

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Delaware County

City of Muncie

Submitted: Jan 31, 2025

Case No.: BZA 06-25

(1) Applicant: Robert L. & Jennifer E. Braun

Address: 101 S. County Road 700 E, Parker City, IN 47368 Phone: 7657448113

(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: NA

Owner's address: _____

(4) Record of Ownership:

Deed Book No.: 1999

Page: 5674-75

Purchase Date: 8/5/1999

Legal Description: (From the Deed or Abstract)

see attached deed

(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).

101 S. County Road 700 E, Selma, IN 47383

(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.)

This is a sign on our property for our Grandson's hauling business. The business is not on this property.

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

F Farm zone

(10) Present use of the property:

residence

(11) Describe the proposed use of the property:

residence

(12) Is the property:

Owner Occupied

Renter Occupied

Other: _____

Answer to #7

BZA 06-25 Braun

Request for a variance from the terms of the Delaware County of Muncie Comprehensive Zoning Ordinance, Article XII, Section 1, and Article XXX, Section 3.B.9, to allow a 10' tall sign (4'x 8' sign face) intruding approximately 2' into the proposed right-of-way and advertising a business (Braun Trucking) not located on the property 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? yes

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

They are okay with the sign.

(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.

yes, sign is up, landscaping around will be done this spring.

(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?

the sign is placed, landscaping will be finished this spring

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?

the homeowners

AFFIDAVIT

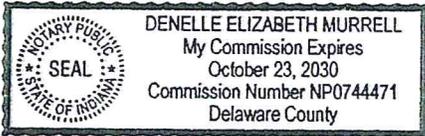
(I or We) Robert L. Braun Jennifer E. Braun
TYPE NAME(S) OF SIGNATORIES

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:

Robert L. Braun
Jennifer E. Braun

Subscribed and sworn to before me this 29 day of January, 2025.



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 27 day of February, 2025.

Signed: *[Signature]*

Date: 2-10-25

9
3 AUG 05 1999

2

[Signature]
Recorder, Delaware County

WARRANTY DEED

THIS INDENTURE WITNESSETH, That **Betty L. Silvers**, CONVEYS AND WARRANTS to **Robert L. Braun and Jennifer E. Braun, husband and wife**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described Real Estate in Delaware County, State of Indiana, to-wit:

A part of the East Half of the Northeast Quarter of Section 15, Township 20 North, Range 11 East, more particularly described as follows, to-wit: Beginning at the Northeast corner of said East Half of the Northeast Quarter and running thence South 00 degrees 00 minutes East on and along the East line thereof 453.30 feet; thence running North 89 degrees 31 minutes 32 seconds West 360.16 feet; thence running North 00 degrees 00 minutes West and parallel with said East line 434.43 feet to a point in the North line of said East Half of the Northeast Quarter; thence running North 89 degrees 28 minutes 15 seconds East on and along the said North line 360.16 feet to the point of beginning, containing 3.668 acres, more or less, of which 0.248 acres are an exception for the Muncie-Dayton Traction Company (Long abandoned and now used by State Road # 32), and 0.409 acres, for an Easement (not including Traction Company's Ownership) for State Road # 32.

Unit Tax No: ~~16-00283~~ 16-02594
Sidwell No: 12-15-200-010

Subject to liens, restrictions, conditions, limitations, easements, leases, and other encumbrances of record.

Betty L. Silvers, grantor herein represents and says that she is one of the grantees in a certain Warranty Deed dated February 18, 1972, and recorded February 22, 1972, in Deed Record 1972 page 606 in the Office of the Recorder of Delaware County, Indiana, wherein the above described real estate was conveyed to her and to Robert Eugene Silvers, her husband, that she and Robert Eugene Silvers, lived together and were husband and wife continuously from the date of the above referred to deed until the death of Robert Eugene Silvers on or about February 25, 1999.

Mail Tax Statements to: 1015. CO RD 700 E
Selma IL 617383

Duly Entered for Taxation
Transfer Fees \$ 300.00

AUG 04 1999

[Signature]
DELAWARE COUNTY AUDITOR

IN WITNESS WHEREOF, the said Betty L. Silvers, has hereunto set her hand and seal this
____ day of _____, 1999.

Betty L. Silvers
Betty L. Silvers

STATE OF INDIANA, COUNTY OF DELAWARE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on 9
day of July, 1999 came Betty L. Silvers, and acknowledged the execution of
the foregoing instrument.



Jason J. Zaleski
Notary Public
Jason J. Zaleski

My commission expires: 06/22/07
County of Residence: Delaware

This instrument prepared by James W. Smith, Attorney at Law

SIGN

10'

10'
H

DRIVEWAY

BARN

DRIVEWAY

HOUSE

CR 700 E

ST RD 32



Description

See Sheet 1 of 2

101 South County Road 700 East, Selma, Indiana

N. LINE E 1/2 NE 4 SEC. 15-20-11

N 88° 28' 15" E 360.16' NE CORNER NE 4
STATE HWY # 32 SELMA TOWN-RUE

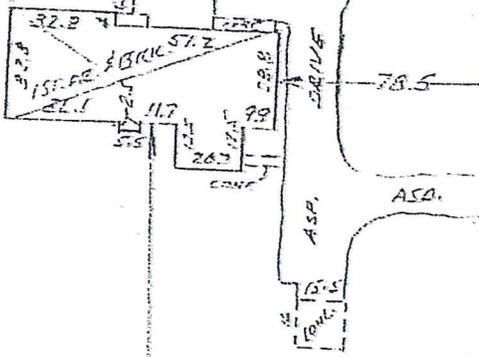
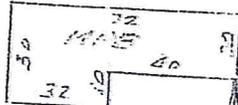
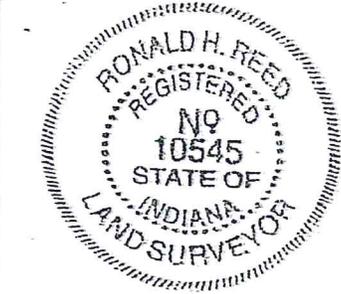
R.I.W. LINE

CHAIN LINK FENCE

3.668± ACRES
LESS 0.242± AC. IN INTERURBAN EXEMPTION
LESS 0.409± AC. IN ST. RD. 32 R.I.W.

N 100° 00' W 434.43'

E. LINE E 1/2 NE 4 SEC. 15-20-11



Sign is 15' x 8' from pavement

N 88° 31' 32" W 360.16'



4'x8' 10' H