

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: Sept 11, 2024

Case No.: BZA 53-24

(1) Applicant: Mike & Denise Hall

Address: 4601 W County Road 700 S, Muncie, IN 47302 Phone: 765-602-1187

(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.: 2020R14328

Page: _____

Purchase Date: 10/22/2020

Legal Description: (From the Deed or Abstract)

Parcel Number: 18-15-19-100-006.000-012

(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).

4601 W County Road 700 S, 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 a motocross track business to operate on 8 acres 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.)

I have a practice motocross track that I run for people to come and do practice laps. I DO NOT do races, only practice, any money that is donated at the time of the practices goes directly back into the track for upkeep and maintenance. I have a practice ride once a week for 4-6 hours. It is one of the few practice tracks in the area for practice only. I have a waiver of liability that everyone fills out before riding, just in case there would be any sort of accident (waiver is attached). I have been running this practice track for the past 3 years and would like to keep running it as practice track for riders to come and ride.

(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

(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, the track is already on property.

(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?

It is already finished.

When will it be completed?

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

Mike Hall

AFFIDAVIT

(I or We) Mike and Denise Hall

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:

Mike Hall
Denise Hall

Subscribed and sworn to before me this 11th day of Sept, 20 24 /

[Signature]

Notary Public



Daniel Alan Denniston, Notary Public
Madison County, State of Indiana
Commission No: NP0691987
My Commission Expires 10/12/2032

10/12/2032

Commission Expires

Resident of Madison 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.

AFFIDAVIT

(I or We) Mike & Denise Hall
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:

Mike Hall
Denise Hall

Subscribed and sworn to before me this 11th day of Sept, 2024



Daniel Alan Denniston, Notary Public
Madison County, State of Indiana
Commission No: NP0691987
My Commission Expires 10/12/2032

[Signature]
Notary Public

10/12/2032
Commission Expires

of Madison County

Resident

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 31 day of October, 2024.

Signed:

[Signature]

Date:

10.15.24

IN TITLE

39

Duly Entered for Taxation
Transfer Fees \$ 20.00

OCT 21 2020

Kevin G. Curren
Delaware County Auditor

2020R14329 -
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
10/22/2020 08:58 AM
REC FEE 25.00
PAGES: 3
RECORDED AS PRESENTED

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Voneta J. Adams, formerly known as Voneta J. Shockley, of Delaware County, in the State of Indiana, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **CONVEYS AND WARRANTS** to Michael Hall and Frances Denise Hall, husband and wife, Grantees, the following described real estate in Delaware County, Indiana:

A part of the fractional West Half of the Northwest Quarter of Section 19, Township 19 North, Range 10 East in Monroe Township, Delaware County, Indiana, described as follows:

Beginning at a nail on the North line of the fractional West Half of the Northwest Quarter of Section 19 Township 19 North, Range 10 East, said nail being North 89 degrees 52 minutes 48 seconds East 892.03 feet (assumed bearing) from a spike marking the Northwest corner of said half-quarter section; thence North 89 degrees 52 minutes 48 seconds East 425.62 feet to a nail; thence South 00 degrees 09 minutes 51 seconds East 819.70 feet to a point; thence South 89 degrees 52 minutes 48 seconds West 425.62 feet to a point; thence North 00 degrees 09 minutes 51 seconds West 819.70 feet to the point of beginning, containing 8.00 acres, more or less, and subject to the right-of-way for County Road 700-S across the Northerly side and to all easements of record.

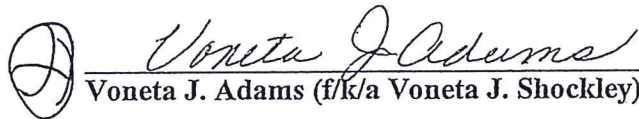
Parcel Number: 18-15-19- 100-001.000.012 *Mother LB* New 18-15-19-100-006.000-01
Commonly known as 4601 West County Road 700 South, Muncie, Indiana 47302

Mail tax statements to Grantees' Address: Michael S. Hall & Frances D. Hall,
4601 W. Co Rd. 700 South, Muncie, Indiana 47302

The above described real estate was formerly owned by William B. Shockley and Voneta J. Shockley, husband and wife, and that the said William B. Shockley died on December 25, 1984, and that at the time of his death he was the husband of Voneta J. Shockley who survived him.



IN WITNESS WHEREOF, said Voneta J. Adams has hereunto set her hand and seal
this 16th day of October, 2020.



Voneta J. Adams (f/k/a Voneta J. Shockley)

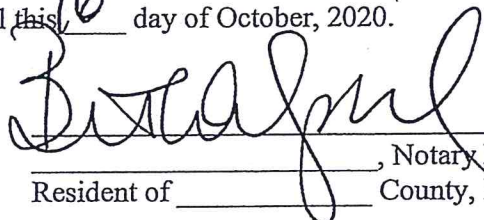
STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

Before me, Beth A. Sponcelle, Notary Public, in and for said County and State,
personally appeared Voneta J. Adams (f/k/a Voneta J. Shockley), who acknowledged the
execution of the foregoing or attached Warranty Deed as her voluntary act for the purposes stated
therein.

Witness my hand and Notarial Seal this 16th day of October, 2020.

My Commission Expires: _____

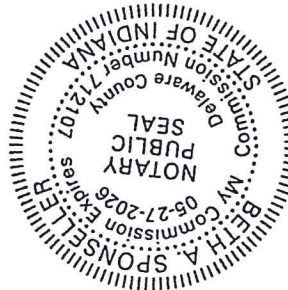
Commission No.: _____


_____, Notary Public
Resident of _____ County, Indiana



EXECUTED AND DELIVERED in my presence:

Laura A. Bowlm
Witness: Laura A. Bowlm



STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said County and State, personally appeared Laura A. Bowlm, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by **Voneta J. Adams** in the above-named subscribing witness's presence, and that the abovenamed subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this 16th day of October, 2020.

My Commission Expires: _____

Commission No.: _____

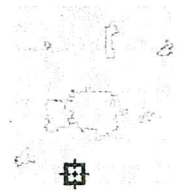
Beth A. Spensell

Notary Public
Resident of _____ County, Indiana

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. – David J. Karnes

**Beacon**TM

Delaware County, IN

**Overview****Legend****Major Roads**

- INTERSTATE
- MAJOR ROAD
- STATE ROAD
- US HIGHWAY
- Geocoded Streets
- RR Lines
- Airport Runways

Cadastral Line

- Geographic Township Line
- Lot Line
- Misc Line
- Parcel Line
- Political Township Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- Subdivision Line
- Unknown
- Water Line
- <all other values>
- Parcels
- Muncie Parks
- Major Waterbodies
- Lakes and Ponds

Parcel ID	1519100006000	Alternate ID	18-15-19-100-006.000-012
Sec/Twp/Rng	n/a	ID	
Property Address	4601 W CR 700 S	Class	1 Family Dwell - Unplatted (0 to 9.99 Acres)
	MUNCIE	Acreage	8.0
District	MONROE		
Brief Tax Description	FR W HLF NW QTR S19 T19 R10 8.00 AC (Note: Not to be used on legal documents)		

Owner Address

HALL MICHAEL & FRANCES DENISE
HALL
4601 W COUNTY ROAD 700 S
MUNCIE, IN 47302

Land Records: The land record layers including parcel information is a work in progress. Some errors and commissions have occurred in the transfer of property information from paper plat books to the digital format that is available on this website. Delaware County is currently working to identify and correct this issues. Land records displayed on this site are for GRAPHIC REPRESENTATION AND INFORMATION RETRIEVAL PURPOSES ONLY. Refer to official deeds and surveys for detailed parcel information. Delaware County makes