

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Delaware County

City of Muncie

Submitted: 10-22-24

Case No.: BZA 61-24

(1) Applicant: Ralph David & Lori K Hobbs

Address: 5881 West 700 South, Daleville, IN 47334 Phone: 765-748-0708

(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.: 2003

Page: 02393

Purchase Date: 4/8/2003

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).

south side of CR 700 S, 1/2 mile west of CR 300 W

(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.)

See Attached

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

F Farming Zone

(10) Present use of the property:

Bare Ground & Storage Buildings for equipment & materials

(11) Describe the proposed use of the property:

Additional Storage Buildings for equipment

(12) Is the property:

Owner Occupied

Renter Occupied

Other: Accurate Striping, Inc.

## **Answer to #7**

BZA 61-24 Hobbs

Request for expansion of a variance of use from the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 1, to allow a new 21,000 sq. ft. building for business equipment storage for a pavement striping business originally approved as BZA 29-11 in a farm zone and continuing the condition placed on the original approval that the variance is for the Hobbs only.

## Answer to #8

**RE: Application for Ralph David Hobbs & Lori K Hobbs**

**Item# 8 Page 2 Attachment**

The proposed variance is for a property located adjacent to Accurate Striping, Inc. Accurate Striping has been at this location since a previous variance was granted in 2011. We are a road marking/parking lot striping/traffic control solutions company that utilizes large-scale equipment and vehicles. With recent growth, much of our fleet is being stored outside and is subject to the elements. We are seeking to add a large building directly in front (north) of our current structures and business location. We are asking for this additional variance to build a structure large enough to house our equipment. This proposed building will sit on what was previously two adjacent land parcels that were recently combined, October 2024. It should be noted that we are solely a service business and that we do not have customers or clientele visit our current location, and this will remain unchanged. Since being granted the variance in 2011, we have had no complaints from neighbors and have a good reputation within our area.

(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 BUILDING OR STRUCTURE WORK

(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 - 2011

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

DECEMBER 2024

When will it be completed?

SPRING 2025


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

RALPH DAVID HOBBS & LORI K HOBBS / ACCURATE STRIPING

**AFFIDAVIT**

(I or We) RALPH DAVID HOBBS & LORI K HOBBS  
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 22 day of OCTOBER, 20 24 /

  
Lana K. Smucker  
Notary Public

1 JULY 2027  
Commission Expires


Resident of Henry 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 21 day of November 20 24.

Signed:   
Date: 10-30-24



David Hobbs

Duly Entered for Taxation  
Transfer Fees \$ 10.00

2024R14449

JAN SMOOT

DELAWARE COUNTY RECORDER

RECORDED ON

10/22/2024 11:56 AM

REC FEE 25.00

PAGES: 2

RECORDED AS PRESENTED

OCT 22 2024

DELAWARE CO. AUDITOR  
ER

COPY

File No.: 20242200  
Parcel Number: 18-14-24-100-008.000-021

### WARRANTY DEED

**This Indenture Witnesseth**, That David Hobbs and Lori Hobbs, as husband and wife (Grantor) **Convey(s) and Warrant(s)** to Ralph David Hobbs and Lori K. Hobbs, as husband and wife (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 22 day of October, 2024.

David Hobbs  
David Hobbs

Lori Hobbs  
Lori Hobbs

### State of Indiana, County of Delaware SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared **David Hobbs and Lori Hobbs, as husband and wife** who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 22 day of October, 2024.

My Commission Expires: \_\_\_\_\_

Sheryl Courtney, Notary Public  
Residing in \_\_\_\_\_ County



Send tax bills to and Grantee's street or rural route address is: 5881 W 700 S, Daleville, In 47334

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

DED 2003 02393 *af*

011205

FILED FOR RECORD  
8:30 o'clock A.M.  
Record 2003 Page 2393

File No: 223105  
Parcel Number: 14-24-100-007-000 -021

113 APR 11 2003

*Begonia Williamson*  
Delaware County Recorder

**WARRANTY DEED**

***This Indenture Witnesseth***, That Voneta J. Adams f/k/a Voneta J. Shockley (Grantor) **Convey(s) and Warrant(s)** to Ralph David Hobbs and Lori K. Hobbs, husband and wife (Grantee) for the sum of Ten & 00/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

A part of the Northwest Quarter of Section 24, Township 19 North, Range 9 East, located in Salem Township, Delaware County, Indiana, being more specifically described as follows: Beginning at the Northeast corner of the Northwest corner of the Northwest Quarter of Section 24, Township 19 North, Range 9 East (stone found in place); thence South 89 degrees 43 minutes 10 seconds West (assumed bearing) 359.62 feet on and along the North line of said Northwest Quarter to a point on the Northerly extension of an existing fence line (March 1980); thence South 01 degrees 04 minutes 32 seconds East 168.79 feet on and along said Northerly extension of an existing fence line and on and along said fence line to a corner post; thence South 88 degrees 25 minutes 37 seconds West 129.24 feet on and along an existing fence line to a corner post; thence South 00 degrees 26 minutes 24 seconds East 1155.50 feet on and along an existing fence line to its point of intersection with the South line of the North Half of said Northwest Quarter; thence North 89 degrees 46 minutes 27 seconds East 488.69 feet on and along the South line of the North Half of said Northwest Quarter to the Southeast corner of the North Half of said Northwest Quarter, said corner being collinear with and equidistant from the said Northeast corner and the Southeast corner (concrete corner post found in place) of said Northwest Quarter; thence North 00 degrees 30 minutes 52 seconds West 1327.66 feet on and along the East line of said Northwest Quarter to the point of beginning. Containing 14.36 acres more or less; being subject to all applicable easements and rights-of-way of record.

**EXCEPT:**

A part of the Northeast Quarter of the Northwest Quarter of Section 24, Township 19 North, Range 9 East, more particularly described as follows, to-wit: Beginning at a point South 89 degrees 43 minutes 10 seconds West 340.09 feet from the Northeast corner of said Northwest Quarter and from said starting point running thence South 00 degrees 30 minutes 52 seconds East and parallel with the East line thereof 1327.34 feet to a point in the South line of said Northeast Quarter of the Northwest Quarter; thence running South 89 degrees 46 minutes 27 seconds West on and along said South line 148.6 feet; thence running North 00 degrees 26 minutes 24 seconds West 1155.5 feet; thence running North 88 degrees 25 minutes 37 seconds East 129.24 feet; thence running North 01 degree 04 minutes 32 seconds West 168.79 feet to a point in the North line of said Northeast Quarter of the Northwest Quarter; thence running North 89 degrees 43 minutes 10 seconds East on and along said North line 19.53 feet to the place of beginning, containing 4.00 acres, more or less.

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

***In Witness Whereof***, Grantor has executed this deed this 8th day of April, 2003.

*Voneta J. Adams*  
\_\_\_\_\_  
Voneta J. Adams

STATE OF Indiana, COUNTY OF DELAWARE SS:

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

Witness my hand and Notarial Seal this 8th day of April, 2003.

My Commission Expires November 5, 2007

*Anna Leah Patty*  
\_\_\_\_\_  
Anna Leah Patty, Notary Public  
Residing in Randolph County, Indiana

This instrument prepared by: James W. Trulock, attorney at law

Mail Tax Statements To: 5881 West 700 South, Daleville, IN 47334

Duly Entered for Taxation  
Transfer Fees \$ 5.00 *af*

APR 10 2003

*Gene Houston*  
\_\_\_\_\_  
DELAWARE CO. AUDITOR



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A part of the Northeast Quarter of the Northwest Quarter of Section 24, Township 19 North, Range 9 East, more particularly described as follows, to-wit: Beginning at a point South 89 degrees 43 minutes 10 seconds West 340.09 feet from the Northeast corner of said Northwest Quarter and from said starting point running thence South 00 degrees 30 minutes 52 seconds East and parallel with the East line thereof 1327.34 feet to a point in the South line of said Northeast Quarter of the Northwest Quarter; thence running South 89 degrees 46 minutes 27 seconds West on and along said South line 148.6 feet; thence running North 00 degrees 26 minutes 24 seconds West 1155.5 feet; thence running North 88 degrees 25 minutes 37 seconds East 129.24 feet; thence running North 01 degree 04 minutes 32 seconds West 168.79 feet to a point in the North line of said Northeast Quarter of the Northwest Quarter; thence running North 89 degrees 43 minutes 10 seconds East on and along said North line 19.53 feet to the place of beginning, containing 4.00 acres, more or less. *KA SC*

Approved By : Planning Commission

Edward E. Carroll, Jr.  
Delaware County Auditor  
ecarroll@co.delaware.in.us  
www.co.delaware.in.us

100 W. Main St Rm 103  
Muncie, IN 47305  
Phone: 765-747-7717  
Fax: 765-741-3422

INDIANA CODE 6-1.1-5-16

REV 1/2/2023

CONSOLIDATION OF EXISTING CONTIGUOUS PARCELS

- PARCEL NUMBER 18-14-24-100-008-000-021 <sup>4AC</sup>
- PARCEL NUMBER \_\_\_\_\_
- PARCEL NUMBER \_\_\_\_\_
- PARCEL NUMBER \_\_\_\_\_
- PARCEL NUMBER \_\_\_\_\_
- PARCEL NUMBER \_\_\_\_\_
- PARCEL NUMBER \_\_\_\_\_

**FILED**

OCT 22 2024

*E. E. Carroll*  
DELAWARE CO. AUDITOR

25/26

ER

THE ABOVE PARCEL NUMBERS ARE TO BE VOIDED AND COMBINED:

PARCEL NUMBER 18-14-24-100-007-000-021 <sup>10.360 AC</sup>

NEW LEGAL DESCRIPTION NE QTR NW QTR + PT EHLF

NW QTR S24 T19 R09 (14.360 AC)

SIGNATURE OF OWNER(S)

*Ralph David Hobbs*

SIGNATURE

Ralph David Hobbs

PRINTED NAME

10/17/24

DATE

*Lori K Hobbs*

SIGNATURE

Lori K Hobbs

PRINTED NAME

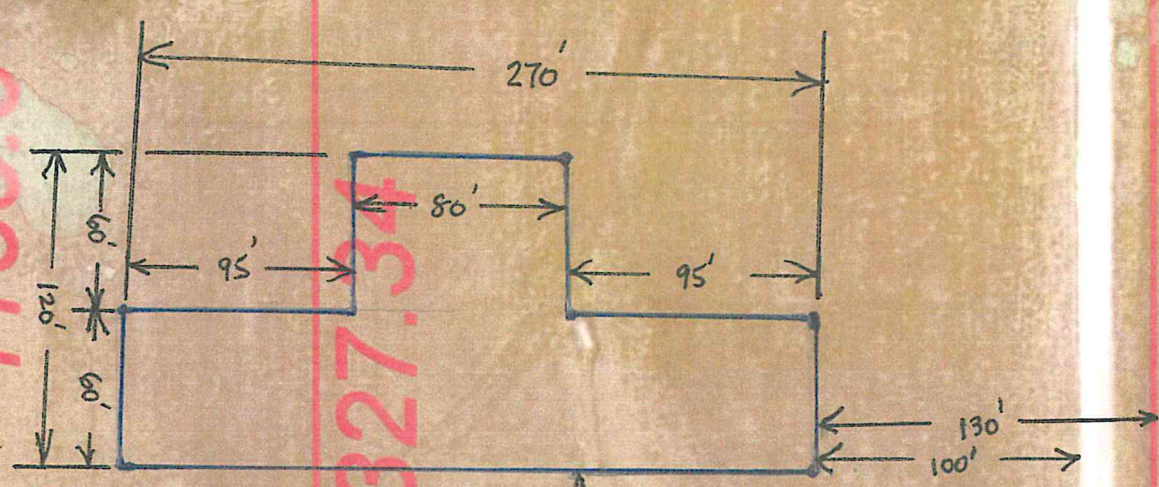
10/17/24

DATE



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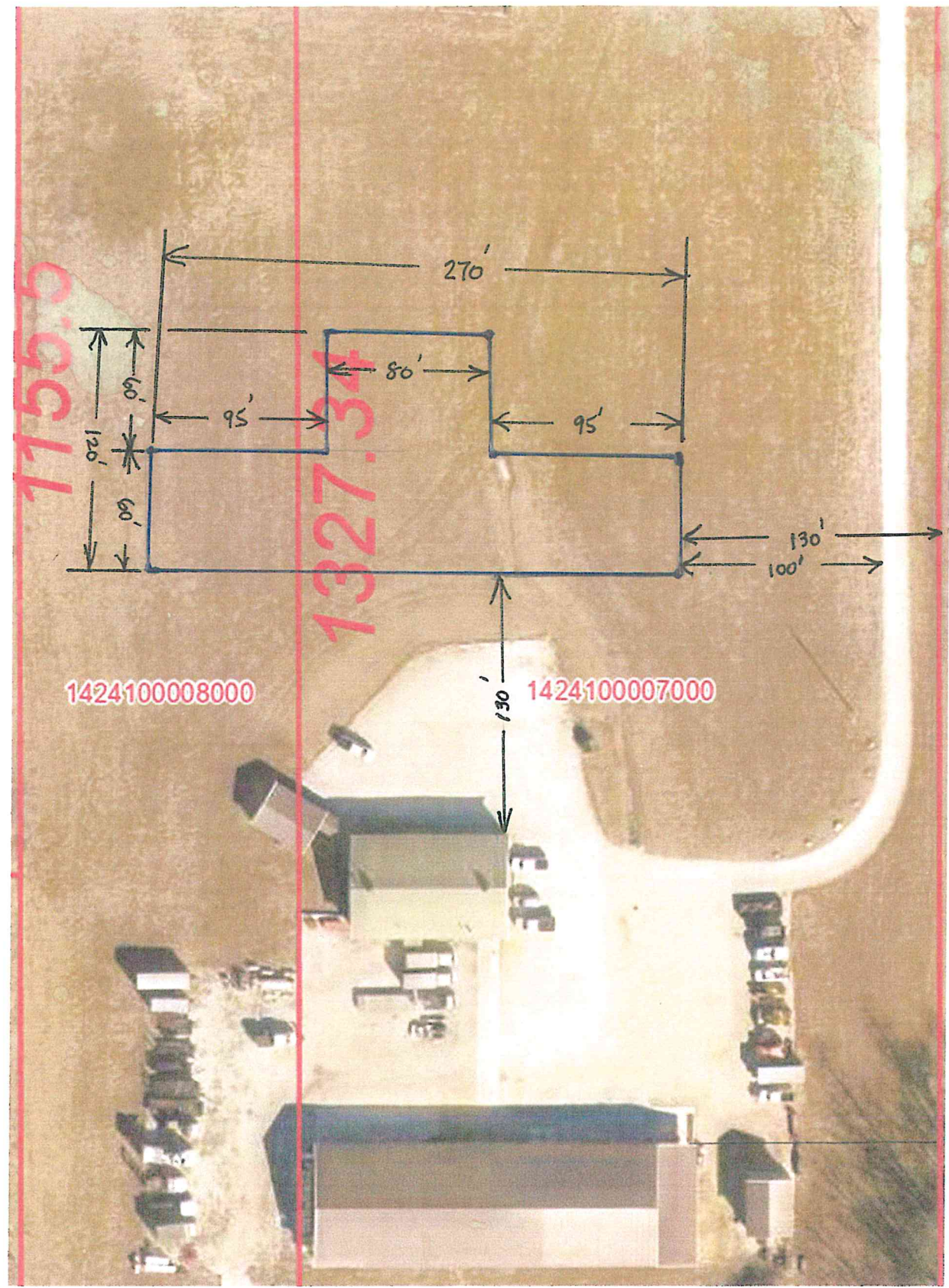
1327.34



1424100008000

130'

1424100007000



125'







14-24-100-007.000

