

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: 9/30/2025

Case No.: BZA 50-25

(1) Applicant: Nicholas Thadd Evans, Brittany Evans

Address: 5201 N. Wheeling Ave Muncie Indiana 47304 Phone: 765-717-2283

(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.: 2024R

Page: 08643

Purchase Date: 06/24/2024

Legal Description: (From the Deed or Abstract)

Please 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. Wheeling Ave Muncie Indiana 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.)

We are filing for a (1) variance for a 30' wide x 40' long garage/storage structure For personal use. We will be storing our personal vehicles and personal property. We are filing for a (2) variance for Business use, for our existing barn/sable for hay sales. We will have maybe 2 to 3 customers per week during the sales season, which is typically November through April. We are filing for a variance (3) for two signs, 3' wide x 2' tall each attached to the fence advertising hay sales. The signs will be placed on Moore Rd. and Wheeling Ave. during the sales season (see attached image).

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

R2-Residence Zone

(10) Present use of the property:

Personal Residence

(11) Describe the proposed use of the property:

Continued Residential Use

(12) Is the property:

☒ Owner Occupied

☐ Renter Occupied

☐ Other: _____

Answer to #7

BZA 50 -25 Nicholas Thadd and Brittany Evans

Request for a variance of use from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XIV, Section 1.A, to allow a seasonal business selling hay, and for variances from Article XXX, Section 3. F. 2f., to allow two 2'x3' signs advertising hay sales mounted on a fences along Wheeling Avenue and Moore Road, and from Article IX, Section 14 A.1.c., to allow the floor area of the accessory buildings including an existing 2,976 sq. ft. barn, an existing 1,376 sq. ft. detached garage, an existing 472 sq. ft. lean-to and a 1,200 sq. ft. (40'x30') proposed detached garage totaling 6,024 sq. ft. to exceed the floor area of the 3,208 sq. ft dwelling for a variance of 2,816 sq. ft. all for a hay selling business and a new garage in a 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? 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.

N/A

- (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 possible

When will it be completed?

Before January 1st, 2026

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

The property owners, N. Thadd and Brittany Evans.

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 20.00
Jun 24 2024 - ER



DELAWARE COUNTY AUDITOR

2024R08643
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
06/24/2024 11:03 AM
REC FEE 25.00
PAGES: 2
RECORDED AS PRESENTED

Mail tax bills to Grantees' address:
5201 N. Wheeling Avenue
Muncie, IN 47304

WARRANTY DEED

This Indenture Witnesseth That:

ELLEN B. LUCAS, an adult of legal age,
of Delaware County, Indiana

Conveys and Warrants To:

NICHOLAS THAD EVANS and BRITTANY LYNN EVANS,
husband and wife, as tenants by the entirety,
of Delaware County, Indiana

for and in consideration of one dollar and other valuable consideration, the receipt whereof is hereby acknowledged, the following real estate in Delaware County, Indiana, to-wit:

Part of the West end of the North Half of the Southeast Quarter of Section 29, Township 21 North, Range 10 East, described as follows, to-wit: Commencing at the Southwest corner of said North Half of the Southeast Quarter and running thence North on the West line of said North Half of the Southeast Quarter 7.14 chains to the center line of Jake's Creek open drain, thence in a Northeasterly direction with the center line of said open drain, 5.42 chains to the center line of Wheeling Turnpike Road, thence in a Southeasterly direction with the center line of said Turnpike Road 10.96 chains to its intersection with the South line of said North Half of the Southeast Quarter, thence West on said South line 8.93 chains to the place of beginning, estimated to contain 6.12 acres, more or less.

PARCEL NO. 18-07-29-402-001.000-007

PROPERTY ADDRESS: 5201 N. Wheeling Avenue, Muncie, IN 47304

ALSO, Beginning at the Northwest corner of the South Half of the Southeast Quarter of Section 29, Township 21 North, Range 10 East; thence East on the North line of the said South Half of the Southeast Quarter 365.73 feet; thence Southwesterly with a deflection angle to the right of 172 degrees 03 minutes 40 seconds 337.25 feet; thence Northwesterly with a deflection angle to the right of 63 degrees 41 minutes 28 seconds 56.35 feet to the point of beginning. Estimated to contain .195 of an acre, more or less.

PARCEL NO. 18-07-29-451-005.000-007

PROPERTY ADDRESS: 5201 N. Wheeling Avenue, Muncie, IN 47304

Dated this **20th** day of June, 2024.

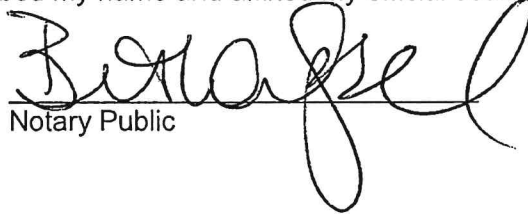

Ellen B. Lucas

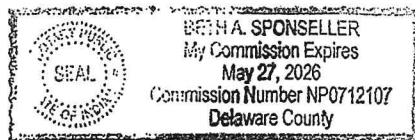
STATE OF INDIANA

COUNTY OF DELAWARE, SS::

Before me, the undersigned, a Notary Public in and for said County and State, this **20th** day of June, 2024, personally appeared Ellen B. Lucas and acknowledged the execution of the foregoing deed.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.


Notary Public



This instrument was prepared by Matthew R. Shipman, Attorney at Law, #20664-49, Columbia City, Indiana, at the specific request of owner and is based solely on information supplied by one or more of those parties and without examination for accuracy. This preparer assumes no liability for any errors, inaccuracy or omissions in this instrument resulting from the information provided. The parties accept this disclaimer by owner's execution of this document.

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. LAURA ORMSBY

AFFIDAVIT

(I or We) Nicholas Thadd Evans and Brittany L Evans

TYPE NAME(S) OF SIGNATORIES

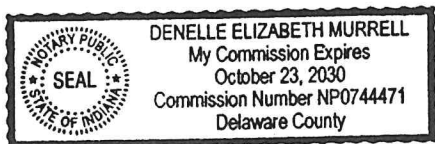
being duly sworn depose and say that (I or We) (am or are) the (owner[s]) (contract owner[s]) of property involved in this application and that the foregoing signatures, statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my or our) knowledge and belief.

SIGNATURES:

Brittany Evans
Nick Thadd

Subscribed and sworn to before me this 30 day of September, 2025

Denelle Murrell
Notary Public



October 23, 2030
Commission Expires

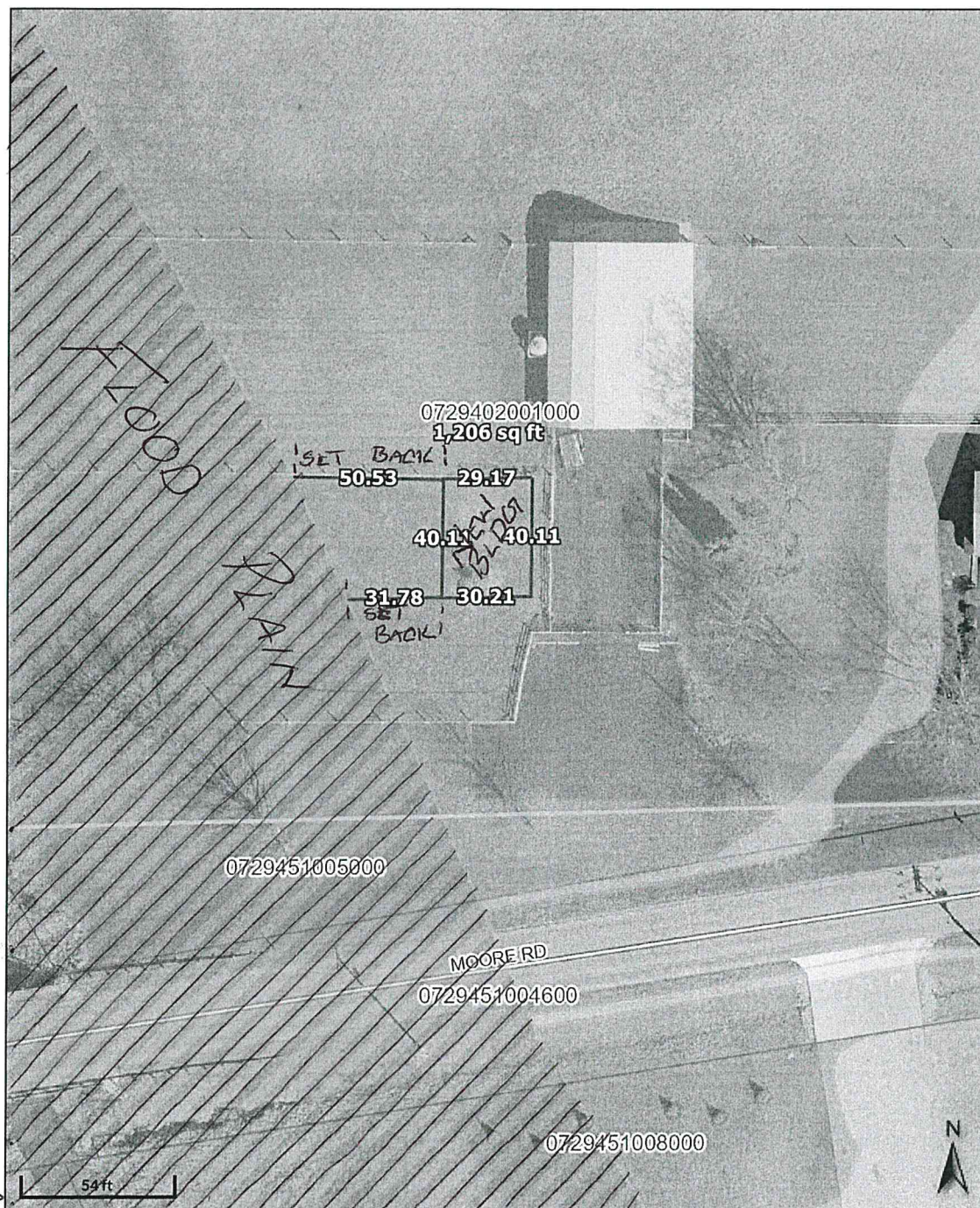
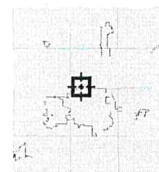
Resident of Delaware County

State of Indiana

DO NOT WRITE IN THIS SPACE

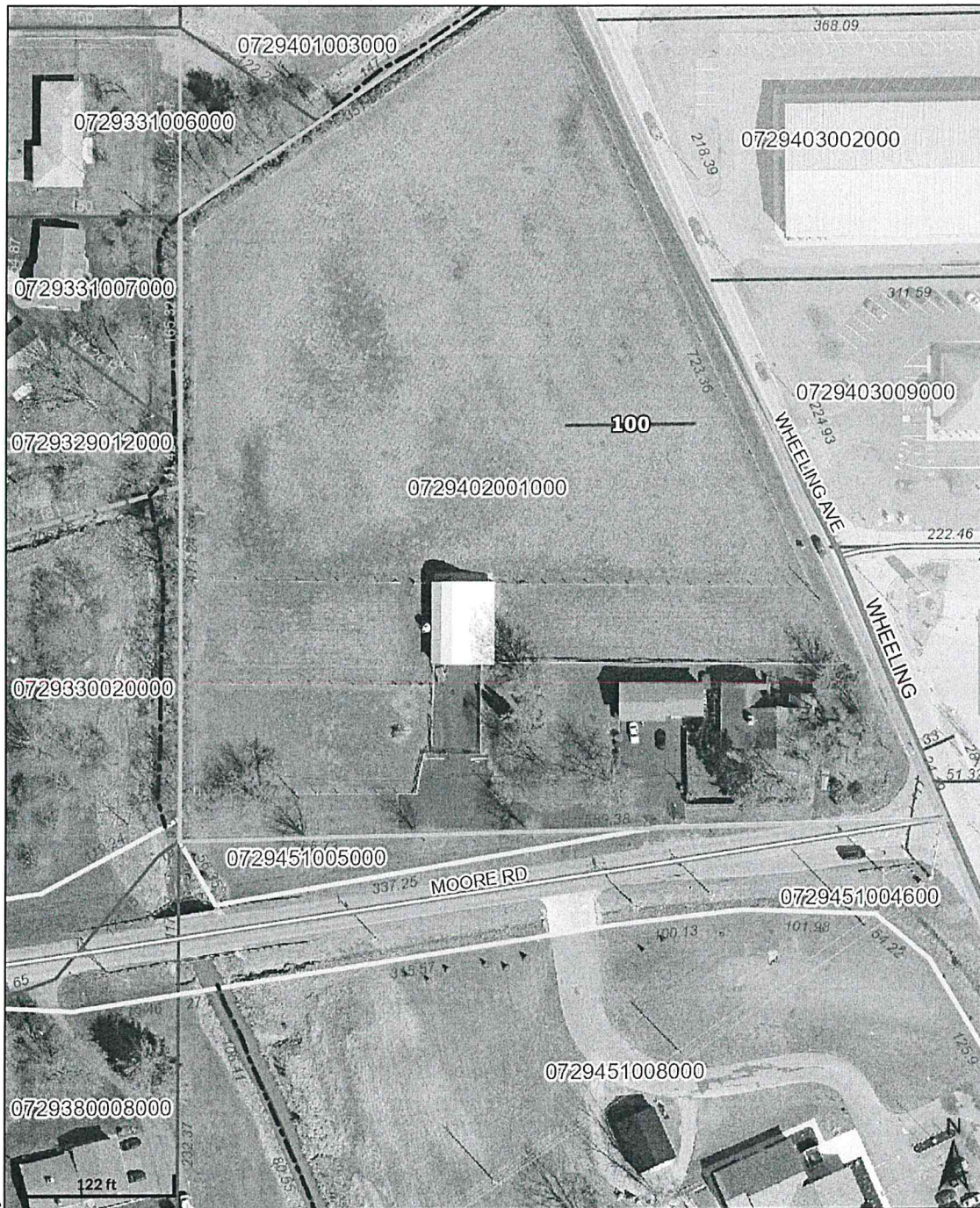
The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

Overview

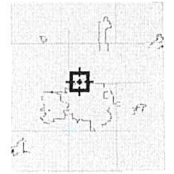


Parcel ID	0729402001000	Alternate ID	18-07-29-402-001.000-007	Owner Address	EVANS NICHOLAS THAD & BRITTANY LYNN
Sec/Twp/Rng	n/a	Class	1 Family Dwell - Unplatted (0 to 9.99 Acres)		5201 N WHEELING AVE
Property Address	5201 N WHEELING AVE	Acreage	6.12		MUNCIE, IN 47304
District	HAMILTON SAN				
Brief Tax Description	PT N HLF SE QTR 6.1200Acres STR: 292110 IN: OUT: (Note: Not to be used on legal documents)				

BZA 50-25



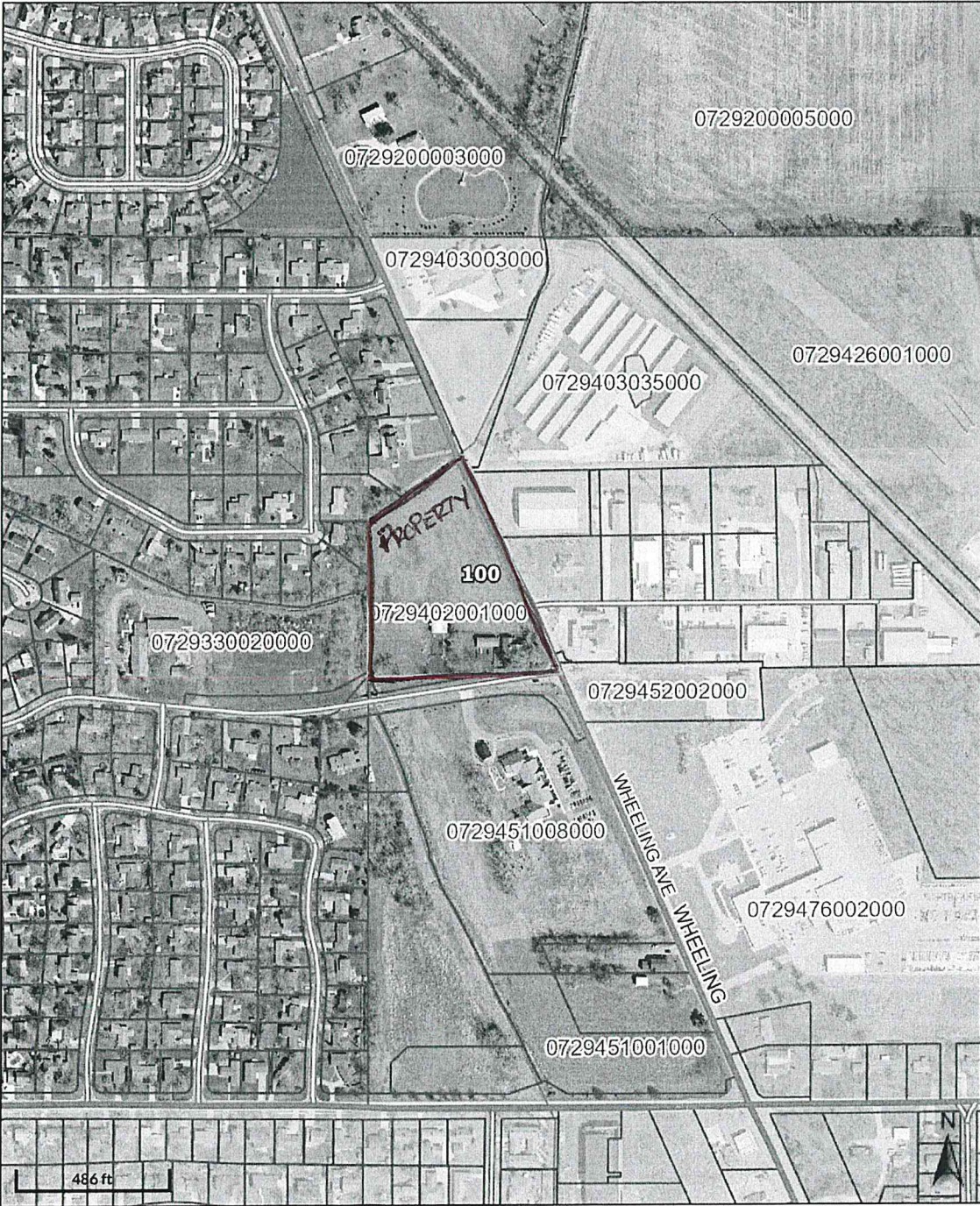
Overview



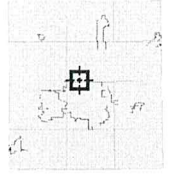
SCALE →

Parcel ID	0729402001000	Alternate ID	18-07-29-402-001.000-007	Owner Address	EVANS NICHOLAS THAD & BRITTANY LYNN
Sec/Twp/Rng	n/a	Class	1 Family Dwell - Unplatted (0 to 9.99 Acres)		5201 N WHEELING AVE
Property Address	5201 N WHEELING AVE	Acreage	6.12		MUNCIE, IN 47304
District	HAMILTON SAN				
Brief Tax Description	PT N HLF SE QTR 6.1200Acres STR: 292110 IN: OUT: (Note: Not to be used on legal documents)				

BZA 50-25



Overview



Parcel ID	0729402001000	Alternate ID	18-07-29-402-001.000-007	Owner	EVANS NICHOLAS THAD & BRITTANY
Sec/Twp/Rng	n/a	Class	1 Family Dwell - Unplatted (0 to 9.99 Acres)	Address	LYNN
Property Address	5201 N WHEELING AVE	Acreage	6.12		5201 N WHEELING AVE
	MUNCIE				MUNCIE, IN 47304
District	HAMILTON SAN				
Brief Tax Description	PT N HLF SE QTR 6.1200Acres STR: 292110 IN: OUT:				
	(Note: Not to be used on legal documents)				

BZA 50-25

Date: 9/25/2025 - 10:25 AM
Design Name: Garage Design 1
Design ID: 313851413576

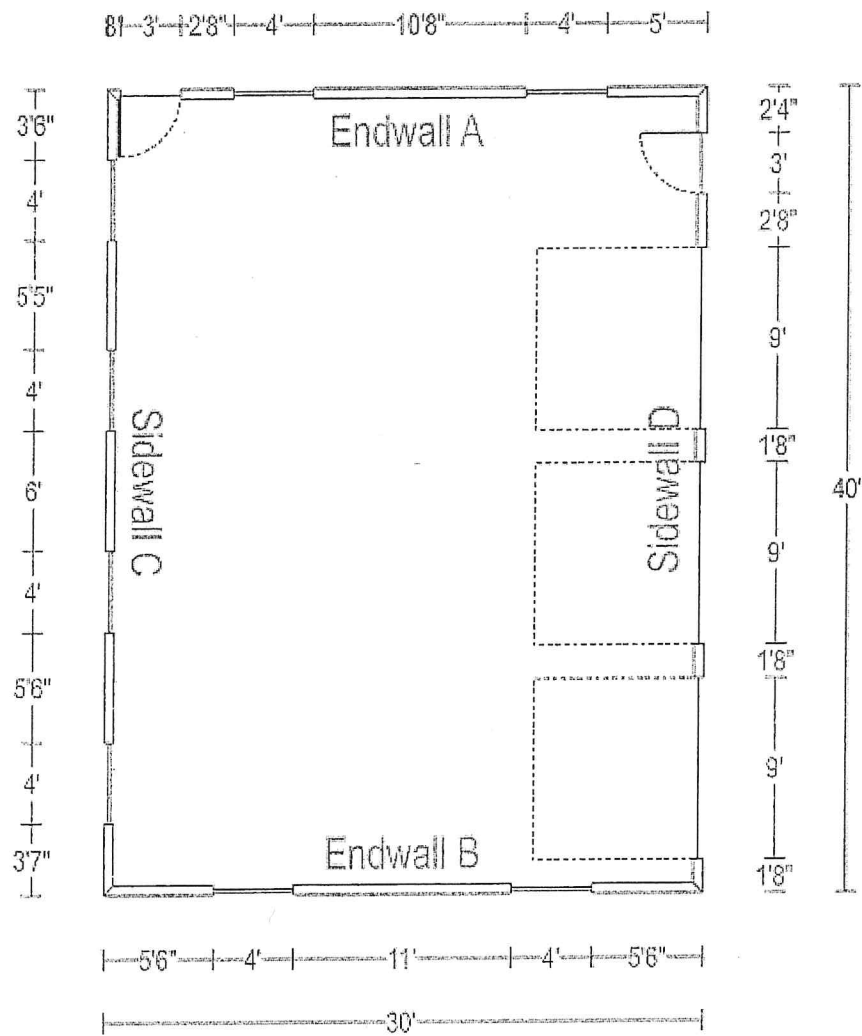
MENARDS®

Design & Buy™

GARAGE

How to recall and purchase your design at home:  OR 1. On Menards.com, enter "Design & Buy" in the search bar 2. Select the Garage Designer 3. Recall your design by entering Design ID: 313851413576 4. Follow the on-screen purchasing instructions	How to purchase your design at the store: 1. Enter Design ID: 313851413576 at the Design-It Center Kiosk in the Building Materials Department 2. Follow the on-screen purchasing instructions
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Garage Image



9/25/25, 10:25 AM

Date: 9/25/2025 - 10:25 AM

Design Name: Garage Design 1

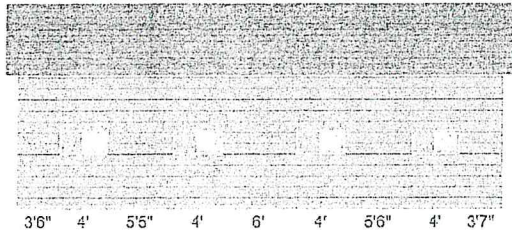
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Garage

MENARDS®

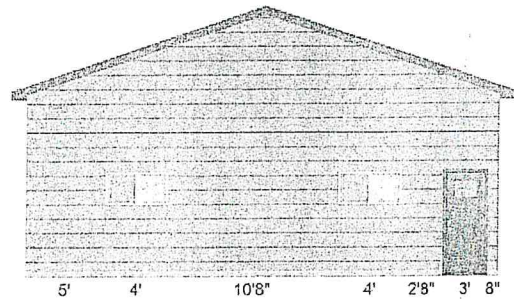
Design & Buy™ GARAGE

BZA 50-25



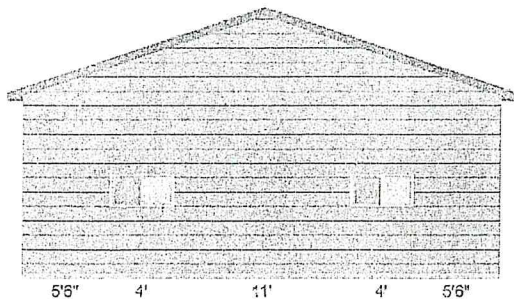
SIDEWALL C

48"W x 24"H Performax™ Slider Window with Nailing Flange
48"W x 24"H Performax™ Slider Window with Nailing Flange
48"W x 24"H Performax™ Slider Window with Nailing Flange
48"W x 24"H Performax™ Slider Window with Nailing Flange



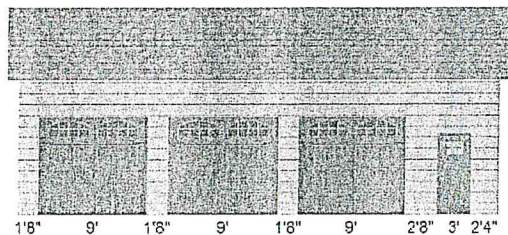
ENDWALL A

Mastercraft® 36W x 80H Dark Oak Woodgrain Steel External Mission
Lite Composite Frame
48"W x 24"H Performax™ Slider Window with Nailing Flange
48"W x 24"H Performax™ Slider Window with Nailing Flange



ENDWALL B

48"W x 24"H Performax™ Slider Window with Nailing Flange
48"W x 24"H Performax™ Slider Window with Nailing Flange



SIDEWALL D

Mastercraft® 36W x 80H Dark Oak Woodgrain Steel External Mission
Lite Composite Frame
9x8 Walnut Designer Panel Arched Window EZ Set Torsion Spring (R-Value 12.9)
9x8 Walnut Designer Panel Arched Window EZ Set Torsion Spring (R-Value 12.9)
9x8 Walnut Designer Panel Arched Window EZ Set Torsion Spring (R-Value 12.9)

From: N. Thadd Evans <ntevans@live.com>
Sent: Thursday, October 16, 2025 10:04 AM
To: Fred Daniel; Brandy Ingermann
Subject: Re: surrounding owner list

CAUTION: This email originated from outside of Delaware County Government. Please **do not click links or open attachments** from an **unknown** or **suspicious** sender.

Hi-

I stopped in earlier this week to pick up my notice signs and you gave me insight as to the potential issue with my current signage being in the right-of-way and suggested I consider changing my plan prior to the upcoming public hearing. I have attached a snapshot from Beacon of my property and have circled two locations, one facing each roadway, of my new proposal. They will be attached to fencing I have in both locations, the the signs will be single-sided, 3 feet wide x 2 feet tall. If I need to come into the office to discuss this further, please let me know and I will do so tomorrow. Thank you!

