

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Submitted: 01/09/2025

Delaware County

Case No.: BZA 05-25

City of Muncie

(1) Applicant: Patti Hirst

Address: 2200 N. Rector Ave. Phone: 765-282-5423

(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.: 2000

Page: 21662-21665

Purchase Date: JUNE 10, 2000

Legal Description: (From the Deed or Abstract)

LOT NUMBERED TWO HUNDRED FORTY-SEVEN (247) IN AULTSHIRE, AND ADDITION TO THE CITY OF MUNCIE.

(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).

2200 N. Rector Ave, Muncie, IN 47303

(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.)

The referenced property has a restriction of an allowable building width, North to South, of 31 feet. The owner is requesting a Variance for the reduction of the south building setback line to 11 feet from 25 feet that will allow them to construct a home that is of comparable size to the old home which sustained a fire. The new home will be 1,840 sft and the old home was 1,888 sft (garages included).

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

R-3 Residence Zone

(10) Present use of the property:

Single Family House

(11) Describe the proposed use of the property:

Single Family House

(12) Is the property:

Owner Occupied

Renter Occupied

Other: _____

Answer to #7

BZA 05-25 Hirst

Request for a variance from the terms of the City of Muncie Comprehensive Zoning Ordinance. Article XV, Section 6, to allow an 11' street side setback (to Waid Ave.) rather than the 12' setback of the demolished home for a variance of 1' for a new dwelling on a corner lot to replace the demolished house.

(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.

NO

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

Immediately, weather dependent

When will it be completed?

6 months from starting date

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

The property owner/Applicant

AFFIDAVIT

(I or We) Patti Hirst
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: Patti A Hirst

Subscribed and sworn to before me this 08 day of January, 2025

Linda J. Lawrence
Notary Public



02-19-25
Commission Expires

Resident of Miami 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

00996 Warranty Deed

THIS INDENTURE WITNESSETH, That Harlen Bilbrey and Helen Bilbrey, husband and wife,

of Delaware County, in the State of Indiana, Convey and Warrant
to Richard Lee Hirst and Patti Ann Hirst, husband and wife,

of Delaware County, in the State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) 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:

Lot numbered two hundred forty-seven (247) in Aultshire, an addition to the City of Muncie, Indiana.

The Grantees herein assume and agree to pay the taxes, and assessments if any, which may now be a lien against said real estate, or which may become due and payable hereafter.

14-2055 R.C.

Duly entered for taxation Feb. 6 1976
JERRY L. THORNBURG, Auditor, Filed for Record
Feb. 6 1976 at 2:30 year 1976
Page 514 Fee \$ 2.50 paid.

Oliver Sullivan R.D.G.

In Witness Whereof, The said Harlen Bilbrey and Helen Bilbrey

have hereunto set their hands and seals, this 4th day of ~~January~~ February 1976

(Seal) Harlen Bilbrey (Seal)
Harlen Bilbrey

(Seal) Helen Bilbrey (Seal)
Helen Bilbrey

(Seal) _____ (Seal)

STATE OF INDIANA, Delaware COUNTY, ss:

Before me, the undersigned, a Notary Public in and for said County, this 4th day of ~~January~~ February 1976, came

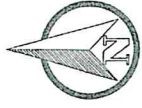
Harlen Bilbrey and Helen Bilbrey, and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal.

My Commission expires Dec. 14, 1977

Charles L. Lesh Notary Public

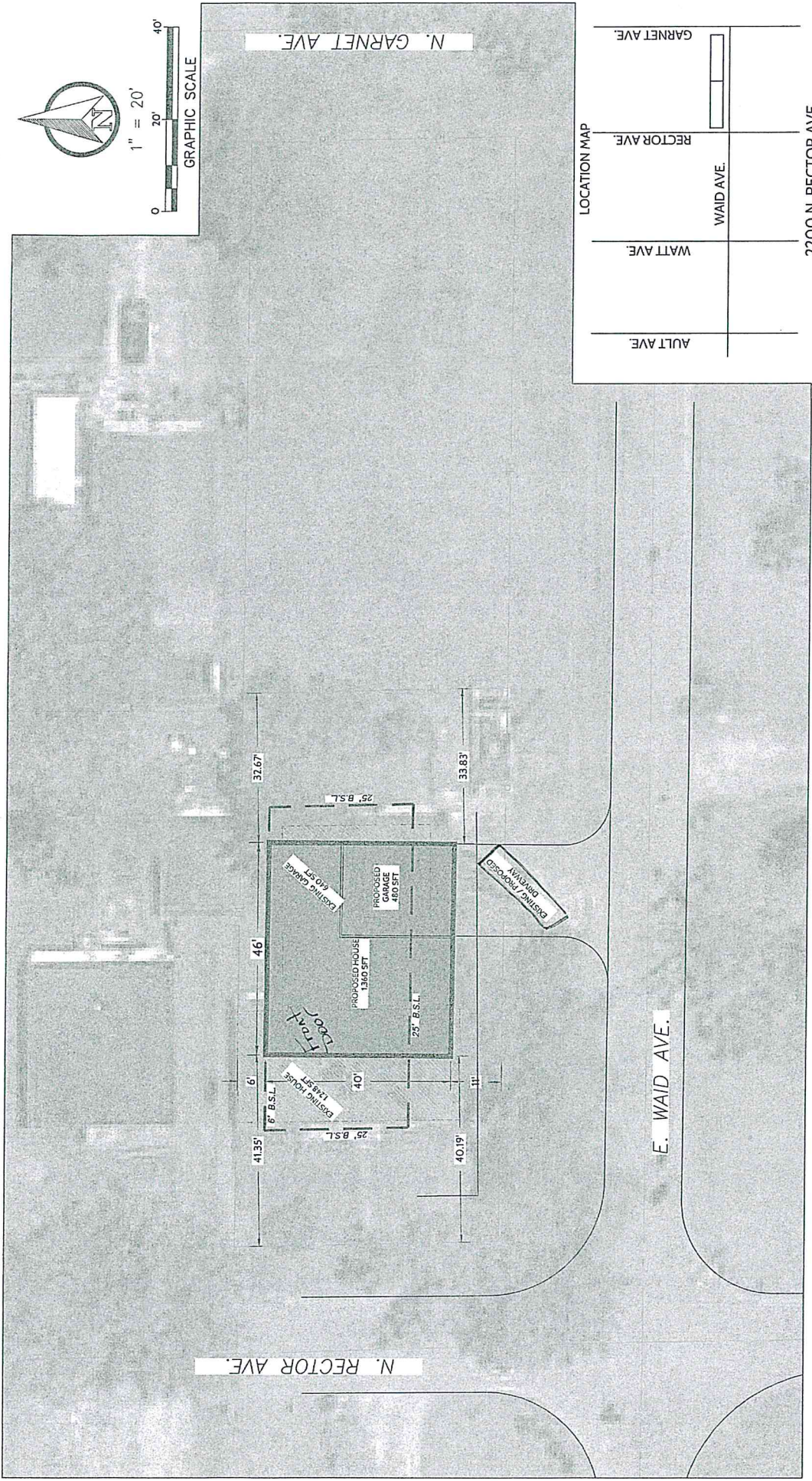
This instrument prepared by: Charles L. Lesh, 11 Patterson Block, Muncie, Indiana 47305



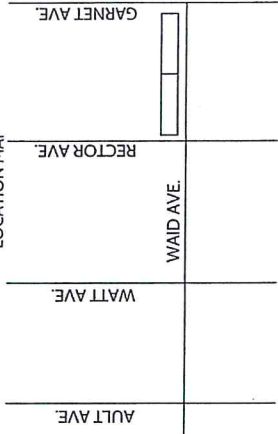
1" = 20'



GRAPHIC SCALE



LOCATION MAP



P.O. Box 402,
Westfield, IN
info@vitreon-group

1/8/2025

BZA - APPLICATION FOR VARIANCE REQUEST

2200 N. RECTOR AVE., MUNCIE, IN 47303

PATTI HIRST - PRPOERTY OWNER

DEREK LEWIS - ABOVE ALL CONSTRUCTION