

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

Delaware County

City of Muncie

Submitted: Feb. 24, 2025

Case No.: BZA 10-25

(1) Applicant: Wink Realty LLC- Wynde Ashman

Address: 4801 W Bethel Ave, Muncie, IN 47304 Phone: 765-288-7744

(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.: instr. 2012R11644

Page: _____

Purchase Date: _____

Legal Description: (From the Deed or Abstract)

Lot 1 of Family Vision Care Addition

(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).

4801 W Bethel Ave, Muncie, IN

(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 IX, Section 13, to allow division of a lot into two parcels (through a replat) without bringing the existing commercial development into compliance with the corridor development standards.

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

The building on this property pre-dates the corridor development standards. The building was built in 2008 and the corridor development standards were created in 2014. We are asking for a variance from Article 9 section 13 to not meet corridor development standards.

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

BV- Variety Business

(10) Present use of the property:

Office building

(11) Describe the proposed use of the property:

Office building

(12) Is the property:

Owner Occupied

Renter Occupied

Other: _____

(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

When will it be completed?

2 years

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

The owner.

AFFIDAVIT

(I or We) Wink Realty LLC- Wynde Ashman
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: Wink Realty LLC - Wynde Ashman (member)

Subscribed and sworn to before me this 21st day of February, 2025 /

Katherine M. Vannice
Notary Public
2/11/2032



Commission Expires _____
Resident of Henry County
State of IN

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 _____ day of _____, 20____.

Signed:

Date:

BUSINESS INFORMATION
DIEGO MORALES
INDIANA SECRETARY OF STATE
01/29/2025 03:15 PM

Business Details

Business Name: **WINK REALTY, LLC LIMITED LIABILITY COMPANY** Business ID: **2007121300542**
Entity Type: **Domestic Limited Liability Company** Business Status: **Active**
Creation Date: **12/15/2007** Inactive Date:
Principal Office Address: **4801 W. BETHEL AVE, MUNCIE, IN, 47304, USA** Expiration Date: **Perpetual**
Foreign Legal Name:
Jurisdiction of Formation: Business Entity Report Due Date: **12/31/2025**

Governing Person Information

TITLE Member
NAME Wynde M Ashman
ADDRESS 4801 W BETHEL AVE, MUNCIE, IN, 47304, USA

Registered Agent Information

Type: **Individual**
Name: **WYNDE ASHMAN, OD**
Address: **4801 W. BETHEL AVE, MUNCIE, IN, 47304, USA**

First Merchants
2 p



* 2 0 1 2 R 1 1 6 4 4 *

2012R11644

JANE LASATER
DELAWARE COUNTY RECORDER

RECORDED ON

09/06/2012 01:57:41PM

REC FEE: 18.00

PAGES: 2

File No: 273409

Parcel Number: 18-07-31-351-036.000-030

WARRANTY DEED

This Indenture Witnesseth, That Wink Realty, LLC (Grantor), *Convey(s) and Warrant(s)* to Wink Realty, LLC Limited Liability Company (Grantee) for the sum of One & 00/100 Dollar (\$1.00) 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:

See Attached Exhibit A for complete Legal Description made a part hereof.

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

The undersigned persons executing this deed on behalf of Grantor represents and certifies that they are duly elected officers of Grantor and have been fully empowered to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

In Witness Whereof, Grantor has executed this deed this 21st day of August, 2012.

David M. Wilson
David M. Wilson, Member

Karon K. Nowakowski
Karon K. Nowakowski, Member

Wynde M. Ashman
Wynde M. Ashman, Member

STATE OF INDIANA, COUNTY OF DELAWARE SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared David M. Wilson, Member, Karon K. Nowakowski, Member, and Wynde M. Ashman, Member of Wink Realty, LLC who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21st day of August, 2012.

My Commission Expires: **TANYA A. GOEBEL**
Resident of Delaware County, Indiana
My Commission Expires: **March 19, 2015**



Tanya A. Goebel
, Notary Public
Residing in Delaware County, Indiana

Send tax bills to and Grantee's street or rural route address is: 4801 W Bethel Ave
Muncie IN 47304-5510

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

This instrument prepared by: James W. Trulock, Attorney at Law.

Duly Entered for Taxation
Transfer Fees \$ 5.00

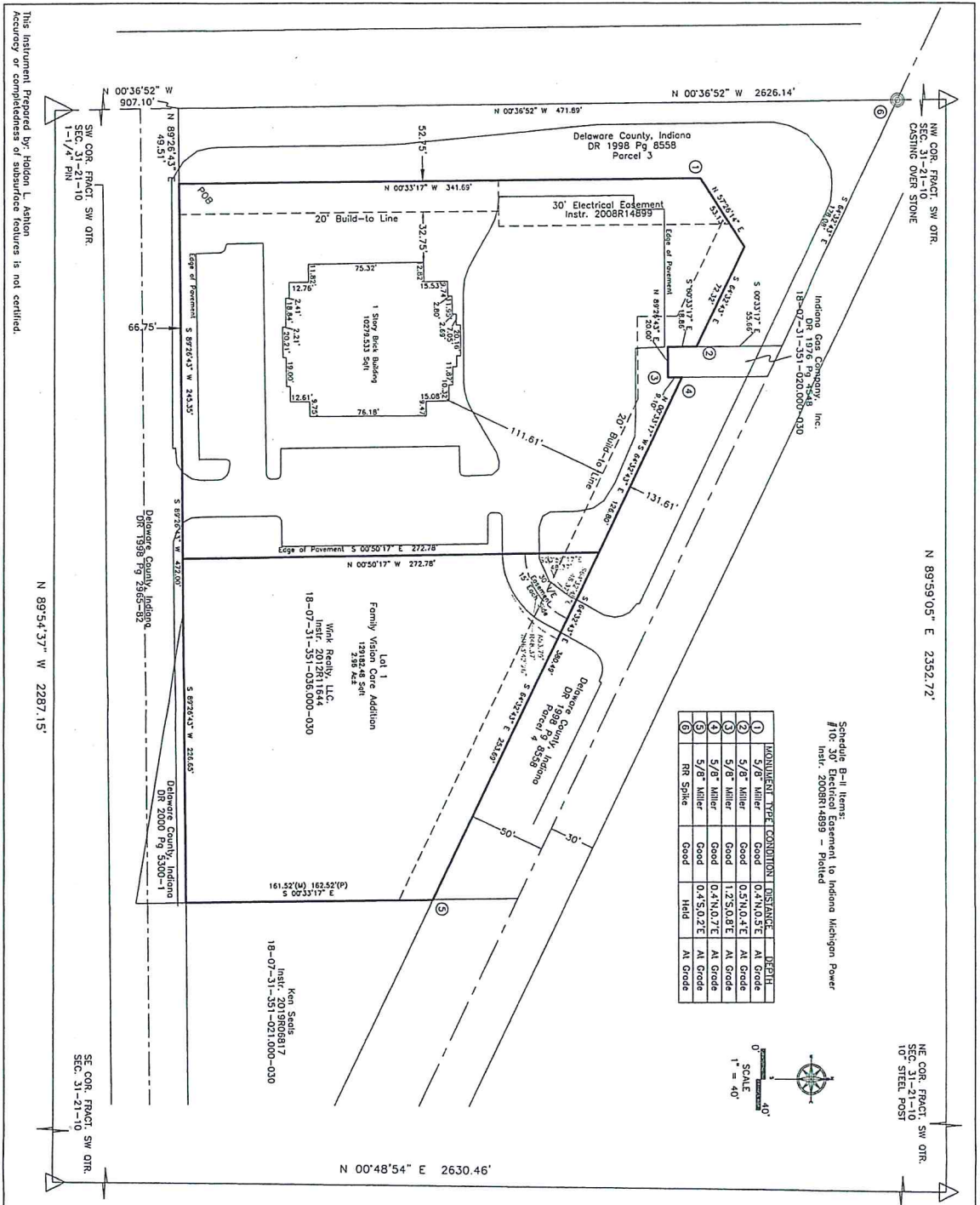
SEP 06 2012

Judy Ruet
DELAWARE CO. AUDITOR

1a

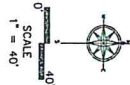
EXHIBIT A

**Lot Numbered 1 in Family Vision Care Addition, an Addition to the City of Muncie
recorded in Instrument No. 2008R24617 of the records of Delaware County, Indiana.**




NO.	MANUFACTURER	TYPE	CONDITION	MEASURE	DEPTH
1	5/8"	Miller	Good	0.510, 0.512	At Grade
2	5/8"	Miller	Good	1.250, 0.812	At Grade
3	5/8"	Miller	Good	0.410, 0.712	At Grade
4	5/8"	Miller	Good	0.450, 0.212	At Grade
5	5/8"	Miller	Good	0.450, 0.212	At Grade
6	RR Spike		Good		At Grade

Schedule B-II Items:
 #10. 30' Electrical Easement to Indiana Michigan Power
 Instr. 2008R14899 - Plotted



This instrument prepared by: Halden L. Ashton
 Accuracy or completeness of subsurface features is not certified.

325 W. Washington St.
 Muncie, IN 47305
 PH: 765-282-5594
 FAX: 765-282-5710
Ashton Land Surveyors, Inc.



RECEIVED

FEB 24 2025

DELAWARE-MUNCIE
 METROPOLITAN PLAN COMMISSION

Variance Drawing
 4801 West Bethel
 Avenue
 Muncie, IN

SECTION CORNER COMPUTED BY BUILDING
 CENTER OF GRADE CORNER 88 FEET 10.000000
 DISTANCE OF 1784.0000 FEET 10000000

REVISIONS

No. _____
 Date _____
 Reason: _____

Drawn: SJK/vjz
 Job#: 2024773
 Client: Work Ready, LLC
 Crev: EHA
 Electronic Field Book
 IUPHS REF: #/20/24

Sheet

BZA 10-25