

#1252

BILL NO. Z-11-08-10

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. K-27 (Sec. 27 of Wayne Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R1 (Single Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Subdivision Plats included in description:

Lake Shores, Section I (Plat Record 24, pages 167-168)

Lake Shores, Section II (Plat Record 26, pages 5-7)

(Misc. metes and bounds tracts)

Part of the Richardville Reserve, West of the St. Mary's River, in Township 30 North, Range 12 East, Allen County, Indiana, described as follows:

BEGINNING at the intersection of the center line of Lower Huntington Road and the center line of Airport Expressway (formerly Baer Field Thruway); thence in a Northeasterly direction on the center line of Airport Expressway to the Westerly extension of the North line of Lot 106 in the Plat of Lake Shores, Section II, recorded in Plat Record 26, pages 5-7 in the Office of the Recorder of Allen County, Indiana; thence Easterly on said Westerly extension and the North line of Lots 102-106 in said Plat and the Easterly extension thereof to the center line of Winchester Road; thence in a Southeasterly direction on said center line of Winchester Road to the Northeasterly corner of real estate titled to Yellow Retirement, LLC via deed in Document 206009088 in the Office of the Recorder of Allen County; thence in a Southwesterly direction on the Northerly line thereof to the Northwestern corner thereof lying on the Easterly line of Lot 128 in the aforesaid Plat of Lake Shores, Section II; thence in a Southeasterly direction on said Easterly line and the Easterly line of Lot 127 in said Plat, said Easterly lines being also the Westerly line of said real estate described in Document 206009088, to the Southwesterly corner thereof, being also the Northwestern corner of Lot 4 in the Plat of Lake Shores, Section I, recorded in Plat Record 24, pages 167-168 in the Office of the Recorder of Allen County; thence in a Northeasterly direction on the Northwestern line of Lots 1-4 in said Plat of Lake Shores, Section I, being also the Southerly line of said real estate described in Document 206009088, and the Northeasterly extension thereof, to the center line of Winchester Road; thence in a Southeasterly direction on the center line of Winchester Road to the Easternmost corner of real estate titled to Robert P. Criswell and Margita A. Criswell via deed in Document 75-22184 in the Office of the Recorder of Allen County; thence Southwesterly, Southeasterly and Northwesterly on the Southerly boundary thereof to the Southwesterly corner thereof, said corner lying on the Easterly line of real estate titled to Robert P. Criswell and Margita A. Criswell via deed in Document 82-017335 in the Office of the Recorder of Allen County; thence Southwesterly on said Easterly line to the Northwestern corner of real estate titled to Michael J. McDonald and Teresa D. McDonald via deed in Document 85-038191 in the Office of the Recorder of Allen County; thence Southeasterly on the Northerly line thereof to the Northeast corner thereof; thence Southwesterly on the Easterly line of said real estate

described in said Document 85-038191 to the center line of Lower Huntington Road; thence Northwesterly on said center line of Lower Huntington Road to the Point of Beginning, containing 84.8 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. K-27 (Sec. 27 of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: 1252/11
Bill Number: Z-11-08-10
Council District: 4

Introduction Date: August 23, 2011

Plan Commission
Public Hearing Date: September 12, 2011

Next Council Action: Ordinance will return to Council after recommendation by the
Plan Commission

Synopsis of Ordinance: To rezone approximately 84.8 acres of property from RP-Planned Residential
to R1-Single Family Residential in the Lake Shores Neighborhood

Location: On the west side of Airport Expressway and the north side of Lower
Huntington Road

Reason for Request: To maintain single-family character of the Lake Shores Neighborhood.

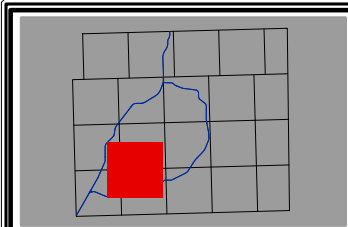
Applicant: Lake Shore Community Association

Property Owner: see file

Related Petitions: Rezoning 1251/11 and Rezoning 1253/11, another section of Lake Shores and
Winterset, both requesting to be downzoned to R1.

Effect of Passage: Property will be rezoned to R1-Single Family Residential to allow only those
uses permitted by the zoning ordinance for that district.

Effect of Non-Passage: The property will remain zoned RP-Planned Residential and land may be
developed with uses permitted that district, including duplexes and multi-
family developments.



Rezoning Petition 1252/11

Printed: August 15, 2011

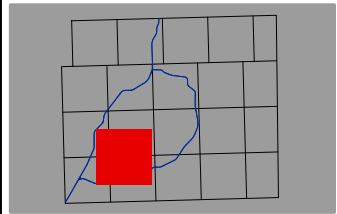
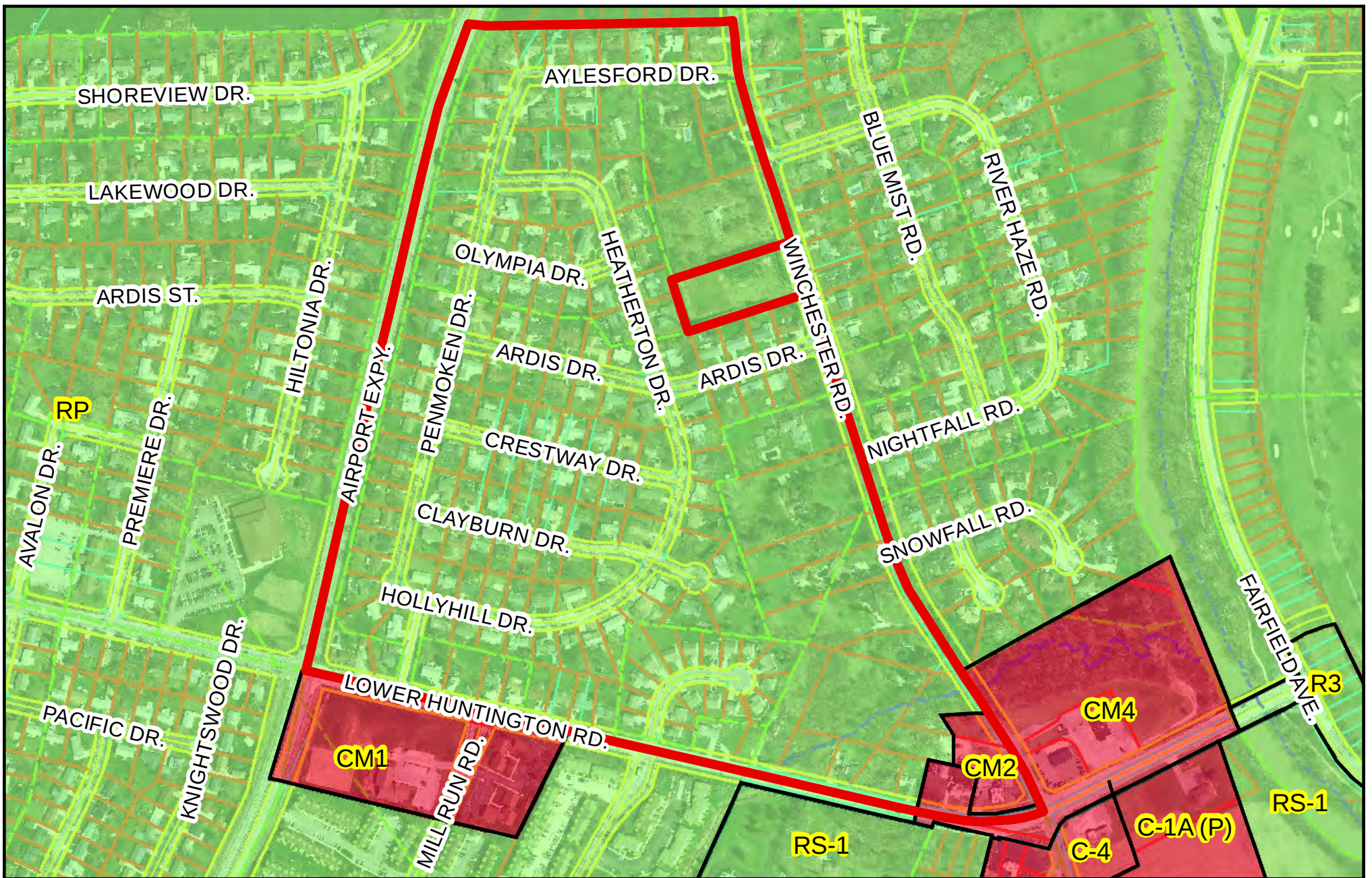
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983

Sate Plane Coordinate System, Indiana East
Photos: Spring 2006 / Contours: 1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



0 400 Feet
Scale: 1"= 400'



Rezoning Petition 1252/11

Printed: August 15, 2011
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0 400 Feet
 Scale: 1" = 400'

Department of Planning Services
Rezoning Petition Application

parcel 2

Applicant	Applicant <u>Lake Shores Community Association, Alberta Ilnicki, President</u>
	Address <u>6809 Heatherton Drive</u>
	City <u>Fort Wayne</u> State <u>Indiana</u> Zip <u>46819</u>
	Telephone <u>478-5926</u> Fax _____ E-mail _____
Property Ownership	Property Owner <u>See attached</u>
	Address _____
	City _____ State _____ Zip _____
	Telephone _____ Fax _____ E-mail _____
Contact Person	Contact Person <u>Joshua I. Tourkow</u>
	Address <u>203 East Berry Street, Suite 814</u>
	City <u>Fort Wayne</u> State <u>Indiana</u> Zip <u>46802</u>
	Telephone <u>426-0545</u> Fax <u>422-9991</u> E-mail <u>jtourkow@tocrjlaw.com</u>

All staff correspondence will be sent only to the designated contact person.

Request	☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
	Address of the property _____
	Present Zoning <u>RP</u> Proposed Zoning <u>R1</u> Acreage to be rezoned _____
	Proposed density _____ units per acre
	Township name <u>Wayne</u> Township section # _____
	Purpose of rezoning (attach additional page if necessary) <u>To fulfill Comprehensive Plan and CDAP policies.</u>
Sewer provider <u>City of Fort Wayne</u> Water provider <u>City of Fort Wayne</u>	

Filing Requirements	Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.
	☐ Applicable filing fee
	☐ Applicable number of surveys showing area to be rezoned (plans must be folded)
	☐ Legal Description of parcel to be rezoned
	☐ Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Planning Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00.

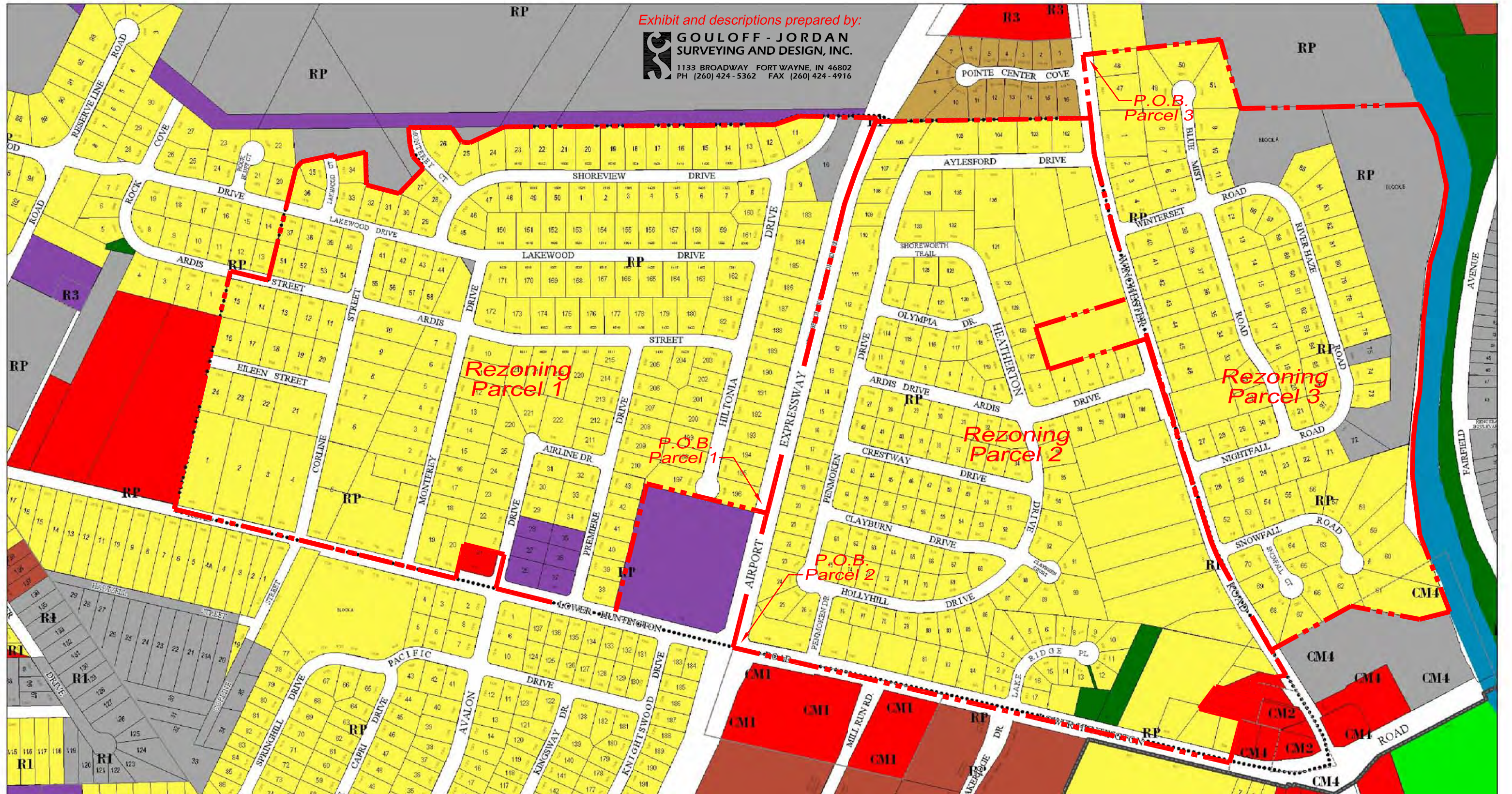
<u>Alberta Ilnicki</u>	<u>Alberta Ilnicki</u>	<u>10-6-10</u>
(printed name of applicant)	(signature of applicant)	(date)

_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
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_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
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_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
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Received	Receipt No.	Hearing Date	Petition No.
8/3/11	105548	9/12/11	1252/11



Created on February 3, 2010
 FILENAME: c:\CD\INHOODS\SW QUAD\LakeShore
 Layout large DEI
 Prepared By Fort Wayne Community Development GIS

LAND USE			
	Commercial		Single Family
	Institutional/Utilities		Two Family
	Vacant		Multi Family
	Parks/Open Space		

SW QUADRANT

Lake Shores Community Assn.

Police Department Section 36
 Neighborhood Designator #36 F (King)

AR	Low Intensity Residential	CM5B	Downtown Edge District
R1	Single Family Residential	MR1	Manufactured Residential Subdivision
R2	Attached Single Family & Two Family Residential	MR2	Manufactured Home Park
R3	Multiple Family Residential	SC1	Neighborhood Shopping Center
RP	Planned Residential	SC2	Community Shopping Center
CM1	Professional Office & Personal Service	SC3	Metropolitan Shopping Center
CM2	Limited Retail & Commercial	SC4	Regional Shopping Center
CM3	General Commercial	IN1	Limited Industrial
CM4	Intensive Commercial	IN2	General Industrial
CM5A	Central Downtown District	IN3	Heavy Industrial