

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Delaware County

City of Muncie

Submitted: May 30, 2024

Case No.: B2A 33.24

(1) Applicant: Open Door Health Services Inc

Address: 333 S Madison St Muncie, Indiana 47305 Phone: 286-7000 x 4003

(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.: 2021R

Page: 01242

Purchase Date: 01/26/2021

Legal Description: (From the Deed or Abstract)

Lots Numbered 189, 190, 191, and 246 in Winton Place, an Addition to the City of Muncie, Indiana. Also the West 20 feet of Pierce Street adjoining said lots of the East, as vacated by the City of Muncie, IN. Also Lots Numbered 239, 240, 241, 242, 243 and 244 in Winton Place, an addition to the City of Muncie, IN

(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).

1200 W. Memorial Dr., 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.)

Request for a variance from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article XXX, Section 2.E, to allow 22 parking spaces (1 per dwelling) rather than 44 spaces for a variance of 22 parking spaces for a new 22-unit apartment development.

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

The site can accommodate the required number of parking spaces for the health clinic. We are requesting a parking variance for the 22 one bed, one bath apartments from two spaces per apartment to one space per apartment. These units are "permanent supportive housing." Tenants are homeless prior to moving in and most will not own cars during their tenure here.

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

BC Community Business

(10) Present use of the property:

Vacant.

(11) Describe the proposed use of the property:

See attached document

(12) Is the property:

Owner Occupied

Renter Occupied

Other: _____

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

ATTACHMENT TO APPLICATION FOR APPEAL

(11) Describe the proposed use of the property

Proposed use is for the construction of 22 single unit apartments in two buildings, a small community center, and a health center. The health center will serve the residents of the permanent supportive housing project as well as the residents of the surrounding neighborhoods.

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

The property will be managed by Herron Property and the health center will be managed by Open Door Health Services (ODHS). ODHS will also provide case management and support services for the residents of this project.

(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.

We attended a Thomas Park Avondale Neighborhood Assn. meeting, described the project and received enthusiastic support.

(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?

Fall of 2025

When will it be completed?

Fall of 2026

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

See attachment.

AFFIDAVIT

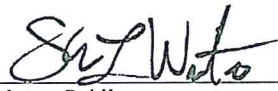
(I or We) Open Door Health Services Inc
TYPE NAME(S) OF SIGNATORIES

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:



Subscribed and sworn to before me this 30 day of May, 2024



Notary Public

09/09/2028

Commission Expires

Resident of DELAWARE County

State of INDIANA

DO NOT WRITE IN THIS SPACE

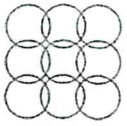
The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

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

hearing on the 27 day of June, 2024.

Signed: 

Date: 5-30-24



OPENDOOR
HEALTH SERVICES

PO Box 1676
Muncie, IN 47308

P: (765) 286-7000 ext. 4003

opendoorhs.org

June 12, 2024

Delaware-Muncie Metropolitan Board of Zoning Appeals
100 W Main Street
Muncie, IN 47305

Dear Board of Zoning Appeals,

This letter confirms that Bryan Ayars, President and CEO of Open Door Health Services, Inc. has the legal authority to request a zoning variance and any related transactions for Open Door Health Services.

Sincerely,

Jennifer Parks-Strack
Board Secretary

BZA 33-24

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 10.00
Jan 26 2021 - ER

Steve J. Czapka

DELAWARE COUNTY AUDITOR

2021R01242
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
01/26/2021 11:33 AM
REC FEE 25.00
PAGES: 3
RECORDED AS PRESENTED

Grantee's mailing address/send tax bills to: 333 S. Madison St., Muncie, IN 47305

WARRANTY DEED

THIS INDENTURE WITNESSETH That Greater Muncie, Indiana Habitat for Humanity, Inc., an Indiana nonprofit corporation ("Grantor") of Delaware County, in the State of Indiana, DOES HEREBY Convey and Warrant to

Open Door Health Services, Inc., an Indiana nonprofit corporation

("Grantee") of Delaware County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following-described Real Estate in Delaware County, in the State of Indiana, to-wit:

Lots Numbered 189, 190, 191, and 246 in Winton Place, an Addition to the City of Muncie, Indiana.

ALSO the west 20 feet of Pierce Street adjoining said lots of the East, as vacated by the City of Muncie, Indiana.

ALSO Lots Numbered 239, 240, 241, 242, 243, and 244 in Winton Place, an Addition to the City of Muncie, Indiana.

Parcel No. 18-11-16-388-009.000-003

Commonly known as: 1200 W Memorial Drive, Muncie, IN 47302

This conveyance is made subject to all zoning ordinances of the City of Muncie, Indiana, and subject also to the restrictions, conditions and limitations contained in the recorded plat of said addition.

Subject to all liens, easements, rights-of-way, and other restrictions of record.

Grantee herein assumes and agrees to pay all taxes and assessments due and payable after the date of closing and all subsequent taxes and assessments thereafter.

Grantor represents and warrants that the execution and delivery of this instrument by the officer named below has been duly authorized by a resolution of the Board of Directors of the Grantor.

IN WITNESS WHEREOF, Greater Muncie, Indiana Habitat for Humanity, Inc. has caused this instrument to be signed by Lindsey Arthur, Chief Executive Officer on this 25th day of January 2021.

GREATER MUNCIE, INDIANA HABITAT FOR HUMANITY, INC.

By: Lindsey Arthur, CEO
Lindsey Arthur, Chief Executive Officer

STATE OF INDIANA)
) SS:
DELAWARE COUNTY)

Before me, the undersigned, a Notary Public in and for said County and State this 25th day of January 2021, personally appeared Lindsey Arthur, Chief Executive Officer for and on behalf of Greater Muncie, Indiana Habitat for Humanity, Inc. and acknowledged the execution of the foregoing instrument.

WITNESS my hand and Notarial seal.

James Wilson Trulock
NOTARY PUBLIC
A resident of Delaware County, Indiana.

My Commission Expires:
3/29/2023



EXECUTED AND DELIVERED in my presence:

Krysta Handrick 1/25/2021
Krista Handrick, witness

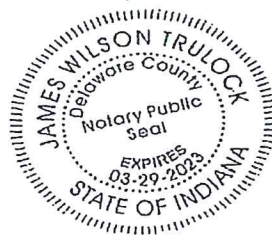
STATE OF INDIANA)
) SS:
DELAWARE COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Krysta Handrick, 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 Lindsay Arthur in the above-named subscribing witness's presence, and that the above-named 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.

James Wilson Trulock
James Wilson Trulock NOTARY PUBLIC
A resident of Delaware County, Indiana.

My Commission Expires:
3/29/2023



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. - Maura J. Hoff

This instrument prepared by: Maura J. Hoff, DeFur Voran LLP, Attorneys-at-Law, 400 S. Walnut Street – Suite 200, Muncie, IN 47305; Telephone: (765) 288-3651.

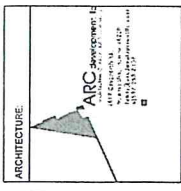
Delaware County, IN

Summary
 Parcel ID: 111625000000
 Alternate ID: 15-15-35-009-000003
 Property Address: WINTON PLACE AND WAC ST ADJ LOTS 18P, 19P, 19.1 & 20P 24024124232448, 246.
 MUNCIE, IN 47302
 Parcel Description: 40% Vacant Land
 Class: 40% Vacant Land

Owner: DELCO COLLECTIVE LLC/EEZ LLC
 333 MADISON ST
 MUNCIE, IN 47305
Taxing District: Delaware
 County: DELAWARE
 Township: CENTER TOWNSHIP
 Local District: 003
 School Corp: MUNCIE COMMUNITY
 Prop. Purpose: 10025 001 CENTER COMMER MUNICIPAL (FROM TILLOTSON TO WAC ST)

RECEIVED
 MAY 30 2024

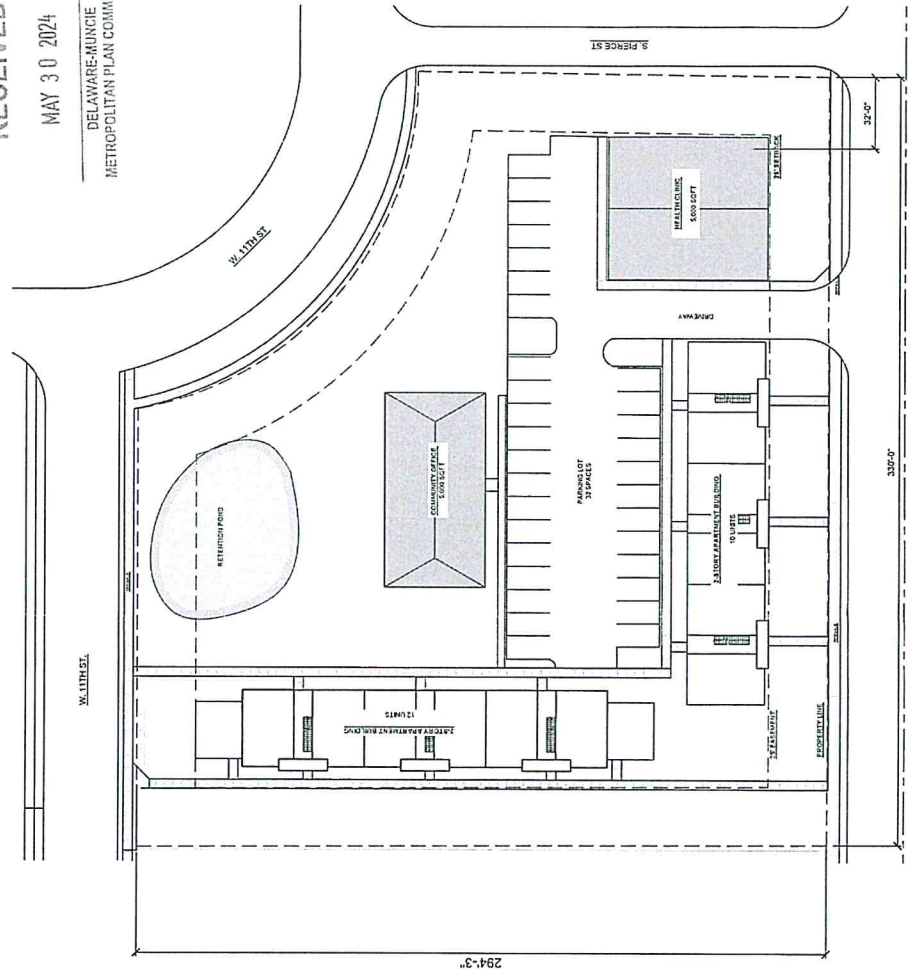
DELAWARE-MUNCIE
 METROPOLITAN PLAN COMMISSION



1200 W. MEMORIAL DR
 MUNCIE, INDIANA

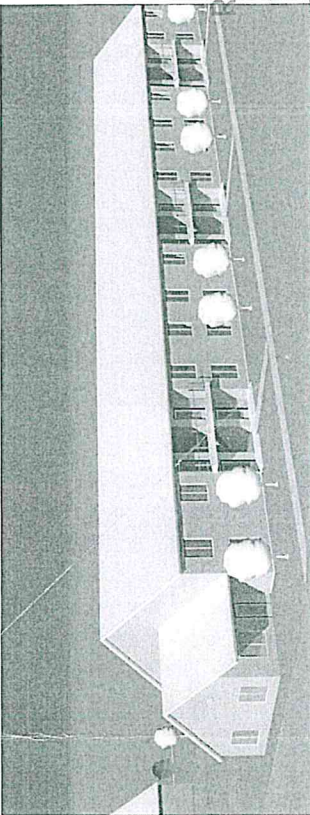
Together To House Muncie

Sheet
C1.0



1 SITE PLAN
 Scale: 1/50

- UNIT TYPE "A"
- 1 STORY
- 1 BEDROOM, 1.5 BATH
- 635 GROSS SQUARE FEET



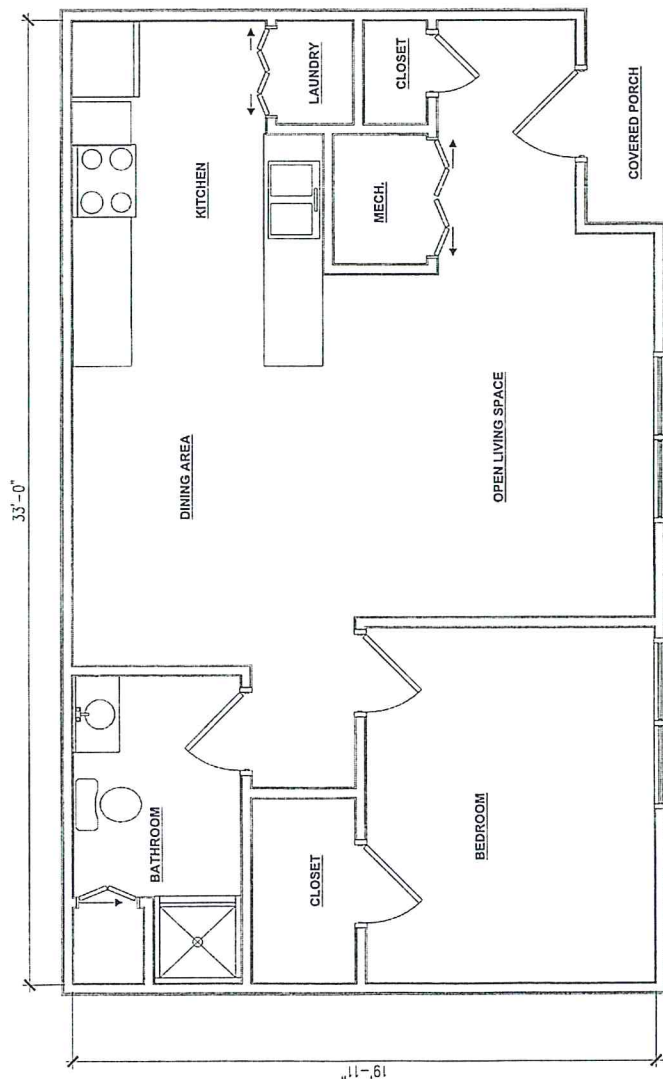
ARCHITECTURE

ARC ARCHITECTURE, LLC
 111 S. WASHINGTON ST., SUITE 200
 MUNCIE, IN 47304
 TEL: 317.284.1000
 WWW.ARCARCHITECTURE.COM

RECEIVED
 MAY 30 2024
 SECDOMATE PERMISSORS DELAWARE-MUNCIE
 METROPOLITAN PLAN COMMISSION

Together To House Muncie
 1200 W. MEMORIAL DR
 MUNCIE, INDIANA

Sheet
A0.1



1 UNIT TYPE "A" FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"