a point on the east line two hundred (200.0') feet south of the northeast corner of said east half of the southeast quarter of the southeast quarter and running thence south zero degrees zero minutes west (S 00° 00' W) on said east line two hundred (200.00) feet thence running north eighty-nine degrees two minutes forty-five seconds west (N 89° 02' 45" W) and parallel with the north line of said east half of the southeast quarter of the southeast quarter six hundred sixty-three and forty-four hundredths (663.44') feet to a point in the west line of said east half of the southeast quarter of the southeast quarter; thence running north zero degrees nine minutes west (N 00° 09' W) on said west line two hundred (200.00) feet to a point two hundred (200.00) feet south of the northwest corner of said east half of the southeast quarter of the southeast quarter; thence running south eighty-nine degrees two minutes forty-five seconds east (S 89° 02' 45" E) and parallel with the north line of said east half of the southeast quarter of the southeast quarter six hundred sixty-four (664.0') feet measured six-hundred sixty-four and five tenths (664.5') feet record to the point of beginning, containing 3.047 acres more or less.





BZA 36-25