

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: 9/3/25

Case No.: 9BZA 47-25

(1) Applicant: Brice and Kristina Craig

Address: 601 South Sycamore Street, Gaston, IN Phone: 765-686-2970

(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.: 2012R03285

Page: 1

Purchase Date: 3/23/2012

Legal Description: (From the Deed or Abstract)

A part of the Southeast quarter of Section 33, Township 22 North, Range 9 East and also a part of the northwest quarter of Section 3, Township 21 North, Range 9 East in Washington and Harrison Township, Delaware County, in the State of Indiana.

(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).

601 South Sycamore Street, Gaston 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.)

In an attempt to replace an already existing structure damaged in April 2025 storms, the lot is small enough that we would have great difficulty in meeting setback requirements and yet erect a suitable building.

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

F Farming Zone

(10) Present use of the property:

Vacant/Garage Space

(11) Describe the proposed use of the property:

Vacant/Garage Space

(12) Is the property:

☒ Owner Occupied

☐ Renter Occupied

☐ Other: _____

Answer to #7

BZA 47-25 Brice and Kristina Craig

Request for variances from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 5, to allow a reduced North side setback of 0' rather than 15' for a variance of 15' and a reduced South side setback of 4.7' rather than 15' for a variance of 10.3' for a new 30'x40' pole barn replacing one that was damaged by a storm in a farm 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.

Yes. Kristina and I discussed the proposed building construction with Mr. Michael McCreery. Mr. McCreery did not raise any objections to Kristina and I. Mr. McCreery's property is the only property directly adjacent to the parcels in question.

- (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?

As soon as approval is granted.

When will it be completed?

Within 30-60 days of approval.

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

Brice and Kristina Craig, as well as associated dependents.

AFFIDAVIT

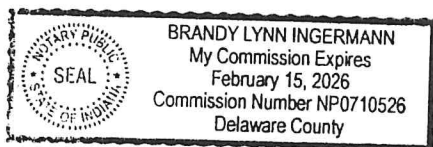
(I or We) Brice and Kristina Craig
TYPE NAME(S) OF SIGNATORIES


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 3 day of September, 2025.




Notary Public
2-15-2026

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

1P
TTC



* 2 0 1 2 R 0 3 2 8 5 *

2012R03285

JANE LASATER
DELAWARE COUNTY RECORDER

RECORDED ON

03/26/2012 11:39:03AM

REC FEE: 16.00

PAGES: 1

File No: 20112714

Parcel Number: 18-02-33-477-006.000-025

18-06-03-100-023.000-008
18-06-04-200-009.000-008

18-02-33-477-007.000-024

WARRANTY DEED

This Indenture Witnesseth, That Keith L. Gary and Deborah G. Gary, husband and wife, **Convey(s) and Warrant(s)** to Brice E. Craig and Kristina R. Craig, husband and wife, for the sum of Ten & 00/100 Dollars (\$10.00) 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 Southeast quarter of Section 33, Township 22 North, Range 9 East and also a part of the Northeast quarter of Section 4, Township 21 North, Range 9 East and also a part of the northwest quarter of Section 3, Township 21 North, Range 9 East in Washington and Harrison Township, Delaware County, Indiana, described as follows:

Beginning at a point on the East line of the Southeast quarter of Section 33, Township 22 North, Range 9 East said point being North 00 degrees 00 minutes 00 seconds 147.00 feet from the Southeast corner of said quarter section; thence continuing North 00 degrees 00 minutes 00 seconds 93.50 feet; thence North 89 degrees 40 minutes 12 seconds West 264.60 feet and parallel with the South line of said quarter section; thence South 00 degrees 00 minutes 00 seconds 285.50 feet into the Northeast quarter of Section 4, Township 21 North, Range 9 East; thence South 89 degrees 40 minutes 12 seconds East 199.00 feet into the Northwest quarter of Section 3, Township 21 North, Range 9 East to the center line of County Road 600-W; thence North 26 degrees 39 minutes 57 seconds East 85.17 feet along said center line to the point of beginning of a curve said point being South 63 degrees 20 minutes 03 seconds East 257.39 feet from the radius of said curve; thence along said curve 119.03 feet to the point of tangency of said curve, said point being South 90 degrees 00 minutes 00 seconds East 257.39 feet from the radius of said curve said point also being the point of beginning of the land herein described, said land contains 1.62 acres, more or less, and subject to the right-of-way for County Road 600-W along the Easterly side and to all easements of record.

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

In Witness Whereof, Grantor has executed this deed this 23rd day of March, 2012.

Keith L. Gary

Deborah G. Gary

STATE OF INDIANA , COUNTY OF DELAWARE, SS:

Before me, a Notary Public in and for the said County and State, personally appeared Keith L. Gary and Deborah G. Gary, husband and wife 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 23rd day of March, 2012.

My Commission Expires: March 29, 2015

James W. Trulock, Notary Public
Residing in Delaware County, Indiana

Send tax bills to and Grantee's street or rural route address is:

601 S. Sycamore St.
GAS ton, IN 47342

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. Trulock, Attorney-at-Law.)

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

Duly Entered for Taxation
Transfer Fees \$ 20.00

MAR 26 2012

Judy Runt
DELAWARE CO. AUDITOR



B2A 47-25