

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Submitted: 1/30/26

☒ Delaware County

Case No.: BZA 06-26

☐ City of Muncie

(1) Applicant: Raychelle Johnson

Address: 11700 N Old Granville Rd Albany IN 47320 Phone: 765.744.9796

(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.:

Page:

2026R01502

Purchase Date:

2013

Legal Description: (From the Deed or Abstract)

See attached Deed.

(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).

11700 N Old Granville Rd Albany IN 47320

(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 XIV, Section 1, to allow a commercial store and commercial kitchen in a pole barn, and from Article XXX, Section 3.D.2., to allow a 4'x8' sign to advertise business.

(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)

F Farming Zone

(10) Present use of the property:

Residence

(11) Describe the proposed use of the property:

Primarily residential/agricultural

(12) Is the property:

☒ Owner Occupied

☐ Renter Occupied

☐ Other: _____

Answer to question #8

(8) State reasons supporting the Appeal:

The homeowner grows & sells produce (sweet corn, garden vegetables, pumpkins) and would like to establish a 400 sq ft area of the pole barn as a "store" where customers can pick up produce orders. The homeowner aspires to eventually add freezer beef and seasonal decor to their offerings.

In the future, the homeowner may want to install a sign with an approximate size 4' x 8'. The sign will be kept away from the right of way and will not create a visual obstruction of the roadway.

The homeowner has purchased a food truck, which is required by law to return to a commissary after each event. The homeowner requests a variance of use so that a commercial kitchen may be installed inside the pole barn to be used as the commissary for the food truck.

- (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? some
If answer is "YES", give their attitudes toward the proposal.

Those who were contacted expressed support of the variance.

- (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?

Commercial kitchen & store: ASAP. Sign: within one year.

When will it be completed?

Commerical kitchen & store: Approx. 4-6 weeks after commencement of work.

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

Raychelle Johnson

AFFIDAVIT

(I or We) Raychelle Johnson, Theresa Ann Johnson

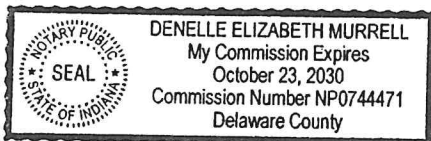
TYPE NAME(S) OF SIGNATORIES

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:

Raychelle Johnson
Theresa Ann Johnson

Subscribed and sworn to before me this 28 day of January, 2026 /



Denelle Murrell
Notary Public

October 23, 2030
Commission Expires

Resident of Delaware County

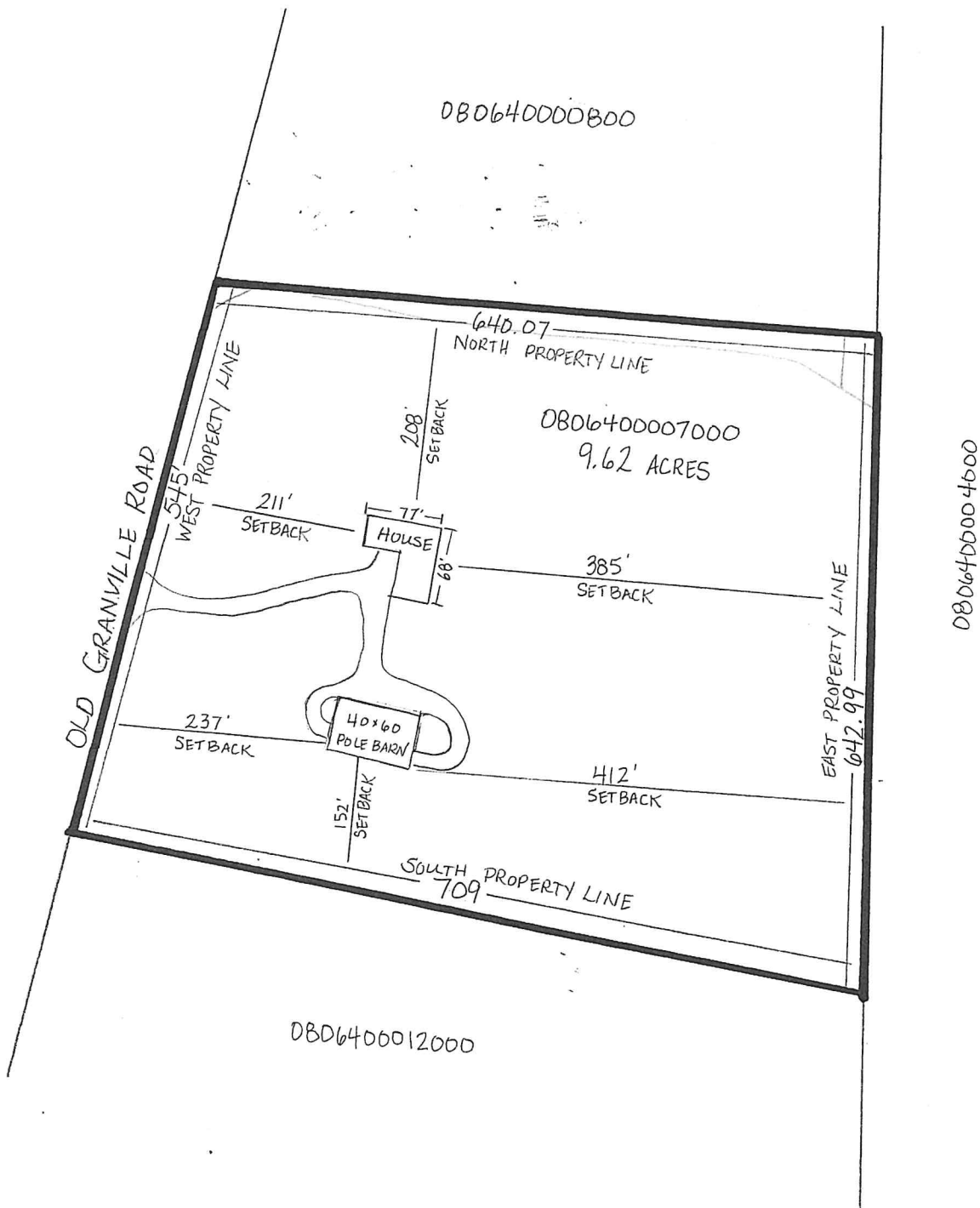
State of Indiana

DO NOT WRITE IN THIS SPACE

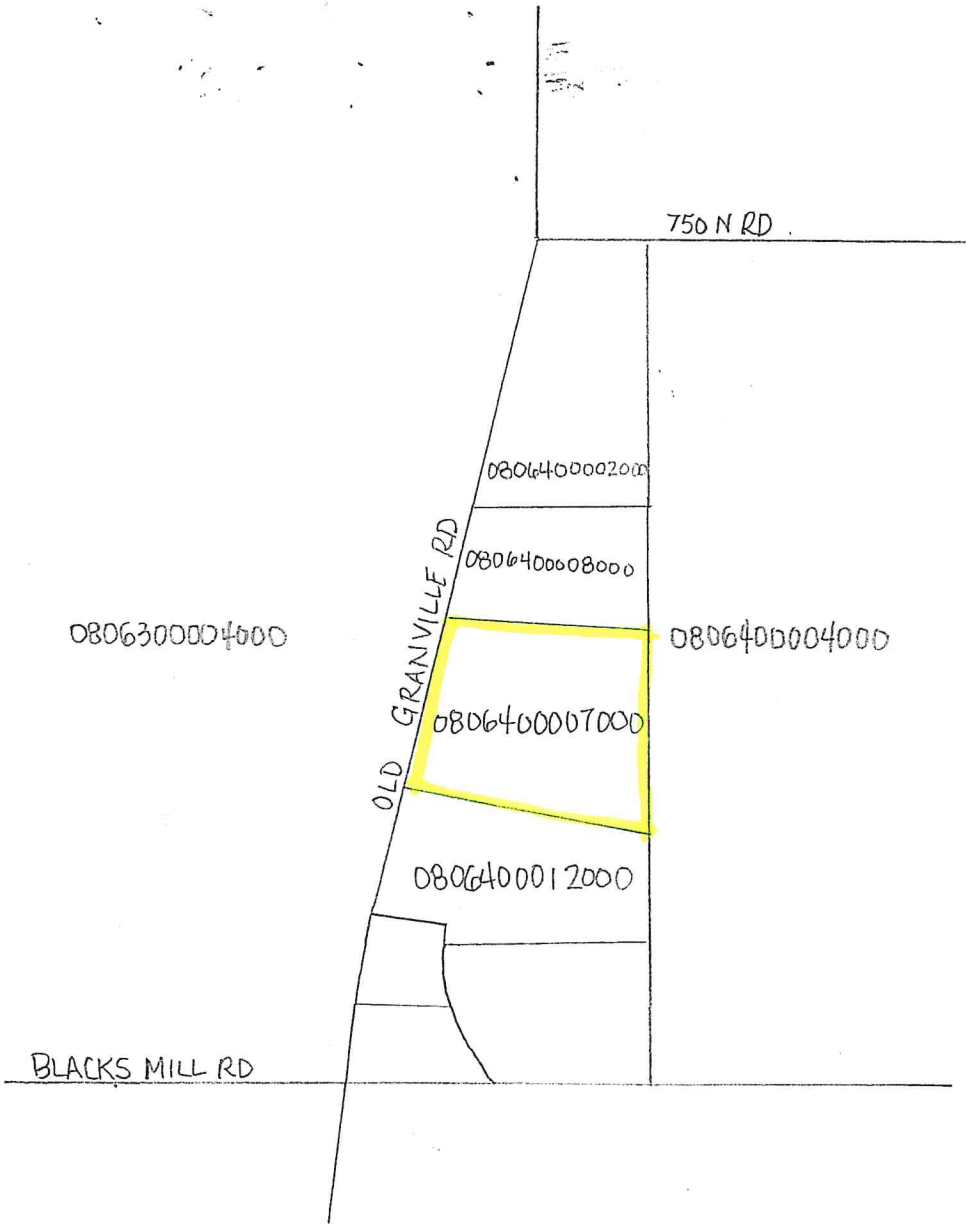
The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

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

PROPERTY MAP



NEIGHBORHOOD MAP



240
Duly Entered for Taxation
Transfer Fees \$ 10

JAN 30 2026

all & copy
DELAWARE CO. AUDITOR

COPY

2026R01502
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
01/30/2026 03:41 PM
REC FEE 25.00
PAGES: 2
RECORDED AS PRESENTED

File No.: 20260191

Parcel Number: 18-08-06-400-007.000-004

QUITCLAIM DEED

This Indenture Witnesseth, That Raychelle A. Johnson f/k/a Raychelle A. Wilson and Theresa Ann Johnson, as joint tenants with right of survivorship (Grantor) **QUITCLAIM(s)** to Raychelle A. Johnson and Theresa Ann Johnson, as joint tenants with right of survivorship (Grantee) for no consideration, the following described real estate in Delaware County, in the State of Indiana:

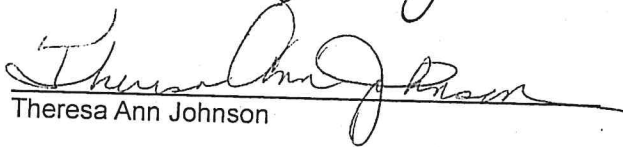
SEE EXHIBIT "A" ATTACHED HERETO

The parties hereto acknowledge that the preparer has not conducted a title search in connection with this transaction and makes no guarantee as to the status or condition of the real estate title.

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

In Witness Whereof, Grantor has executed this deed this 30 day of January, 2026.


Raychelle A. Johnson f/k/a Raychelle A. Wilson

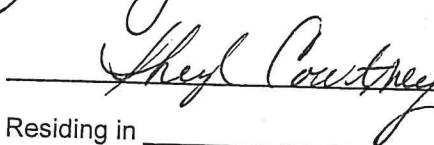

Theresa Ann Johnson

State of Indiana, County of Delaware SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared Raychelle A. Johnson f/k/a Raychelle A. Wilson and Theresa Ann Johnson, as joint tenants with right of survivorship who acknowledged the execution of the foregoing QuitClaim Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 30 day of January, 2026.

My Commission Expires: _____


Residing in _____



Send tax bills to and Grantee's street or rural route address is: 11700 N Old Granville Rd, Albany, IN 47320

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

EXHIBIT "A" LEGAL DESCRIPTION

A part of the West Half of the Southeast Quarter of Section 6, Township 21 North, Range 11 East, of the Second Principal Meridian in Delaware County, Indiana, being more particularly described as follows: Considering the South line of the Southeast Quarter as bearing North 89 degrees 58 minutes 40 seconds East with all other bearings herein contained relative thereto; Commencing at the intersection of the center line of Granville Pike with the South line of the Southeast Quarter; thence on said center line and through a pk nail at 311.80 feet North 06 degrees 40 minutes 05 seconds East 331.84 feet; thence continuing on said center line North 13 degrees 11 minutes 36 seconds East 189.42 feet to a found rebar; thence continuing on said center line North 12 degrees 59 minutes 00 seconds East 235.00 feet to a set pk nail; thence South 87 degrees 03 minutes 31 seconds East 640.07 feet to a set rebar on the East line of the West Half of the Southeast Quarter; thence on said East line South 00 degrees 50 minutes 40 seconds East 326.93 feet to a set rebar; thence North 79 degrees 22 minutes 23 seconds West 709.00 feet to the place of beginning, containing 4.31 acres.

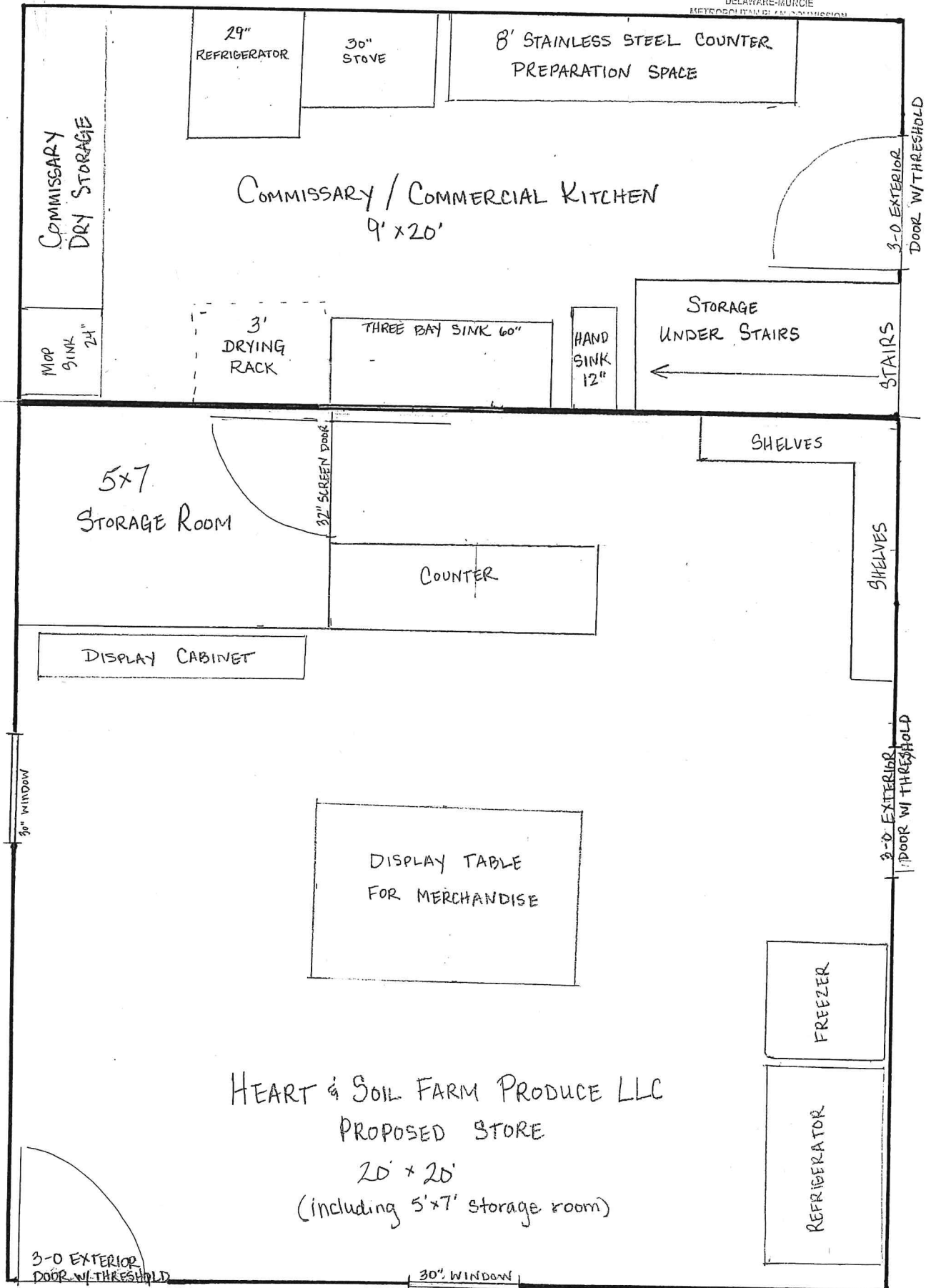
ALSO: That portion of land situate in the West Half of the Southeast Quarter of Section 6, Township 21 North, Range 11 East of the Second Principal Meridian in Delaware County, Indiana, being more particularly described as follows: Considering the South line of the Southeast Quarter as bearing North 89 degrees 58 minutes 40 seconds East with all other bearings herein contained relative thereto; Commencing at the intersection of the center line of Granville Pike with the South line of the Southeast Quarter; thence on said center line and through a pk nail at 311.08 feet North 06 degrees 40 minutes 05 seconds East 331.84 feet; thence continuing on said center line North 13 degrees 11 minutes 36 seconds East 189.42 feet to a found rebar; thence continuing on said center line North 12 degrees 59 minutes 00 seconds East 575.07 feet to a set pk nail, being the place of beginning; thence continuing on said center line North 12 degrees 59 minutes 00 seconds East 155.00 feet to a found pk nail; thence South 79 degrees 22 minutes 23 seconds East 709.00 feet to a found rebar on the East line of the West Half of the Southeast Quarter; thence on said East line South 00 degrees 50 minutes 40 seconds East 158.03 feet to a set rebar; thence North 79 degrees 22 minutes 23 seconds West 746.80 feet to the place of beginning, containing 2.59 acres.

ALSO: That portion of land situate in the West Half of the Southeast Quarter of Section 6, Township 21 North, Range 11 East of the Second Principal Meridian in Delaware County, Indiana, being more particularly described as follows: Considering the South line of the Southeast Quarter as bearing North 89 degrees 58 minutes 40 seconds East with all other bearings herein contained relative thereto; Commencing at the intersection of the center line of Granville Pike with the South line of the Southeast Quarter; thence on said center line and through a pk nail at 311.80 feet North 06 degrees 40 minutes 05 seconds East 331.84 feet; thence continuing on said center line North 13 degrees 11 minutes 36 seconds East 189.42 feet to a found rebar; thence continuing on said center line North 12 degrees 59 minutes 00 seconds East 420.07 feet to a set pk nail, being the place of beginning; thence continuing on said center line North 12 degrees 59 minutes 00 seconds East 155.00 feet to a set pk nail; thence South 79 degrees 22 minutes 23 seconds East 746.80 feet to a set rebar on the East line of the West Half of the Southeast Quarter; thence on said East line South 00 degrees 50 minutes 40 seconds East 158.03 feet to a set rebar; thence North 79 degrees 22 minutes 23 seconds West 784.61 feet to the place of beginning, containing 2.72 acres. *US*

RECEIVED

FEB 06 2026

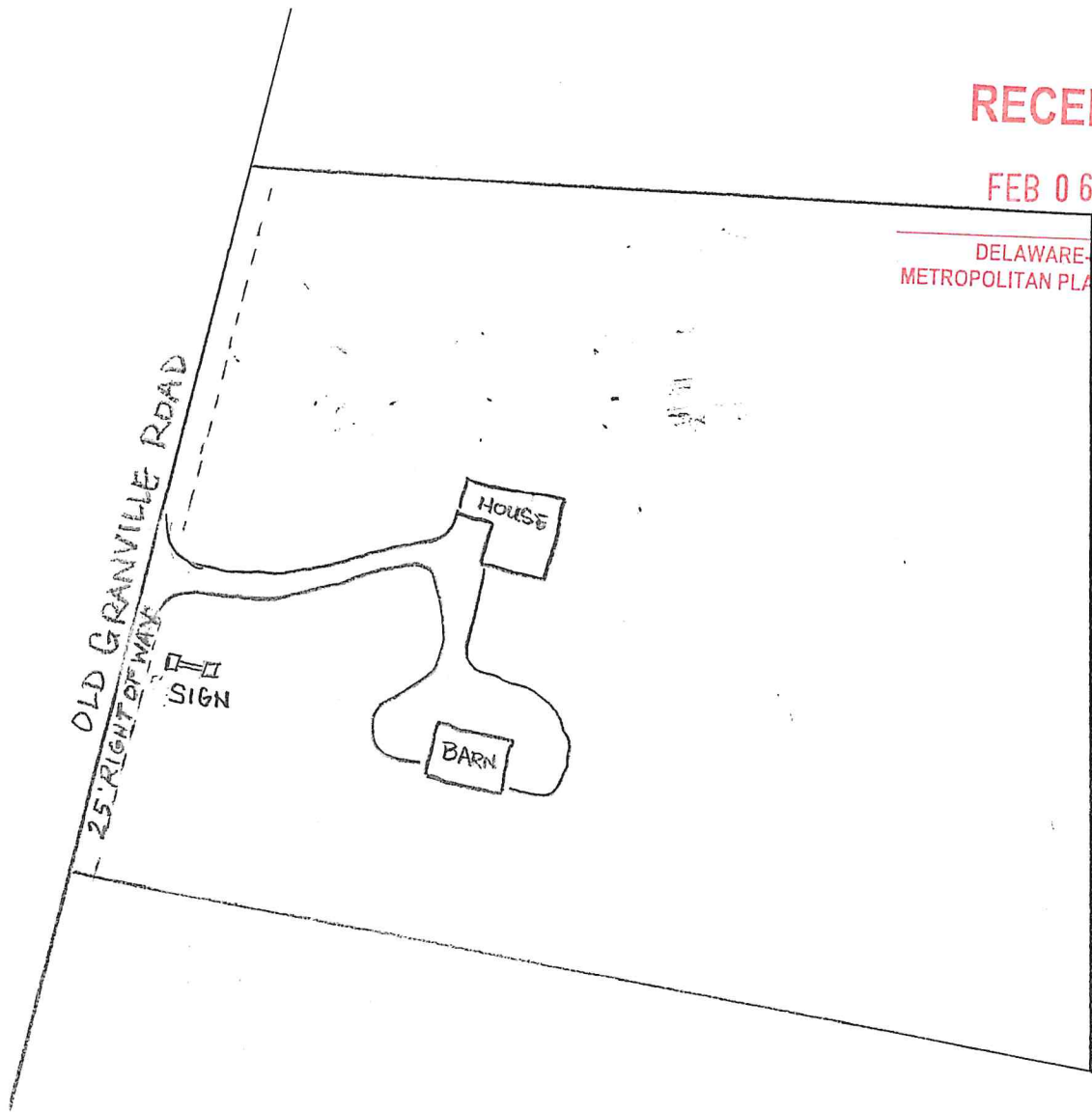
DELAWARE-MUNCIE
METROPLITAN COMMISSION



RECEIVED

FEB 06 2026

DELAWARE-MUNCIE
METROPOLITAN PLAN COMMISSION



PROPOSED GROUND SIGN FOR HEART & SOIL FARM PRODUCE LLC

The proposed ground sign would sit to the South of the driveway, perpendicular to Old Granville Rd. The sign will be installed at least 5' from the 25' right of way. We plan to install the sign on a mound of landscaping, but the sign and landscaping combined will not exceed a height of 8' over ground level. The proposed sign will be 7' x 10', with the Heart & Soil Farm Produce logo displayed between two 2' x 2' stone pillars. The stone pillars will be placed on concrete pads.

EXAMPLE SIGN

The
Andersons
Oakville Grain

RECEIVED

FEB 06 2006

DELAWARE-MUNCIE
METROPOLITAN PLAN COMMISSION