

**DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS**

**APPLICATION FOR APPEAL**

Jurisdiction: (Check One)

Delaware County

City of Muncie

Submitted: 4-1-26

Case No.: BZA 19-26

(1) Applicant: Shelby Newsome

Address: 9091 W County Road 750 N Gaston, IN Phone: (765) 256-9898

(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: Shelby & Keegan Newsome

Owner's address: 9091 W County Road 750 N Gaston, IN

(4) Record of Ownership:

Deed Book No.: 2025R11831

Page: \_\_\_\_\_

Purchase Date: \_\_\_\_\_

Legal Description: (From the Deed or Abstract)

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).

w 9000 block of 750 N

(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 variances from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 8, to allow a dwelling with a total of 784 sq. ft., rather than 950 sq. ft., for a variance of 166 sq. ft., and from Article IX, Section 5. A., to allow no foundation, all for a temporary dwelling 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 am requesting that the ordinance requiring the square footage of our mobile home to be greater than 950 sqft as well as the need for a permanent foundation for said mobile home be negated under special circumstances. We have found a mobile home (784sqft) that is two miles from our land location. We are wanting to move mobile home to our land for temporary living space so we can obtain an address which will then qualify us for a loan to begin our building process of our forever home. We cannot move forward with a land loan to begin building on our property without an address. As this is a temporary living situation so as to meet requirements to begin building, we ask that you please override the ordinance.

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

F Farming Zone

(10) Present use of the property:

Vacant

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

All property owners are hopeful we can get on our land soon as they have all been in our position and know the difficulty with this process!

- (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.

Driveway and Septic permit obtained

- (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?

May 2026

When will it be completed?

September 2026

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

Myself as well as my family

**AFFIDAVIT**

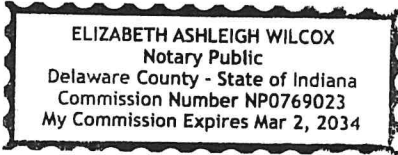
(I or We) Shelby Newsome  
TYPE NAME(S) OF SIGNATORIES

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:

*[Handwritten Signature]*

Subscribed and sworn to before me this 1 day of April, 2026



PRINT

*Elizabeth Ashleigh Wilcox*  
Notary Public

March 2, 2034  
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 30 day of April, 2026.

Signed: *[Handwritten Signature]*

Date: 4/17/26

**AFFIDAVIT**

(I or We) Keegan Newsome  
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: Keegan Newsome

Subscribed and sworn to before me this 2 day of April, 2024



Denelle Murrell  
Notary Public  
October 23, 2030  
Commission Expires  
Resident of Delaware County  
State of Indiana

PRINT

**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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed:

Date:



Robert Cook

29

Duly Entered for Taxation  
Transfer Fees \$ 20

SEP 04 2025 DAT

*Cal & Co*  
DELAWARE CO. AUDITOR

WARRANTY DEED

2025R11831  
JAN SMOOT  
DELAWARE COUNTY RECORDER  
RECORDED ON  
09/04/2025 02:41 PM  
REC FEE 25.00  
PAGES: 2  
RECORDED AS PRESENTED

THIS INDENTURE WITNESSETH, That Donald P. Ritchie, Trustee of the Donald P. Ritchie Revocable Living Trust Agreement, of Delaware County, State of Indiana,

Conveys and Warrants to Keegan Newsome and Shelby Newsome, husband and wife, of Delaware County, State of Indiana, for and in consideration of the sum of One (\$1.00) Dollar and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana, to-wit:

A part of the Southwest Quarter of the Northeast Quarter of Section 3, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar marking the Southwest corner of the Northeast Quarter of Section 3, Township 21 North, Range 9 East; thence North 00 degrees 17 minutes 05 seconds West 719.93 feet (assumed bearing) along the West line of said Quarter-Quarter Section to a 5/8 inch rebar 3.6 feet West of a 6-inch wood post; thence North 88 degrees 40 minutes 54 seconds East 82.93 feet along the South line of a tract of ground described by Deed Record 1995, page 6628, Records of Delaware County, Indiana, to a 5/8 inch rebar, thence South 42 degrees 27 minutes 50 seconds East 961.65 feet along the Cardinal Greenway right-of-way line to the South line of said Quarter-Quarter Section; thence South 89 degrees 01 minutes 25 seconds West 728.67 feet to the point of beginning, containing 6.71 acres, more or less, and subject to the right-of-way for County Road 750-N across the Southerly side and to all easements of record.

Subject to restrictions, easements and covenants and tax liens of record.

Parcel # 18-06-03-200-006.000-008 New 18-06-03-200-007.000-008

Donald P. Ritchie, Trustee, further says that he is the duly qualified Trustee of the Donald P. Ritchie Revocable Living Trust Agreement; said trust is in writing and in force and effect on the date of this deed; and the Trustee is authorized by said trust to make this conveyance.



TAX MAILING ADDRESS OF GRANTEE: 9091 West County Road 750 North,  
Gaston, IN 47342

ADDRESS OF GRANTEE: 9091 West County Road 750 North, Gaston, IN 47342

IN WITNESS WHEREOF, The said Donald P. Ritchie, Trustee of the Donald P. Ritchie  
Revocable Living Trust Agreement, has hereunto set his hand and seal this 7 day of  
July, 2025.

*Donald P. Ritchie trustee*  
Donald P. Ritchie, Trustee

State of Indiana,  
Delaware County, SS:

Before me, the undersigned Notary Public in and for Randolph County,  
Indiana, this 7 day of July, 2025 came Donald P. Ritchie, Trustee of the  
Donald P. Ritchie Revocable Living Trust Agreement and acknowledged the execution of  
the foregoing instrument and after first being duly sworn, stated that the representations  
contained therein are true.

Witness my hand and official seal.



*Conny Sue Knight*

Printed Name: Conny Sue Knight

Notary Public

County of Residence: Randolph

Commission #: NP0679656

My Commission expires:  
04-9-2032

This instrument prepared by Robert G. Cook, Attorney-at-Law, Winchester, 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. Robert G. Cook

\\WIN7SERVER\FDrive\docs\Client R\Ritchie, Donald P\Real Estate\Keegan Transaction\Trustee's Deed to Keegan and Shelby.docx

RECEIVED

APR 01 2026

DELAWARE MUNISIPAL METROPOLITAN PLAN COMMISSION

06032000069000

0603501002000

0603200007000

Pond

Leach Field

Dosing Tank  
Aerobic Tank

Perm. Home

Temp. Home

Well Location

DRIVEWAY

0603400008000

8863

Mailbox

0603400009000

8787

250

0603400010000

45

BZA 19-26