

#1272

BILL NO. Z-12-03-09

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. S-42 (Sec. 17 of St. Joseph 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 RP
(Planned Residential) District under the terms of Chapter 157 Title XV of the Code of the
City of Fort Wayne, Indiana:
Part of DeRome reserve in Section 17 Township 31 North Range 13 East, Allen County,
Indiana more particularly described as follows:

Commencing at the intersection of the centerline of Evard Road and the centerline of St. Joe
Road as monumented by a 1 inch plug; thence South 67 degrees 45 minutes East (deed
bearing and basis for the description) along the centerline of Evard Road a distance of 670.0
feet; thence South 36 degrees 10 minutes 10 seconds West a distance of 358.0 feet to the
point of beginning, said point being the Northeast corner of a tract of land conveyed to VS,
LLC as recorded in Document #205084461; thence South 36 degrees 10 minutes 10 seconds
West along the Easterly line of VS, LLC tract of land a distance of 400.0 feet to the
Southeast corner of the VS, LLC tract of land; thence North 71 degrees 20 minutes 52
seconds West along the Southerly line of the VS, LLC tract of land a distance of 54.0 feet;
thence North 18 degrees 39 minutes 08 seconds East a distance of 381.45 feet; thence South
71 degrees 20 minutes 52 seconds East a distance of 174.39 feet to the point of beginning,
containing 1.0 acre.

and the symbols of the City of Fort Wayne Zoning Map No. S-42 (Sec. 17 of St. Joseph
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: 1272/12
Bill Number: Z-12-03-09
Council District: 2 – Russell Jehl

Introduction Date: March 27, 2012

Plan Commission
Public Hearing Date: April 9, 2012

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

Synopsis of Ordinance: To rezone approximately 1.0 acre of property from CM2-Limited Retail and Commercial to RP-Planned Residential

Location: East side of the 6600 block of St. Joe Road, approximately 560 feet east of the frontage of St. Joe Road, at the rear of the existing Vision Scapes property.

Reason for Request: To allow for the addition of nine (9) apartment units for the Evard Village multi-family development.

Applicant: Mark Nolot

Property Owner: VS, LLC

Related Petitions: Amended Primary Development Plan, Evard Village

Effect of Passage: Property will be rezoned to RP-Planned Residential and may develop with apartment units, as well as all other permitted RP uses.

Effect of Non-Passage: The property will remain zoned CM2-Limited Retail and Commercial and may develop with commercial uses. Residential uses will not be permitted.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Mark Nolot
Address 6608 St. Joe Road
City Fort Wayne State Indiana Zip 46835
Telephone 485-2683 Fax _____ E-mail _____

Property Ownership
Property Owner VS, LLC
Address 6608 St. Joe Road
City Fort Wayne State Indiana Zip 46835
Telephone 485-2683 Fax _____ E-mail _____

Contact Person
Contact Person Greg Roberts-Donovan
Address 3521 Lake Ave., Ste. 2
City Fort Wayne State Indiana Zip 46805
Telephone 424-7418 Fax 424-1918 E-mail greg@donovan-eng.com

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 6600 Blk. St. Joe Road
Present Zoning CM2 Proposed Zoning RP Acreage to be rezoned 1.0
Proposed density 9 units per acre
Township name St. Joseph Township section # 17
Purpose of rezoning (attach additional page if necessary) To along tract to be part of adjoining apartment development

Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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 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.

Mark Nolot Mark Nolot 2/6/11
(printed name of applicant) (signature of applicant) (date)

Mark Nolot Mark Nolot 2/6/11
(printed name of property owner) (signature of property owner) (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.
3-6-12	107345	4-9-12	

Res-2012-0018

PLAT OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 29500021 IN
MICHAEL W. HARRIS PLS 21100018 IN

DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

FRANCIS X. MUELLER PLS S0193 IN
JOHN R. DONOVAN PE, PLS (RETIRED)

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows:

Part of DeRome Reserve in Section 17 Township 31 North, Range 13 East, Allen County, Indiana more particularly described as follows:

Commencing at the intersection of the centerline of Evard Road and the centerline of St. Joe Road as monumented by a 1 inch plug; thence South 67 degrees 45 minutes East (deed bearing and basis for this description) along the centerline of Evard Road a distance of 670.0 feet; thence South 36 degrees 10 minutes 10 seconds West a distance of 358.0 feet to the point of beginning, said point being the Northeast corner of a tract of land conveyed to VS, LLC as recorded in Document 205084461; thence South 36 degrees 10 minutes 10 seconds West along the Easterly line of VS, LLC tract of land a distance of 400.0 feet to the Southeast corner of the VS, LLC tract of land; thence North 71 degrees 20 minutes 52 seconds West along the Southerly line of the VS, LLC tract of land a distance of 54.0 feet; thence North 18 degrees 39 minutes 08 seconds East a distance of 381.45 feet; thence South 71 degrees 20 minutes 52 seconds East a distance of 174.39 feet to the point of beginning, containing 1.0 acres.

Job No.:
Job for: VS LLC.

Date: 03-06-12

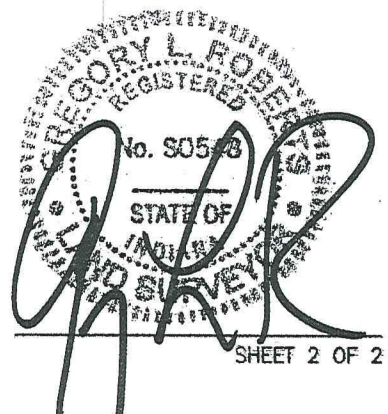
LEGEND

IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RBF	Railroad Spike Found
PKF	P.K. Nail Found
MNF	Mag Nail Found
MNS	Mag Nail Set
IPS	5/8" rebar set w/cap stamped "DEI FIRM #0027"
(M)	Measured (P) Platted
(R)	Recorded (C) Calculated

All monuments are at grade except as noted.
All Property line distances are recorded dimensions, except as noted. Monuments found have no documented history except as noted.

Date of latest field work: 03-06-12

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according the requirements set forth in 865 IAC 1-12.



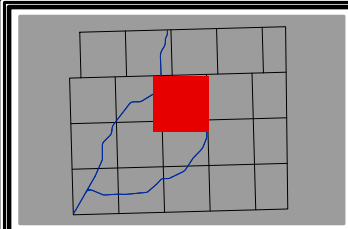


Evard Village Amended Area

 Development Boundary

 Rezoning Boundary

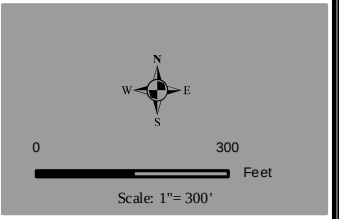
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

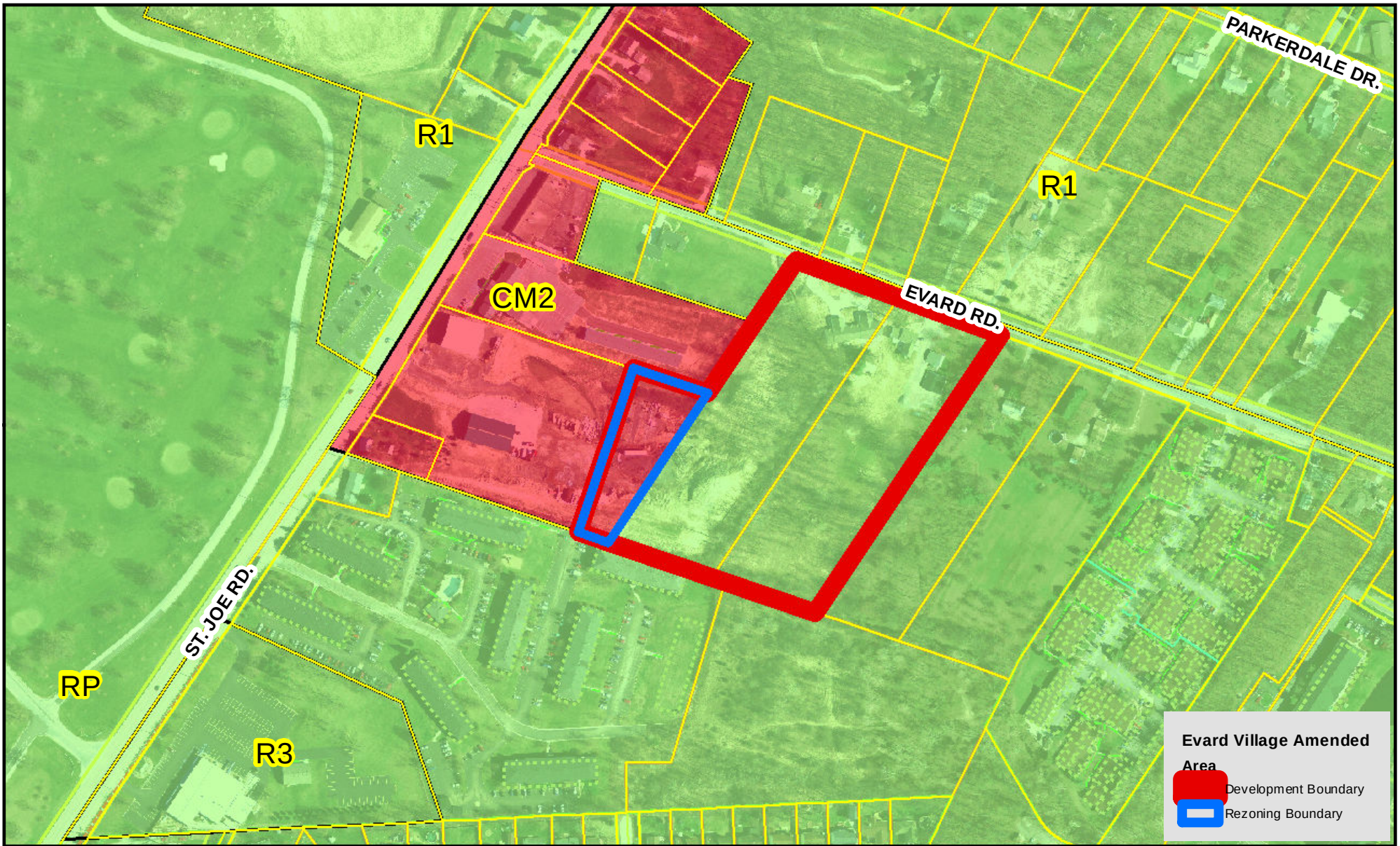


Rezoning Petition 1272/12
Primary Development Plan - Evard Village Amended

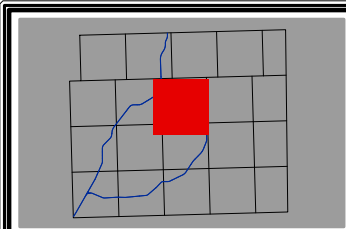
Printed: March 21, 2012
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

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.





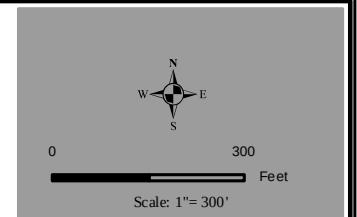
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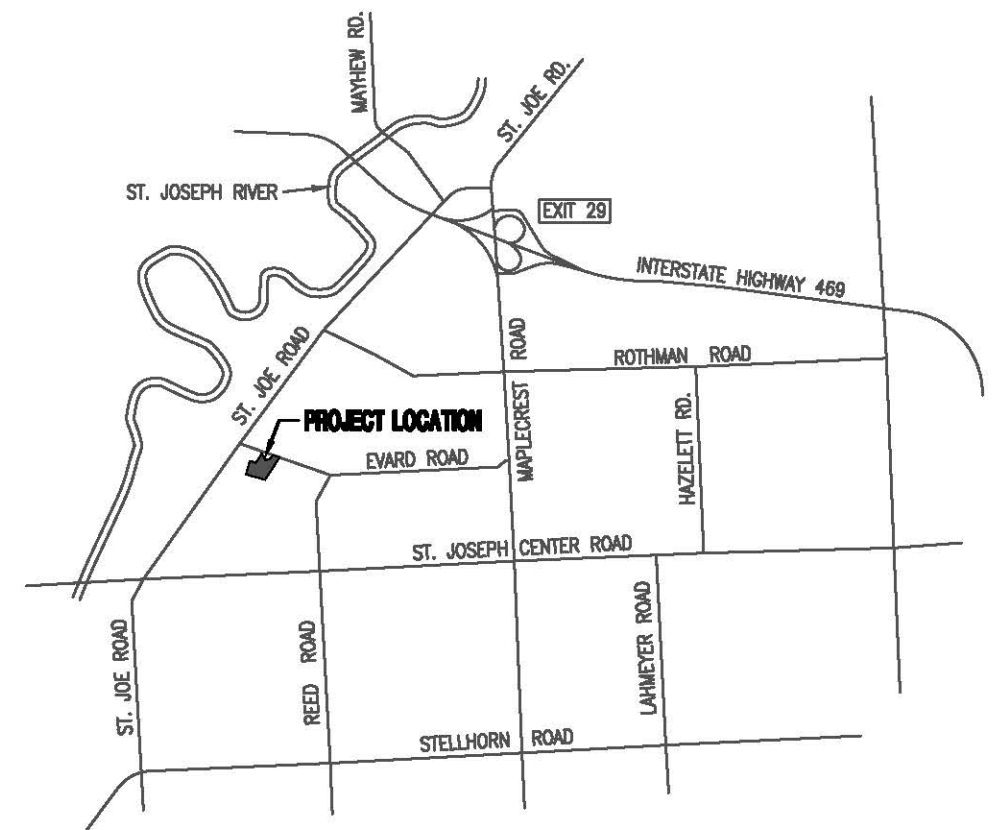
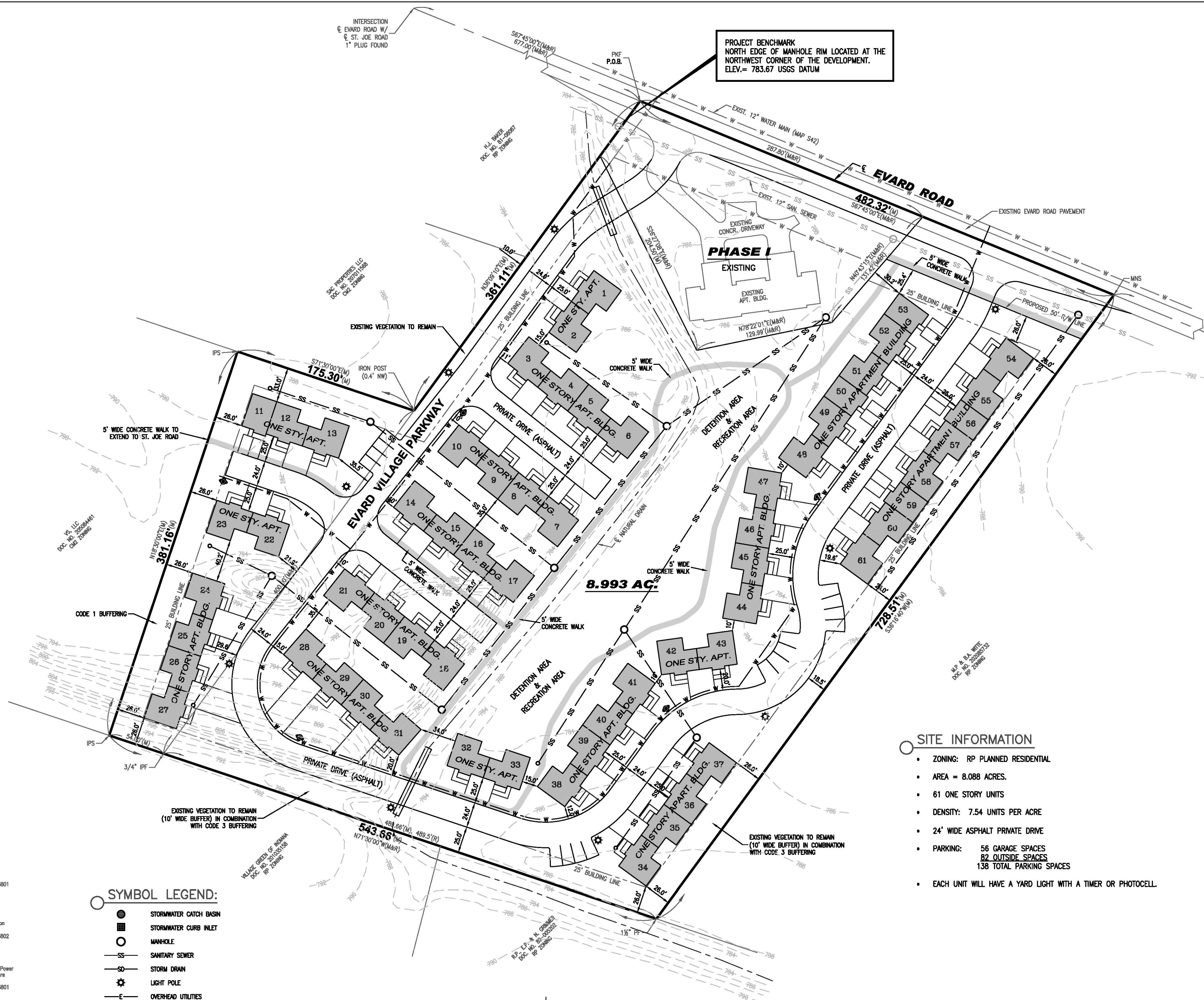


Rezoning Petition 1272/12 Primary Development Plan - Evard Village Amended

Printed: March 21, 2012
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 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

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PROJECT BENCHMARK
NORTH EDGE OF MANHOLE RIM LOCATED AT THE
NORTHWEST CORNER OF THE DEVELOPMENT.
ELEV. = 783.67 USGS DATUM

LEGAL DESCRIPTION

Part of Deftone Reserve in Section 17, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:
Commencing at the intersection of the centerline of Evard Road and the centerline of St. Joe Road as monumented by a 1 inch plug; thence South 67 degrees 45 minutes 00 seconds East (deed bearing and basis for this description) along the centerline of Evard Road a distance of 677.00 feet to the point of beginning; thence continuing South 67 degrees 45 minutes East along the centerline of Evard Road a distance of 482.32 feet thence South 36 degrees 18 minutes 40 seconds West a distance of 726.52 feet; thence North 71 degrees 30 minutes 00 seconds West a distance of 543.66 feet; thence North 18 degrees 30 minutes 00 seconds East a distance of 381.17 feet; thence South 71 degrees 30 minutes 00 seconds East a distance of 175.30 feet; thence North 36 degrees 09 minutes 10 seconds East a distance of 361.11 feet to the point of beginning, containing 8.993 acres.

SITE INFORMATION

- ZONING: RP PLANNED RESIDENTIAL
- AREA = 8.088 ACRES.
- 61 ONE STORY UNITS
- DENSITY: 7.54 UNITS PER ACRE
- 24' WIDE ASPHALT PRIVATE DRIVE
- PARKING: 56 GARAGE SPACES
82 OUTSIDE SPACES
138 TOTAL PARKING SPACES
- EACH UNIT WILL HAVE A YARD LIGHT WITH A TIMER OR PHOTOCELL.

FLOOD NOTE

According to the Flood Insurance Rate Map (FIRM) number 18003C0189C, dated August 3, 2009, the herein described real estate is located in Zone "X", and is not within the "Special Flood Hazard Area". The accuracy of this flood hazard statement is subject to map scale uncertainty.

CERTIFICATION

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.



UTILITY CONTACTS:

Sanitary Sewer
Lisa Rimmer
City of Fort Wayne
Development Services
City-County Building RM 480
Fort Wayne, IN 46802
(260) 439-1408
(260) 427-5064

Water
Rick Sade
City of Fort Wayne
Development Services
City-County Building RM 480
Fort Wayne, IN 46802
(260) 427-5064

Telephone
John Bocheit
Section Manager Access Design
Verizon
Engineering Department
(260) 421-1763

Cable
Michael Edgar
System Designer
Comcast Cablevision
720 Taylor Street
Fort Wayne, IN 46802
(260) 458-5107

Electric
Karen Palmer
American Electric Power
One Summit Square
P.O. Box 80
Fort Wayne, IN 46801
(260) 421-1763

SYMBOL LEGEND:

- STORMWATER CATCH BASIN
- STORMWATER CURB INLET
- MANHOLE
- SANITARY SEWER
- STORM DRAIN
- LIGHT POLE
- OVERHEAD UTILITIES
- POWER POLE
- GUY ANCHOR
- BURIED CABLE
- BURIED FIBER OPTIC CABLE
- FIRE HYDRANT
- WATER LINE
- SHUT OFF VALVE
- GAS LINE
- CONCRETE PAVEMENT
- PROPOSED BUILDING
- RESTRICTED PARKING, HANDICAP
- PROPOSED TREE
- EXISTING CONTOUR LINE

SURVEY LEGEND:

- IPF Iron Pin (rebar) Found
- PF Iron Pipe Found
- IPS 5/8" rebar set with cap stamped "DEI FIRM #0027"
- MNS Mag Nail Set
- PKF P.K. Nail Found
- RRS Railroad Spike
- (M) Measured
- (R) Recorded
- (C) Calculated
- All monuments are at grade except as noted.
- All Property line distances are recorded dimensions, except as noted.
- Monuments found have no documented history, except as noted.

DONOVAN ENGINEERING, INC.
1887 2012
3521 Lake Avenue, Suite 2
Fort Wayne, Indiana 46805
Office 260.424.7418
Fax 260.424.1918
www.donovan-eng.com

DEVELOPER

VS, LLC
6608 ST. JOE ROAD
FORT WAYNE, INDIANA 46835
260.485.2683

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REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	3-21-12	PHASE I	KWH

AMENDED PRIMARY DEVELOPMENT PLAN

4100 EVARD ROAD
FORT WAYNE, INDIANA

SCALE: 1"=50'
DRAWN BY: KWH
DATE: 3-01-12

EVARD VILLAGE

SHEET 1 OF 1

"HOLEY MOLEY"
DON'T DIG BLIND

1-800-382-5544
CALL TOLL FREE
1-800-428-5200
FOR CALLS OUTSIDE OF INDIANA

The underground utility locations were established by field observations, utility maps, and/or utility markers. It is recommended the contractor notify INDIANA UNDERGROUND (1-800-382-5544) at least 48 hours in advance of construction for the exact locations of existing utilities.

This survey does not represent as to any evidence of the location of underground features, such as underground coal, oil, gas, tanks, wells, or any rights or claims that may exist underground, and no claim or liability is expressed.