

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: 10-9-24

Case No.: BZA 58-24

(1) Applicant: FREDRICK J. CURRENT

Address: 9701 S. Fleming Street Muncie, Indiana 47302 Phone: 765-749-7669

(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: _____

Purchase Date: 04-20-2023

Legal Description: (From the Deed or Abstract)

Parcel No. 18-15-16-204-002.000-12

(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).

9704 South Fleming Street Muncie, Indiana 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.)

SEE ATTACHED

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

New Building to be built on property would not reach setback specifics set off of Fleming Street. Setbacks on other property lines should be within specifics.

Proposed new building will be 30'x30'x15'8"
This will be used for personal storage.
My grandson is currently renting to own the property

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

R4-Residence Zone

(10) Present use of the property:

Residence

(11) Describe the proposed use of the property:

Residence

(12) Is the property:

☐ Owner Occupied

☒ Renter Occupied

☐ Other: _____

Answer to #7

BZA 58-24 Current

Request for variances from the terms of the Delaware County Comprehensive Zoning Ordinance, Article IX, Section 3, to allow the existing 1,404 sq. ft. house, existing 240 sq. ft. shed and a new 900 sq. ft. detached garage for a total building area of 2,544 sq. ft. on a parcel measuring 6,204 sq. ft. for a 41% lot coverage rather than the maximum coverage of 40%, Article IX, Section 11, to allow the proposed 30'x 30' detached garage to intrude into the intersection visibility area, Article XVI, Section 3, to allow a 2' front setback rather than 25' for a variance of 23', Article XVI, Section 5, to allow a 15' rear setback rather than 30' for a variance of 15', all for a new 30'x 30' detached 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.

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.

YES WHEN HOME WAS PUT ON PROPERTY IN 2000

- (17) If the Appeal is granted, when will work commence?

TO BE DETERMINED

When will it be completed?

TO BE DETERMINED

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

RENTER THAT OCCUPIES PROPERTY

AFFIDAVIT

(I or We) FREDRICK J. CURRENT

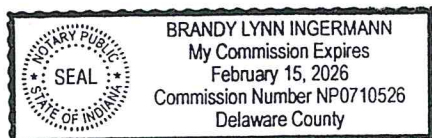
TYPE NAME(S) OF SIGNATORIES

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:

Fredrick J. Current

Subscribed and sworn to before me this 9 day of October, 2024,



Brandy L. Ingermann
Notary Public
2-15-26

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.

③
Fred Current
3P

2023R05248
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
04/20/2023 11:29 AM
REC FEE 25.00
PAGES: 3
RECORDED AS PRESENTED

File Number: 20230545

QUITCLAIM DEED

Parcel No.: 18-15-16-204-002.000-012

THIS INDENTURE WITNESSETH, That Susan J. Current, Chad C. Current and Heather A. Critton, (Grantor) QUITCLAIM(S) to Fredrick J. Current, (Grantee) for no consideration the following described real estate in Delaware County, State of Indiana:

Beginning 93 feet West of the Northeast corner of the East line of Lot Numbered 5 in Rinker's Addition to Cowan, Indiana, running thence South 132 feet, more or less, to alley line, running thence West on the North line of said alley, 13 feet, thence North parallel with said East line, 62 feet, thence West 26 feet more or less to East line of Jackson Street, thence North on said street line, 70 feet; thence East on South line of Monroe Street to the place of beginning, 39 feet more or less, being part of Lot 6 in said Addition. ALSO, A part of Lot 6 in Rinker's Addition to the Town of Cowan, Indiana, described as follows, to-wit: Commencing at a point 70 feet South of the Northwest corner of said Lot, running thence South 62 feet; thence East 26 feet; thence North 62 feet; thence West 26 feet to the place of beginning. ALSO, A part of Lot Numbered 6 in Rinker's Addition to Cowan, Delaware County, Indiana, more particularly described as follows, to-wit: Beginning at a point 93 feet West of the Southeast corner of Lot Numbered 5 on the North line of an alley therefound in said Rinker's Addition and running thence North on a line parallel with the East line of Lot Numbered 6, 132 feet, more or less, to the South side of Monroe Street, running thence East on the South side of Monroe Street, 3 feet; running thence South parallel with the East line of Lot Numbered 6, 132 feet, more or less, to the North line of an alley; running thence West on the North line of said alley, 3 feet to the place of beginning.

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.

IN WITNESS WHEREOF, Grantor has executed this deed this 20 day of April 2023, 2023.

Susan J. Current
Susan J. Current

State of Indiana

ss: ACKNOWLEDGEMENT

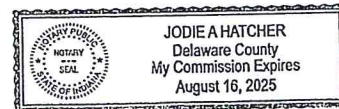
County of Delaware

Before me, a Notary Public in and for the said County and State, personally appeared Susan J. Current, who acknowledged the execution of the foregoing Instrument, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 20 day of April, 2023

My commission expires: Aug 16, 2025

Jodie A. Hatcher
Notary Public
Residing in Delaware County



Duly Entered for Taxation
Transfer Fees \$ 16.00 ERP

APR 20 2023

Calvin
DELAWARE CO. AUDITOR




Chad C. Current

State of Indiana


ss: ACKNOWLEDGEMENT

County of Delaware

Before me, a Notary Public in and for the said County and State, personally appeared Chad C. Current, who acknowledged the execution of the foregoing Instrument, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 18 day of April, 2023.

My commission expires: 6-3-2026

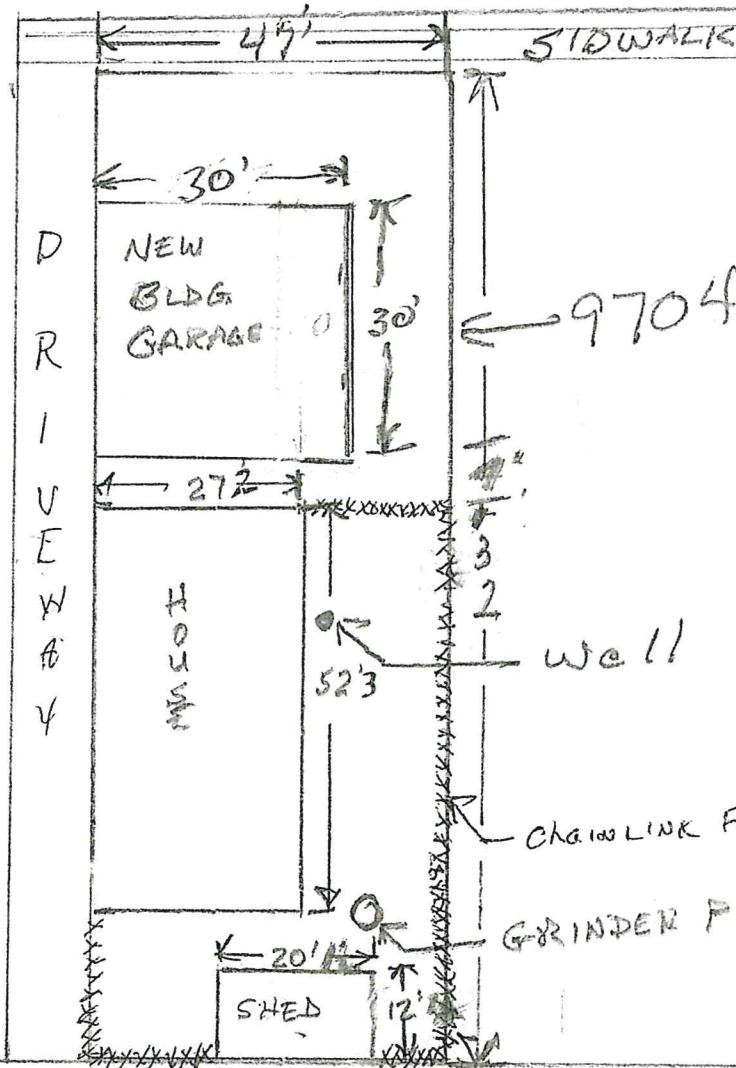

Notary Public
Residing in Delaware County



Elizabeth A. Donovan, Notary Public
Delaware County, State of Indiana
My Commission Expires
June 3, 2026

W CO RD 6005

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9704 S. FLEMING ST.

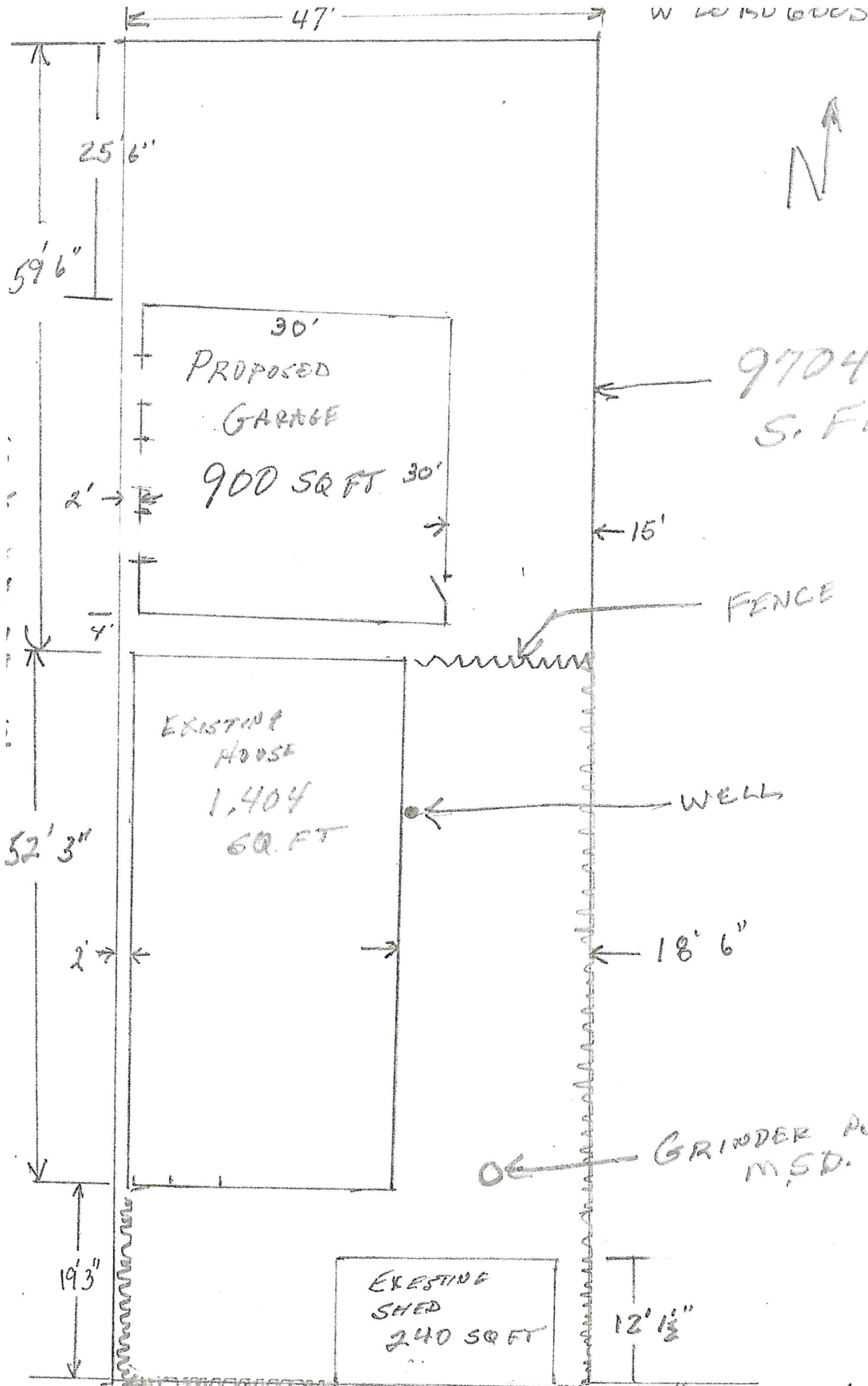
ALLEY

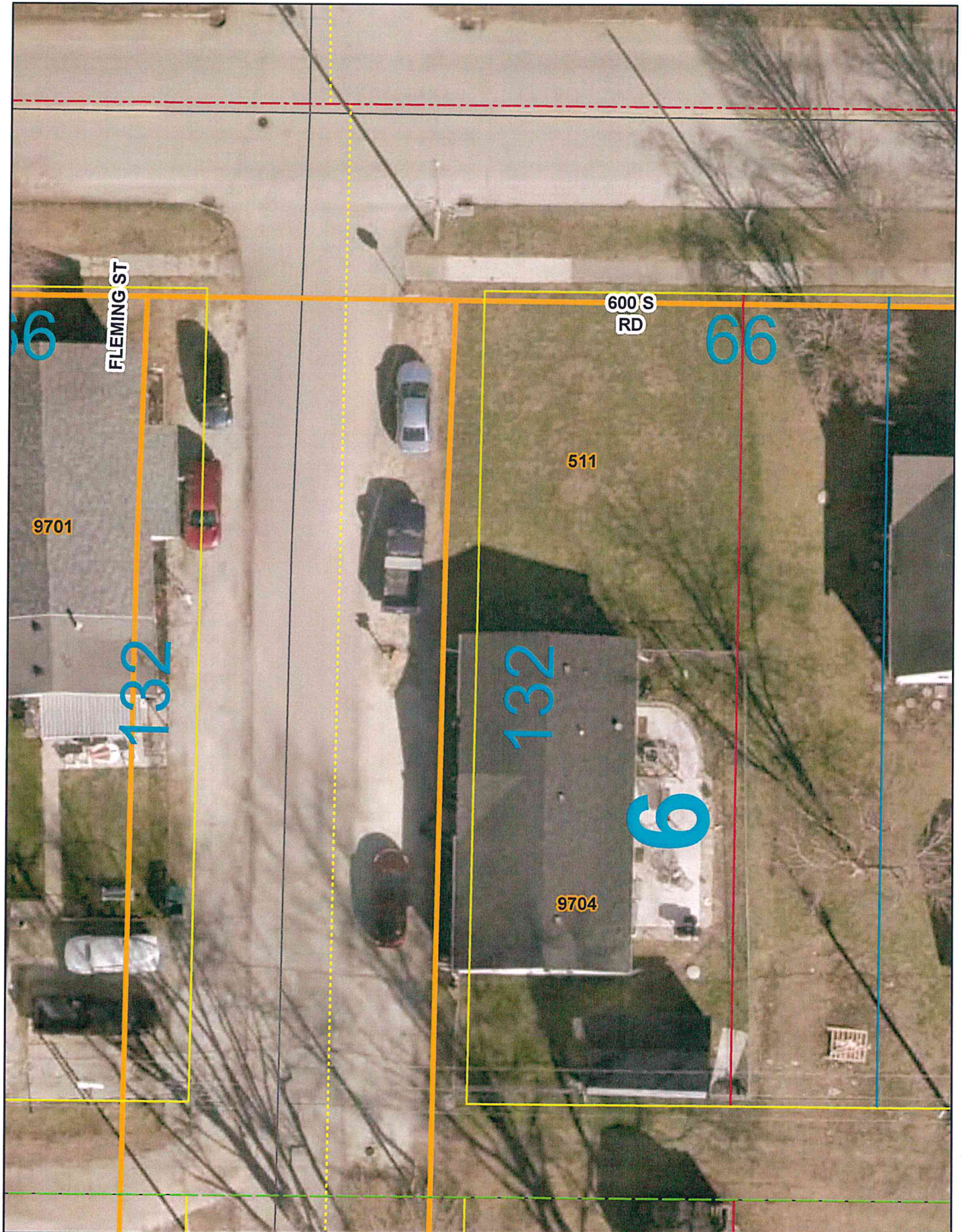
PROPERTY 6,204 SQ. FT.

HOME 1,404 SQ. FT.

SHED 240 SQ. FT.

NEW GARAGE 840 SQ. FT.





2023 Aerial

map not to scale