

#1273

BILL NO. Z-12-03-10

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 R1 (Single
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

A tract of land in DeRome Reserve in Township 31 North Range 13 East, designated on the
Plat as Tract #7 and by the metes and bounds, described as follows:

Commencing at a point in the centerline of the Evard Road in said Township, said point
being situated 3,204.3 feet North 32 degrees East, 1,748.2 feet North 65 degrees 58 minutes
West from the Southeast corner of DeRome Reserve; thence continuing North 65 degrees 58
minutes West along the centerline of said Evard Road 575 feet for the point of beginning;
thence continuing North 65 degrees 58 minutes West along the centerline of said Evard
Road a distance of 132.77 feet; thence Northeasterly by a deflection right of 104 degrees 02
minutes a distance of 309.23 feet; thence Southeasterly by a deflection right of 75 degrees 58
minutes a distance of 57.87 feet; thence Southwesterly by a deflection right of 90 degrees a
distance of 300 feet to the point of beginning, containing 0.66 acres of land, subject to all
legal roads and highways.

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: 1273/12
Bill Number: Z-12-03-10
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 0.66 acres of property from CM2-Limited Retail and Commercial to R1-Single Family Residential

Location: At 4109 Evard Road, on the north side of the road.

Reason for Request: To bring the existing use of a single family home into conformity with the zoning classification and zoning ordinance.

Applicant: Christopher D. Moore

Property Owner: Christopher D. Moore

Related Petitions: none

Effect of Passage: Property will be rezoned to R1-Single Family Residential, bringing the existing use into conformity with the zoning ordinance.

Effect of Non-Passage: The property will remain zoned CM2-Limited Retail and Commercial and may develop with commercial uses. The existing use may remain, but may not necessarily be rebuilt in the case of damage or fire.

Department of Planning Services
Rezoning Petition Application

Applicant Christopher D Moore
Address 4109 Evard Road
City Fort Wayne State Indiana Zip 46835
Telephone 260-348-2176 Fax E-mail northstar87@hotmail.com

Property Owner Christopher D Moore
Address 4109 Evard Road
City Fort Wayne State Indiana Zip 46835
Telephone 260-348-2176 Fax E-mail northstar87@hotmail.com

Contact Person Christopher D Moore
Address 4109 Evard Road
City Fort Wayne State Indiana Zip 46835
Telephone 260-348-2176 Fax E-mail northstar87@hotmail.com

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

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 4109 Evard Road
Present Zoning CM2 Proposed Zoning RESIDENTIAL Acreage to be rezoned .66
Proposed density units per acre
Township name St. Joseph Township section # 17
Purpose of rezoning (attach additional page if necessary) So I can sell my house in the future and allow people to get a mortgage to buy it. Currently no bank will allow a mortgage on my property since it is in a CM2 zoning.
Sewer provider Fort Wayne Utility Water provider Well

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.

Christopher D Moore 2/29/2012
(printed name of applicant) (signature of applicant) (date)
Christopher D Moore 2/29/2012
(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	107347		

Per-2012-0066

CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

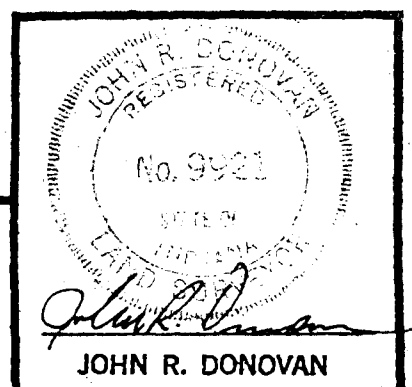
The description of the real estate is as follows, to wit:

A tract of land in DeRome Reserve in Township 31 North, Range 13 East, designated on the Plat as Tract #7 and by the metes and bounds, described as follows:

Commencing at a point in the centerline of the Evard Road in said Township, said point being situated 3,204.3 feet North 32 degr. East 1,748.2 feet North 65 degr. 58 min. West from the SE corner of DeRome Reserve; thence continuing North 65 degr. 58 min. West along the centerline of said Evard Road 575 feet for the point of beginning; thence continuing North 65 degr. 58 min. West along the centerline of said Evard Road a distance of 132.77 feet; thence Northeasterly by a deflection right of 104 degr. 02 min. a distance of 309.23 feet; thence Southeasterly by a deflection right of 75 degr. 58 min. a distance of 57.87 feet; thence Southwesterly by a deflection right of 90 degr. a distance of 300 feet to the point of beginning, containing 0.66 acres of land, subject to all legal roads and highways.

JOB FOR: RICE-HARDING

10-24-77



CERTIFICATE OF SURVEY

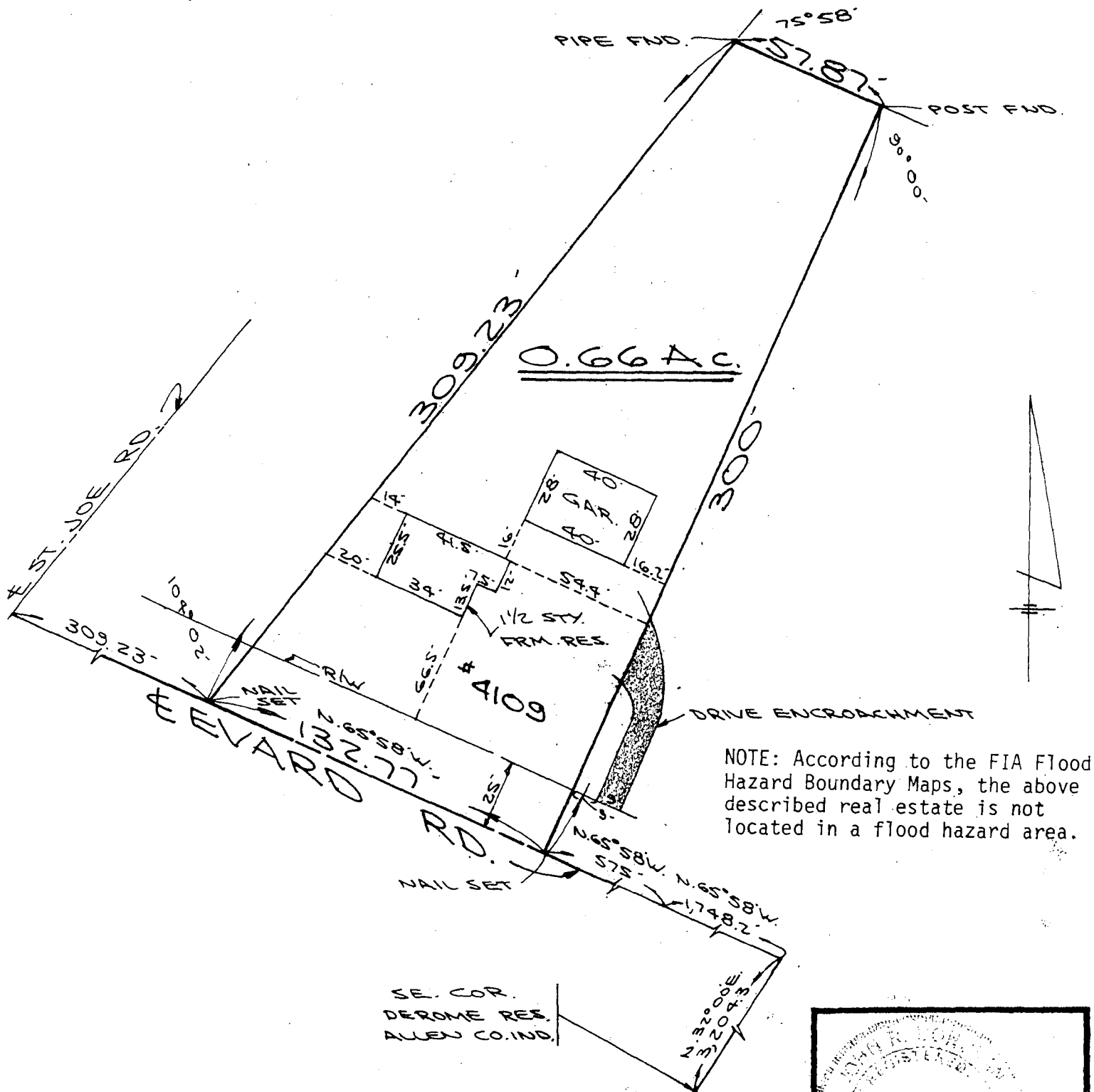
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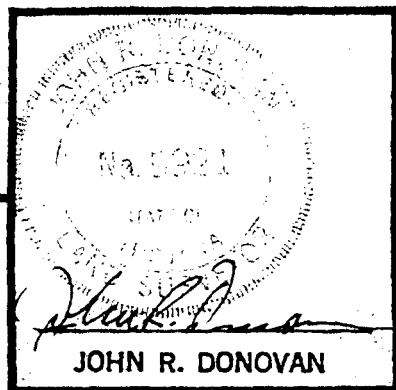
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The description of the real estate is as follows, to wit: **SEE ATTACHED SHEET**



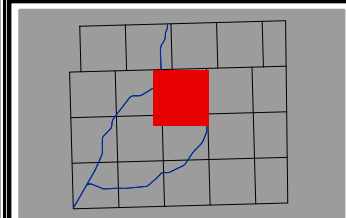
JOB FOR: RICE - HARDING

$i = 50$
10-24-77





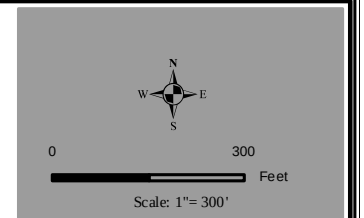
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

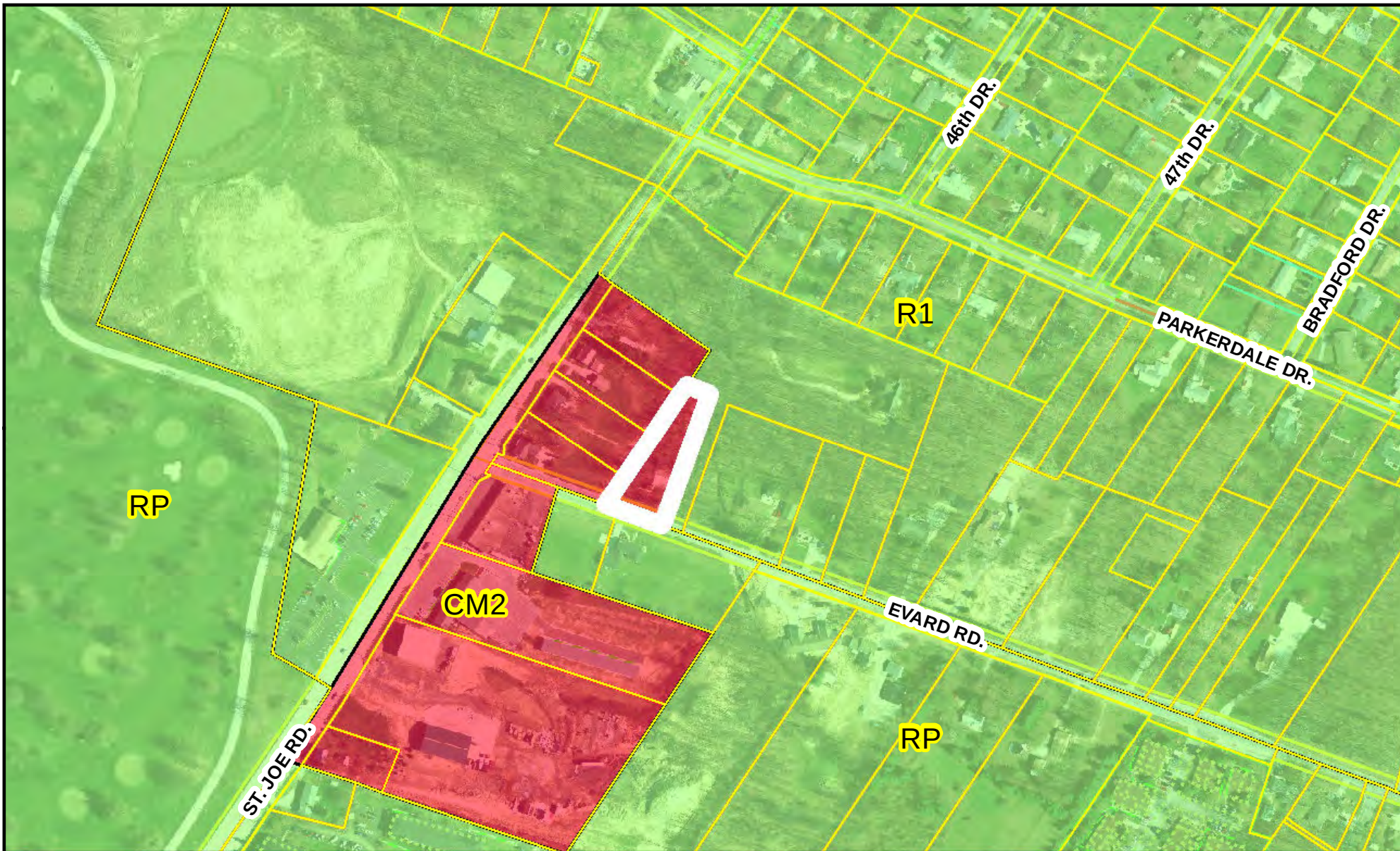


Rezoning Petition 1273/12

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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