

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

**APPLICATION FOR APPEAL**

Jurisdiction: (Check One)

Submitted: 01-07-2025

Delaware County

Case No.: BZA 04-25

City of Muncie

(1) Applicant: STEVEN KOCSAK

Address: 14481 N WHEELING AVE GASTON 47342 Phone: 708-990-1056

(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.: 2019R15176

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

Purchase Date: FEBURARY, 20, 2013

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).

14481 NORTH WHEELING AVE, GASTON, INDIANA

(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.)

I AM ASKING FOR A VARIANCE TO BE ABLE TO ADD AN ADDITION ONTO MY EXISTING GARAGE, WHICH WILL BE USED TO HOUSE MY 70 CHEVELLE AND MANCAVE. THIS ADDITION WILL ALSO ALLOW ME TO HAVE MORE ROOM TO BE ABLE TO MANEUVER AROUND DUE TO MY DISABILITY.

I ALSO THOUGHT ABOUT OTHER LOCATIONS BUT DUE TO SEPTIC SYSTEM BEHIND GARAGE , I COULD NOT BUILD DUE TO SEPTIC SYSTEM . OTHER LOCATIONS ON THE PROPERTY WOULD BE TO FAR FOR ME TO WALK TO .

REDUCED SETBACKS FOR 26X30 ADDITION TO EXISTING GARAGE

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

**F-FARM ZONE**

(10) Present use of the property:

**RESIDENTIAL**

(11) Describe the proposed use of the property:

**RESIDENTIAL**

(12) Is the property:

Owner Occupied

Renter Occupied

Other: \_\_\_\_\_

## **Answer to #7**

BZA 04-25 Kocsak

Request for a variance from the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 4, to allow a 30' street setback to CR 900N rather than 50' for a variance of 20' for a new 26'x 30' attached garage addition to an existing house on a corner lot in a farm 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.

No

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

Spring 2025

When will it be completed?

Fall 2025

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

Homeowner-Steven Koscak

**AFFIDAVIT**

(I or We) STEVEN J KOCSAK  
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 7 day of January, 20 25

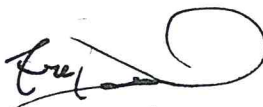


Denelle Murrell  
Notary Public  
October 23, 2030  
Commission Expires  
Resident of Delaware County  
State of Indiana

**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 January, 20 25.

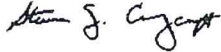
Signed:   
Date: 1-15-25



Duty Entered for Taxation

Transfer Fees \$ 10.00

Nov 13 2019



DELAWARE CO. AUDITOR

BN

2019R15176

MELANIE MARSHALL  
DELAWARE COUNTY RECORDER

RECORDED ON  
11/14/2019 09:09 AM

REC FEE 25.00

PAGES: 2

Key No. 180236105001000024

File No. 2013-0067

### WARRANTY DEED

THIS INDENTURE WITNESSETH, MWHI, LLC,, ("Grantor"), of Marion County, in the State of Indiana, CONVEYS AND WARRANTS to Steven Kocsak, ("Grantee"), of Delaware County, in the State of Indiana, for the sum of ten dollars (\$10), and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

**Out Lot Number One (1) and Lot Number One Hundred Twelve (112) in Hooke and McKinley Addition to the Town of Stockport, in Delaware County, Indiana, and a part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 22 North, Range 9 East in Washington Township, Delaware County, Indiana, more particularly described as follows:**

**Beginning at the Northeast corner of Outlot Number One in Hooke and McKinley Addition to the Town of Stockport in Section 36, Township 22 North, Range 9 East in Delaware County, Indiana, the plat of which is recorded in Plat Book 3, page 62, in the Office of the Recorder of Delaware County, Indiana, said point being the intersection of the South line of County Road 900 North (formerly McKinley Avenue), with the West line of Wheeling Pike (formerly Main Street) in said Addition; thence South 04 degrees 54 minutes 00 second West (assumed bearing) along the West line of Wheeling Pike in said Addition a distance of 231.89 feet to a point on the Northeasterly right of way line of the Old C. I. & E Railroad; thence South 28 degrees 16 minutes 39 seconds East along the Northeasterly right of way line of said railroad a distance of 54.82 feet to a point on the centerline of Wheeling Pike; thence South 04 degrees 54 minutes 00 seconds West along the centerline of Wheeling Pike a distance of 182.74 feet to a point on the Southwesterly right of way line of said Railroad; thence North 28 degrees 16 minutes 39 seconds West along the Southwesterly right of way line of said Railroad a distance of 555.45 feet to a point on the centerline of County Road 900 North (formerly McKinley Avenue); thence North 90 degrees 00 minutes 00 second East along the centerline of County Road 900 North a distance of 113.55 feet to a point on the northeasterly right of line of said Railroad; thence South 28 degrees 16 minutes 39 seconds East line of the Northeasterly right of way line of said Railroad a distance of 31.79 feet to the Northwest corner of Outlot Number One in said addition; thence North 90 degrees 00 minute 00 second East along the North line of said Outlot a distance of 144.28 feet to the point of beginning.**

**Being Outlot Number One and containing 0.318 acre, more or less, and Lot 112 containing 0.065 of an acre, more or less, all in Hooke and McKinley Addition to the Town of Stockport, Delaware County, Indiana, and a part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 22 North, Range 9 East, and containing 1.038 acres, more or less.**

Commonly known as: 14481 Wheeling Ave. Gaston IN 47342

This Warranty Deed is given to release any interest of Grantors pursuant to a Land Contract by and between MWHI LLC and Steven Kocsak, in the amount of \$38,000.00, dated February 20, 2013 and recorded February 26, 2013 as Instrument Number 2013R02929, in the Office of the Recorder of Delaware County, Indiana.

IN WITNESS WHEREOF, Grantor has executed this deed this 1 day of November, 2019.



**MWHI, LLC**  
By: **Matt O'Brien, Member**

STATE OF Indiana )

COUNTY OF Marion )



Before me, a Notary Public in and for said County and State, personally appeared **Matt O'Brien, Member of MWHI, LLC**, who acknowledged 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 1 day of November, 2019.

My Commission expires: \_\_\_\_\_

  
Notary Public

Residing in \_\_\_\_\_ County

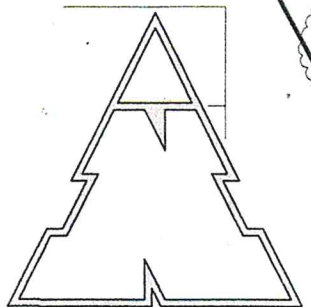
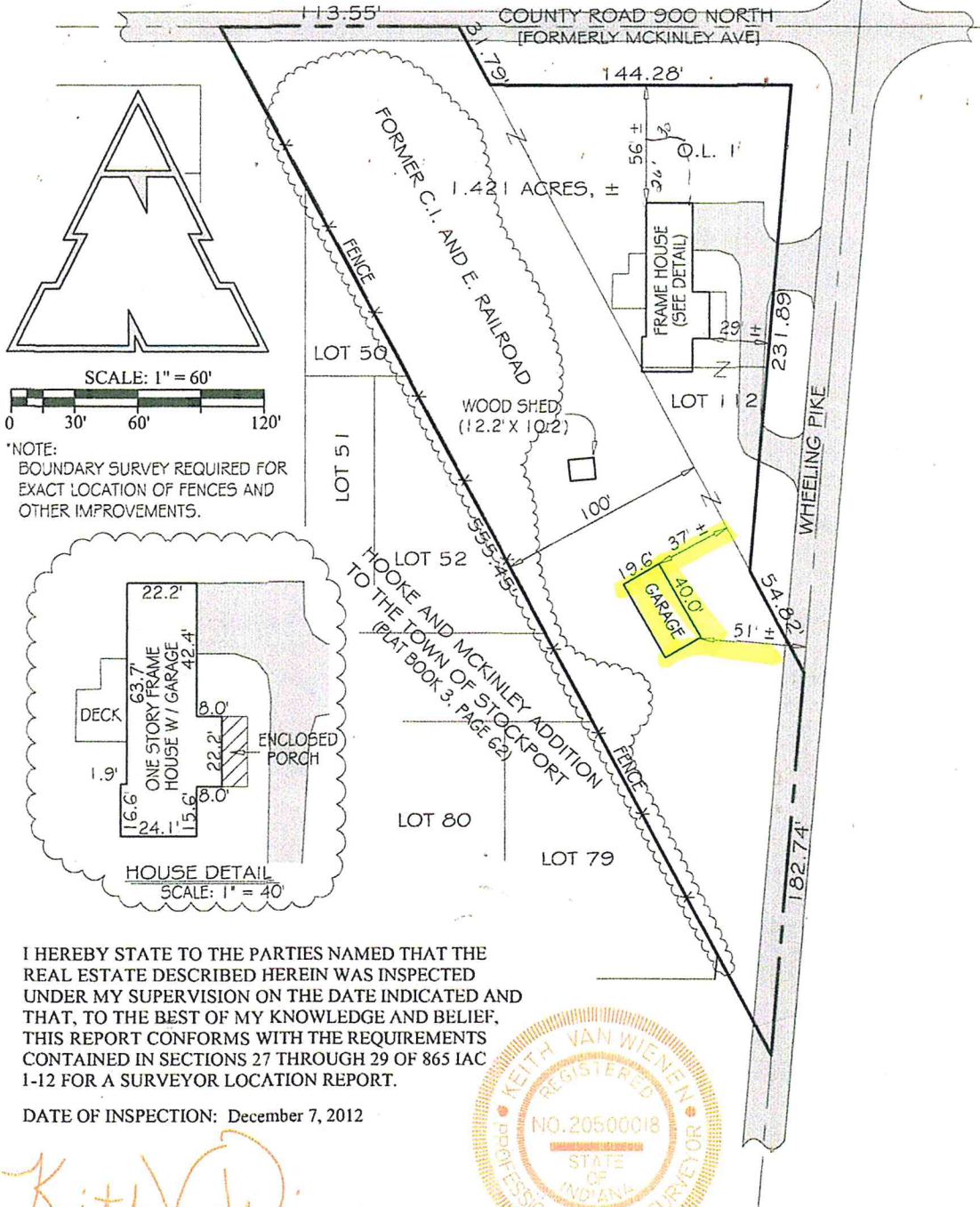
Grantee's Address & Tax Mailing Address: **14481 Wheeling Ave. Gaston IN 47342**

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. (Janet Davis Hocker)

This instrument prepared by: Janet Davis Hocker, Attorney at law, 6626 E. 75<sup>th</sup> Street, Suite 410, Indianapolis, IN 46250.

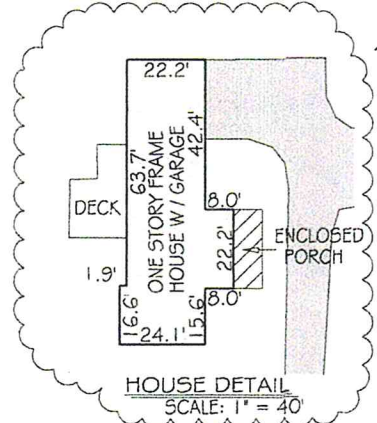


# SURVEYOR LOCATION REPORT



SCALE: 1" = 60'

\*NOTE:  
BOUNDARY SURVEY REQUIRED FOR EXACT LOCATION OF FENCES AND OTHER IMPROVEMENTS.



HOUSE DETAIL  
SCALE: 1" = 40'

I HEREBY STATE TO THE PARTIES NAMED THAT THE REAL ESTATE DESCRIBED HEREIN WAS INSPECTED UNDER MY SUPERVISION ON THE DATE INDICATED AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS REPORT CONFORMS WITH THE REQUIREMENTS CONTAINED IN SECTIONS 27 THROUGH 29 OF 865 IAC 1-12 FOR A SURVEYOR LOCATION REPORT.

DATE OF INSPECTION: December 7, 2012

*Keith VanWienen*

Keith VanWienen, P.L.S.  
Indiana Reg. No. 20500018



**PRECISE LAND SURVEYING**  
FIRST MERCHANTS BANK TOWER  
33 WEST 10TH STREET, SUITE # 700  
ANDERSON, IN 46016

BOUNDARY SURVEYS  
TOPOGRAPHICAL SURVEYS  
SURVEYOR LOCATION REPORTS  
ALTA / ACSM LAND TITLE SURVEYS  
PHONE (765) 641 - 1997  
WWW.PRECISELANDSURVEYING.NET

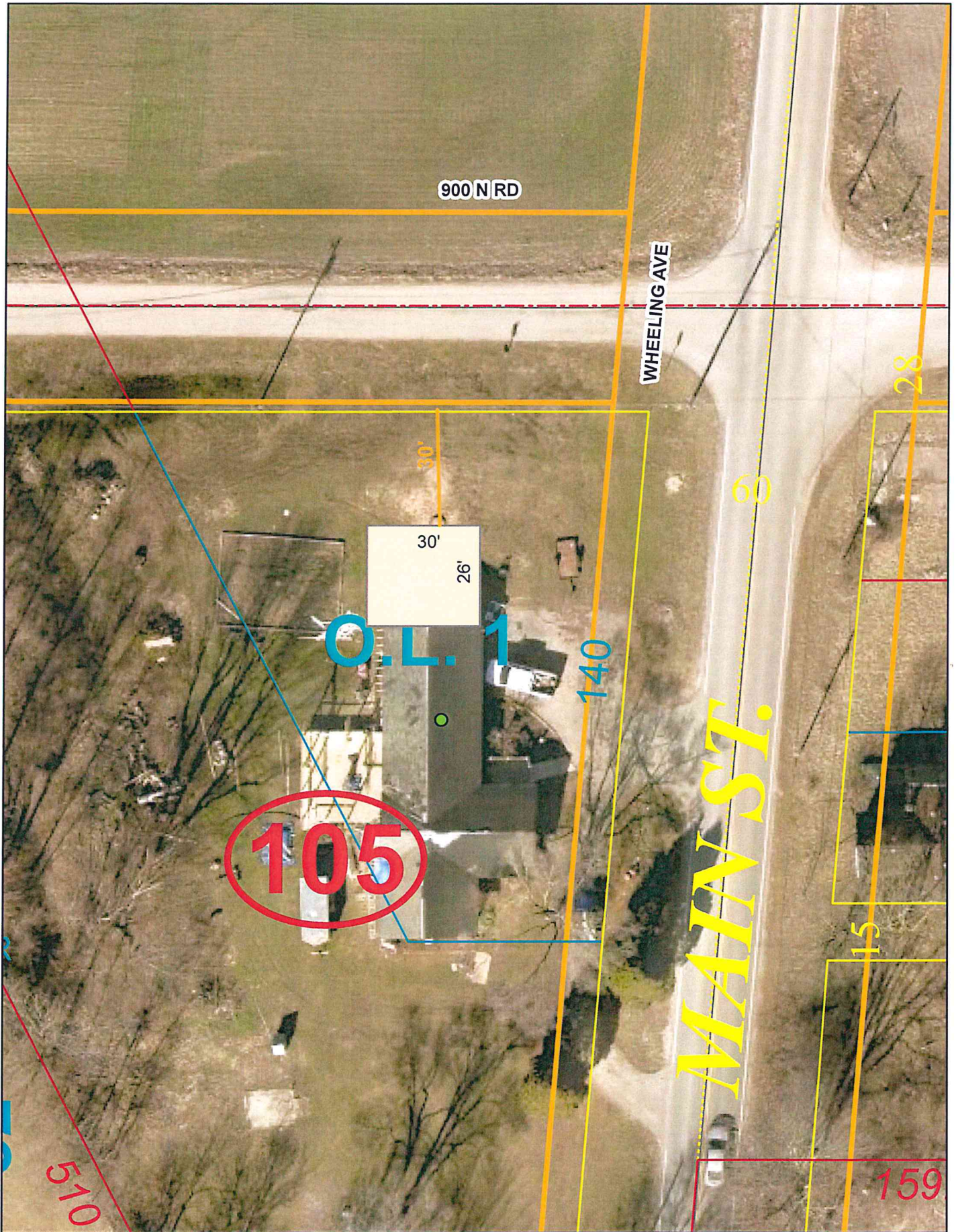


JOB NUMBER: 2012 - 173
SCALE: 1" = 60'
DATE: 12/7/2012
DRAWN BY: KBV
CHECK BY: KBV
SHEET NUMBER

SURVEYOR LOCATION REPORT FOR MWHI, LLC, BEING OUTLOT 1 & LOT 112 IN HOOKE AND MCKINLEY ADDITION, AND A PART OF THE NW 1/4 OF SEC. 36, T. 22 N., R. 9 E., WASHINGTON TOWNSHIP, DELAWARE COUNTY, INDIANA

OF **2** 2





14481 N Wheeling Ave

map not to scale

