

#1258

BILL NO. Z-11-08-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-26 (Sec. 28 of Washington 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 IN3
(Heavy Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of
Fort Wayne, Indiana:

Parcel 1:

A parcel of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North and East of the centerline of the public highway known as the Goshen Road and United State Highway No. 30 (formally) and West of the right-of-way of the Grand Rapids and Indiana Railroad, as by metes and bounds, described to-wit:

Commencing on the centerline of the public highway known as the Goshen Road at a point situated 318.7 feet Southeasterly of the point of intersection of the said highway centerline by the North line of the Southeast Quarter of the Northeast Quarter of said section; thence continuing Southeasterly on the said highway centerline 51.0 feet; thence Northeasterly on a line normal to the said highway centerline, 428.2 feet to the North line of the Southeast Quarter of the Northeast Quarter of said section; thence West on the aforesaid line, 78.7 feet; thence Southwesterly on a line normal to the said highway centerline, 368.5 feet to the point of beginning.

Also:

A parcel of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North and East of the centerline of the public highway known as the Goshen Road and U.S. Highway Number 30 (formally) and West of the right-of-way of the Grand Rapids and Indiana Railroad, as by metes and bounds described, to-wit:

Commencing on the centerline of the public highway known as the Goshen Road, at a point situated 369.7 feet Southeasterly of the point of intersection of the said highway centerline by the North line of the Southeast Quarter of the Northeast Quarter of the said Section; thence continuing Southeasterly on the highway centerline, 52.0 feet; thence Northeasterly on a line normal to the said highway centerline, 489.1 feet to the North line of the Southeast Quarter of the Northeast Quarter of said section; thence West on the aforesaid line, 80.23 feet; thence Southwesterly on a line normal to the said highway centerline, 428.2 feet to the point of beginning.

EXCEPTING THEREFROM, that part conveyed to Ray C. Meek and Gloria J. Meek, husband and wife, by that Warranty Deed dated November 21, 1984, recorded November 26, 1984, as document No. 84-28711.

Parcel 2:

That part of a parcel of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North and East of the centerline of the public highway known as the Goshen Road and U.S. Highway Number 30 (formally) and West of the right-of-way of the Grand Rapids and Indiana Railroad, referred to as Parcel Numbered 7 in a special survey for an unplatted subdivision thereof dated August 30, 1946 by A.K. Hofer and described by metes and bounds as follows, to-wit:

Commencing on the centerline of the public highway known as the Goshen Road, at a point situated 421.7 feet Southeasterly of the point of intersection of the said highway centerline by the North line of the Southeast Quarter of the Northeast Quarter of the said section; thence continuing Southeasterly on the highway centerline, 51.0 feet; thence Northeasterly on a line normal to the said highway centerline 548.5 feet to the North line of the Southeast Quarter of the Northeast Quarter of said Section; thence West on the aforesaid line, 80.23 feet; thence Southwesterly on a line normal to the said highway centerline, 489.1 feet to the point of beginning.

Also:

That part of a parcel of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North and East of the centerline of the public highway known as the Goshen Road and U.S. Highway Number 30 (formally) and West of the right-of-way of the Grand Rapids and Indiana Railroad, referred to as Parcels Numbered 8 and 9 in a special survey for an unplatted subdivision thereof dated August 30, 1946 by A.K. Hofer and described by metes and bounds as follows, to-wit:

Commencing on the centerline of the public highway known as the Goshen Road, at a point situated 472.7 feet Southeasterly of the point of intersection of the said highway centerline by the North line of the Southeast Quarter of the Northeast Quarter of the said section; thence continuing Southeasterly on the highway centerline, 131.0 feet; thence Northeasterly on a line normal to the said highway centerline 671.7 feet; thence North 20 feet to the North line of the Southeast Quarter of the Northeast Quarter of said section; thence West on the aforesaid line 178.5 feet; thence Southwesterly on a line normal to the said highway centerline 548.5 feet to the point of beginning.

EXCEPTING THEREFROM, that part conveyed to Robert J. Thornhill and Norma G. Thornhill, husband and wife, by Warranty Deed dated May 27, 1993, recorded June 1, 1993, as Document No. 93-29650.

The herein described real estate contains 2.7 net acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. I-26 (Sec. 28 of Washington 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: 1258/11
Bill Number: Z-11-08-16
Council District: 3

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 2.7 acres of property from IN1 – Light Industrial to
IN3-Heavy Industrial

Location: 2532 Goshen Road

Reason for Request: To allow for an automotive recycling business which, by ordinance, requires
approval for a junk and salvage operation, permissible in the IN3 district with
a Special Use approval from the Board of Zoning Appeals.

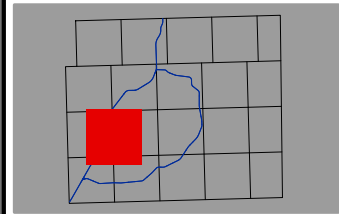
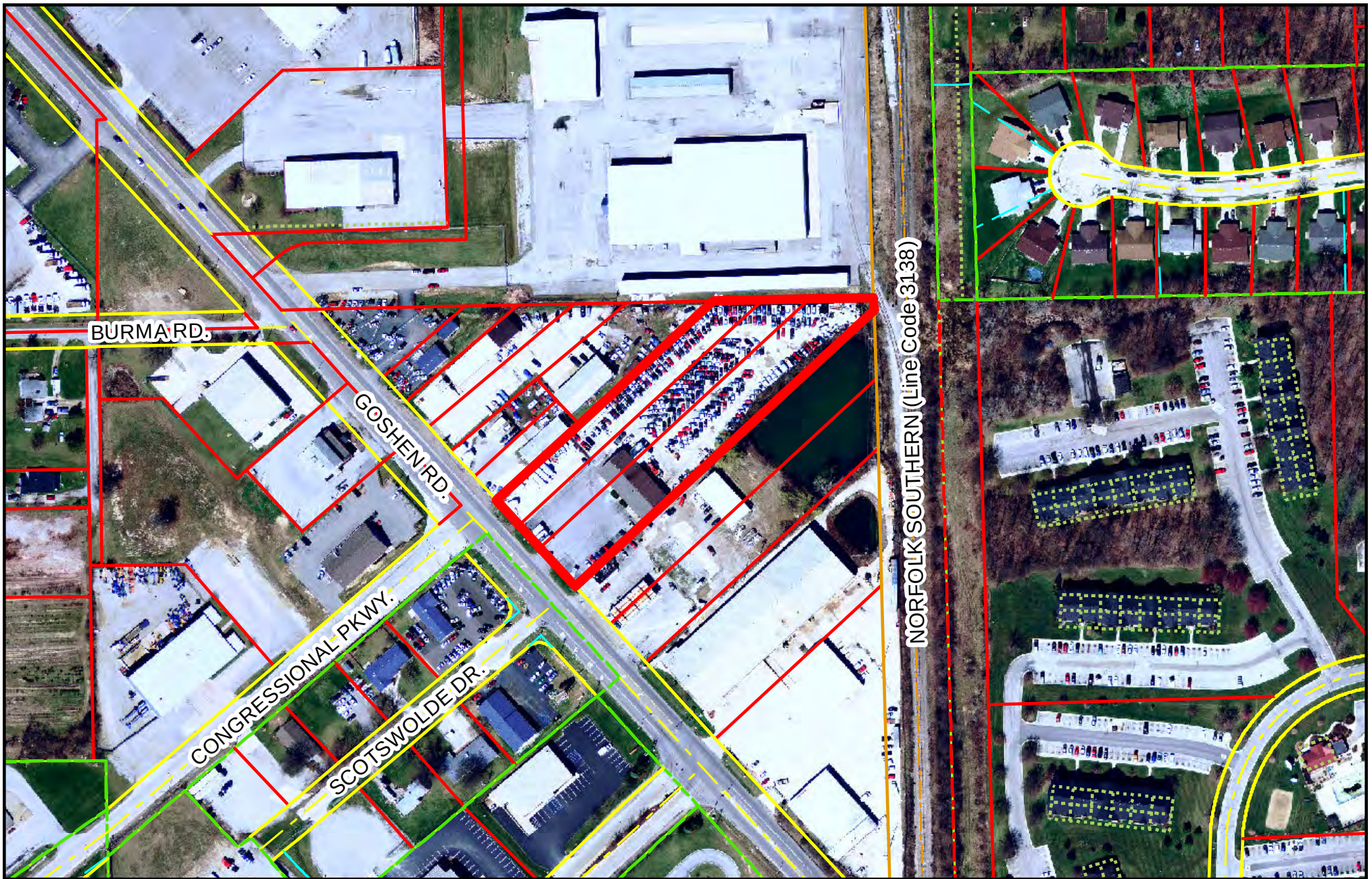
Applicant: Stanley D. Karnik

Property Owner: Sue Karnik

Related Petitions: BZA case SE-2011-0113

Effect of Passage: Property will be rezoned to IN3 – Heavy Industrial to allow for an automobile
recycling business in an industrial area of Goshen Road.

Effect of Non-Passage: The property will remain zoned IN1- Light Industrial and may be developed
with uses permitted that district.



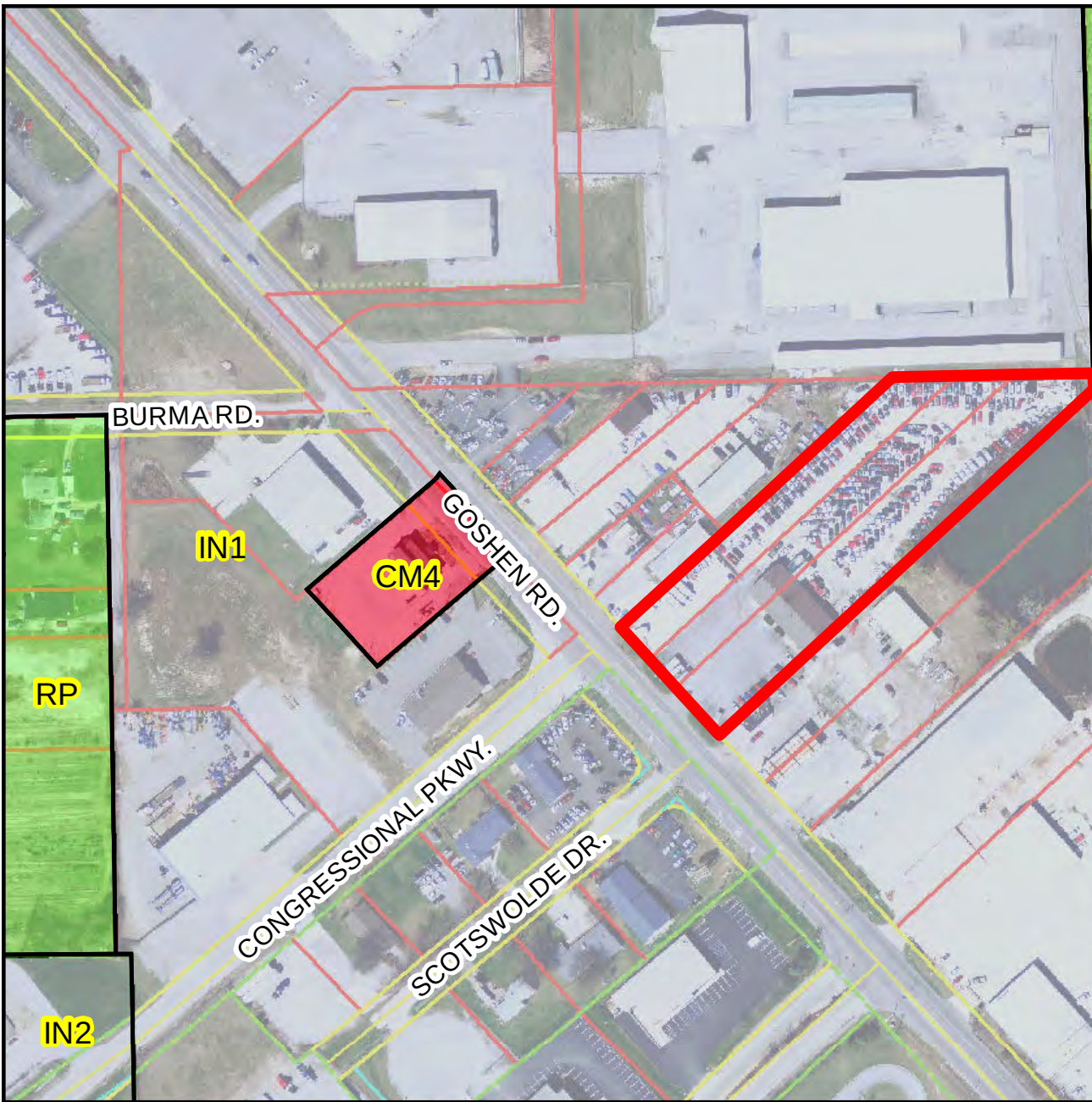
Rezoning Petition 1258/11

Printed: August 15, 2011
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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

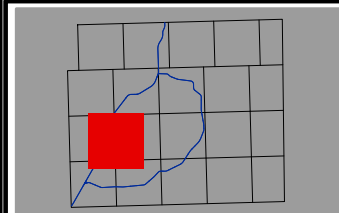
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0 200 Feet
 Scale: 1" = 200'

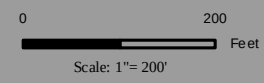


NORFOLK SOUTHERN (Line Code 3138)



Rezoning Petition 1258/11

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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Stanley D. Karnik
Address 2532 Goshen Road
City Fort Wayne State IN Zip 46808
Telephone 260 471 6931 Fax 260 471 7503 E-mail eskay@legalchopshop.com

Property Ownership
Property Owner Stanley D. & Sue Karnik
Address 1611 River Run Trail
City Fort Wayne State IN Zip 46825
Telephone 260 471 6931 Fax 260 471 7503 E-mail eskay@legalchopshop.com

Contact Person
Contact Person Same
Address _____
City _____ State _____ Zip _____
Telephone _____ Fax _____ E-mail _____

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 2532 Goshen Road, Fort Wayne IN. 46808
Present Zoning IN1 Proposed Zoning IN3 Acreage to be rezoned ~~6 approx~~ 2.31
Proposed density _____ units per acre
Township name Washington Township section # 28 1-26
Purpose of rezoning (attach additional page if necessary) To operate an Automotive recycling business.
Sewer provider City Water provider City

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 Rezonings 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 Plan 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 per Indiana code.

Stanley D. Karnik
(printed name of applicant) _____ (signature of applicant) _____ 08/02/2011 (date)
Sue Karnik
(printed name of property owner) _____ (signature of property owner) _____ 08/02/2011 (date)

(printed name of property owner) _____ (signature of property owner) _____ (date)

(printed name of property owner) _____ (signature of property owner) _____ (date)

Received	Receipt No.	Hearing Date	Petition No.
8/3/11	105765	9/12/11	1250/11