

1 **#1274**

2 **BILL NO. Z-12-03-11**

3 **ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

4 **AN ORDINANCE amending the City of Fort Wayne**  
5 **Zoning Map No. S-42 (Sec. 10 of Washington Township)**

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

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

11 A tract of land in Section 10 Township 31 Range 12 East, Allen County, Indiana, more  
12 particularly described as follows:

13 Lots Numbered 76 and 77 in Rousseaus Suburban Garden Addition, an addition to the City  
14 of Fort Wayne according to the plat thereof recorded in Plat Record 8, page 92, excepting  
15 therefrom that portion conveyed to the State of Indiana as recorded in Warranty Deed  
16 recorded January 29, 2008 as Document Number 2008004519, in the Office of the Recorder  
17 of Allen County, Indiana ("Real Estate).

18 and the symbols of the City of Fort Wayne Zoning Map No. S-42 (Sec. 10 of Washington  
19 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
20 Wayne, Indiana is hereby changed accordingly.

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

23 \_\_\_\_\_  
24 Council Member

25 APPROVED AS TO FORM AND LEGALITY:

26 \_\_\_\_\_  
27 Carol T. Helton, City Attorney

# City of Fort Wayne Common Council

## DIGEST SHEET

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### Department of Planning Services

Title of Ordinance: Zoning Map Amendment  
Case Number: 1274/12  
Bill Number: Z-12-03-11  
Council District: 3 – Tom Didier

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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

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Synopsis of Ordinance: To rezone approximately 0.67 acres of property from R1-Single Family Residential to CM3-General Commercial

Location: At 1613 Grove Drive, on the south side of the road, near the intersection with Lima Road.

Reason for Request: To rent the existing church structure for a retail/commercial use, and eventually use the property for vehicle sales.

Applicant: James Ray Mutton/JRM Realty, LLC

Property Owner: JRM Realty, LLC

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Related Petitions: none

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Effect of Passage: Property will be rezoned to CM3-General Commercial which allows a variety of retail and commercial uses, as well as vehicle sales.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential and may develop with a single-family home, as well as other uses permitted in the R1 district.

Department of Planning Services  
Rezoning Petition Application

**Applicant**  
Applicant JAMES Ray MUTTON / JRM REALTY LLC  
Address 5612 Illinois Rd  
City Fort Wayne State IN Zip 46804  
Telephone 260 432 9438 Fax 432 2999 E-mail JimeMUTTON Power.com

**Property Ownership**  
Property Owner JRM REALTY LLC  
Address 5612 1613 GROVE  
City FORT WAYNE State IN Zip 46818  
Telephone 432 9438 Fax 432 2999 E-mail \_\_\_\_\_

**Contact Person**  
Contact Person JAMES Ray MUTTON  
Address 5612 Illinois Rd  
City FORT WAYNE State IN Zip 46804  
Telephone 432 9438 Fax 432 2999 E-mail JimeMUTTON Power.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 1613 GROVE DR FORT WAYNE IN 46818  
Present Zoning R1 Proposed Zoning CM3 Acreage to be rezoned .67  
Proposed density N/A units per acre  
Township name WASHINGTON Township section # 10  
Purpose of rezoning (attach additional page if necessary) SITE CURRENTLY BEING USED AS A CHURCH, WOULD LIKE TO RE-USE CURRENT STRUCTURE FOR RETAIL USAGE, LONG TERM TO TEAR DOWN AND USE LOT AT 1613 GROVE WITH 1613 GROVE FOR AUTOMOTIVE RETAIL  
Sewer provider CITY 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

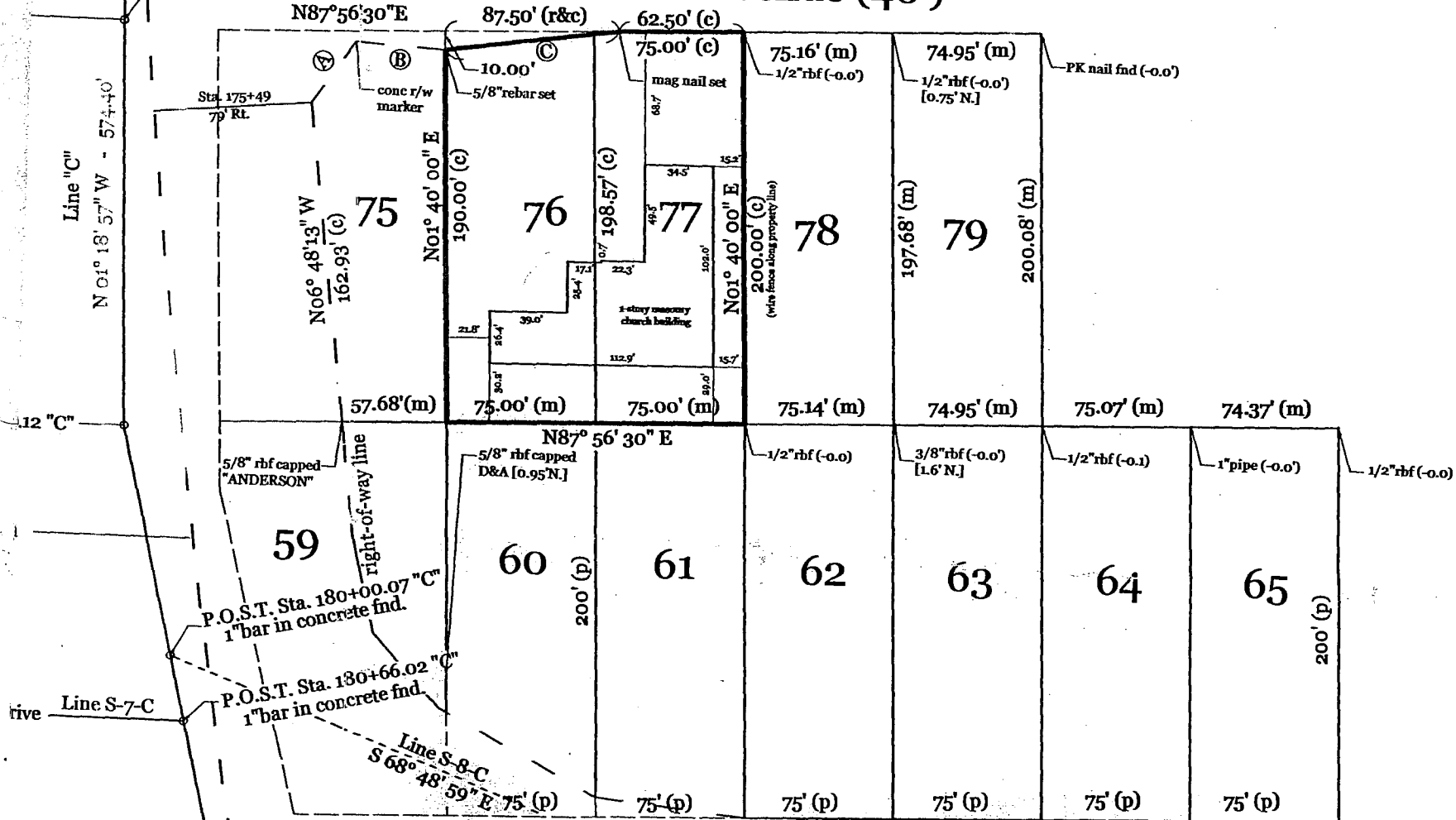
I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

|                                                             |                                                     |                          |
|-------------------------------------------------------------|-----------------------------------------------------|--------------------------|
| <u>JAMES Ray MUTTON</u><br>(printed name of applicant)      | <u>[Signature]</u><br>(signature of applicant)      | <u>3.7.12</u><br>(date)  |
| <u>JAMES Ray MUTTON</u><br>(printed name of property owner) | <u>[Signature]</u><br>(signature of property owner) | <u>3.17.12</u><br>(date) |
| _____<br>(printed name of property owner)                   | _____<br>(signature of property owner)              | _____<br>(date)          |
| _____<br>(printed name of property owner)                   | _____<br>(signature of property owner)              | _____<br>(date)          |

|          |             |              |              |
|----------|-------------|--------------|--------------|
| Received | Receipt No. | Hearing Date | Petition No. |
|----------|-------------|--------------|--------------|

1 bar in concrete ind.

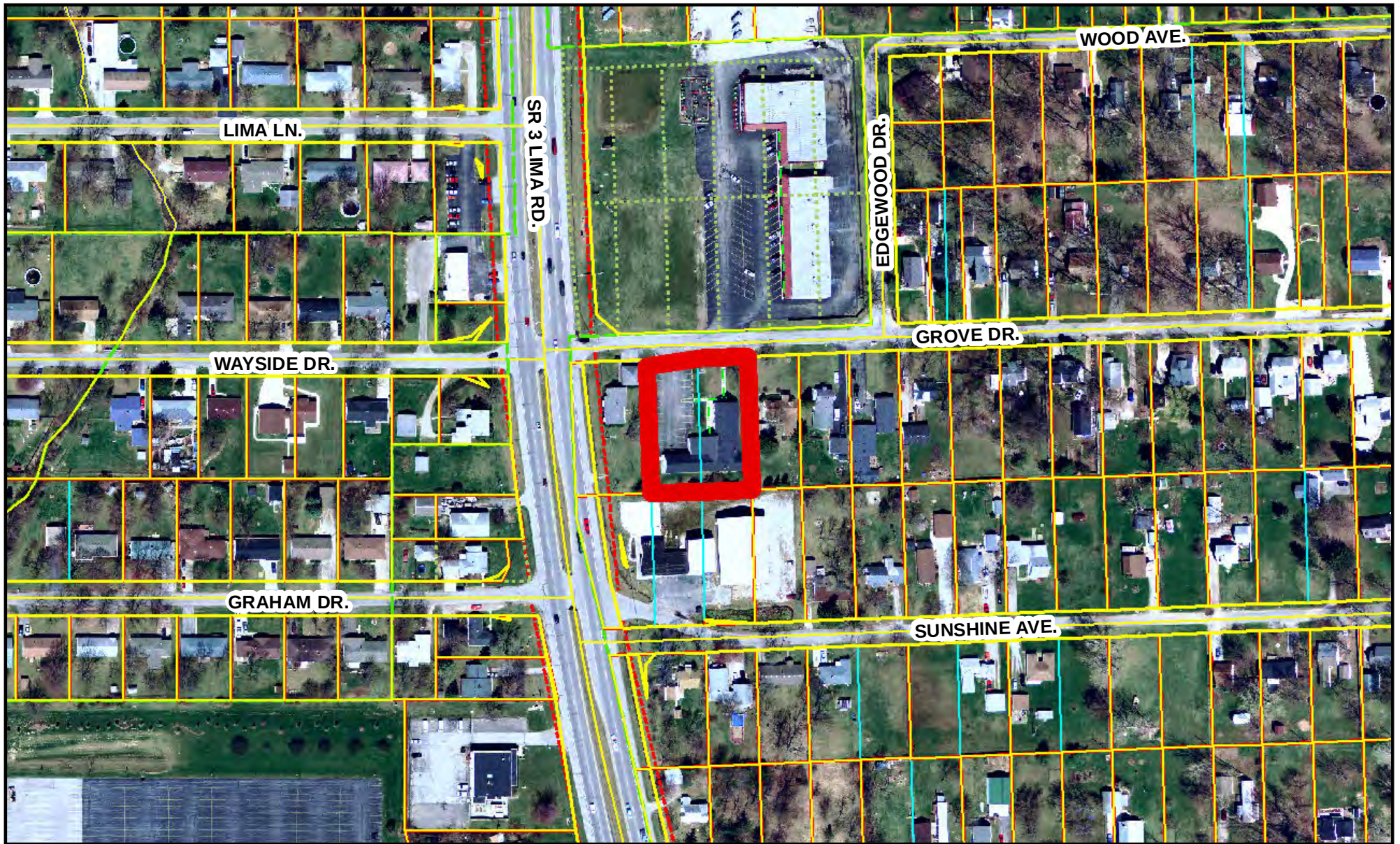
# Grove Avenue (40')



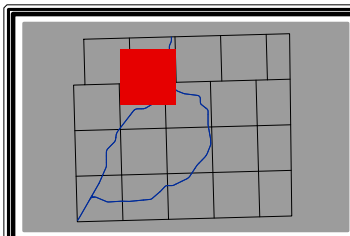
# Sunshine Avenue (40')







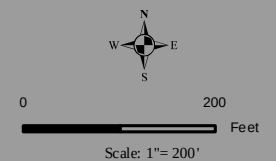
**This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project**



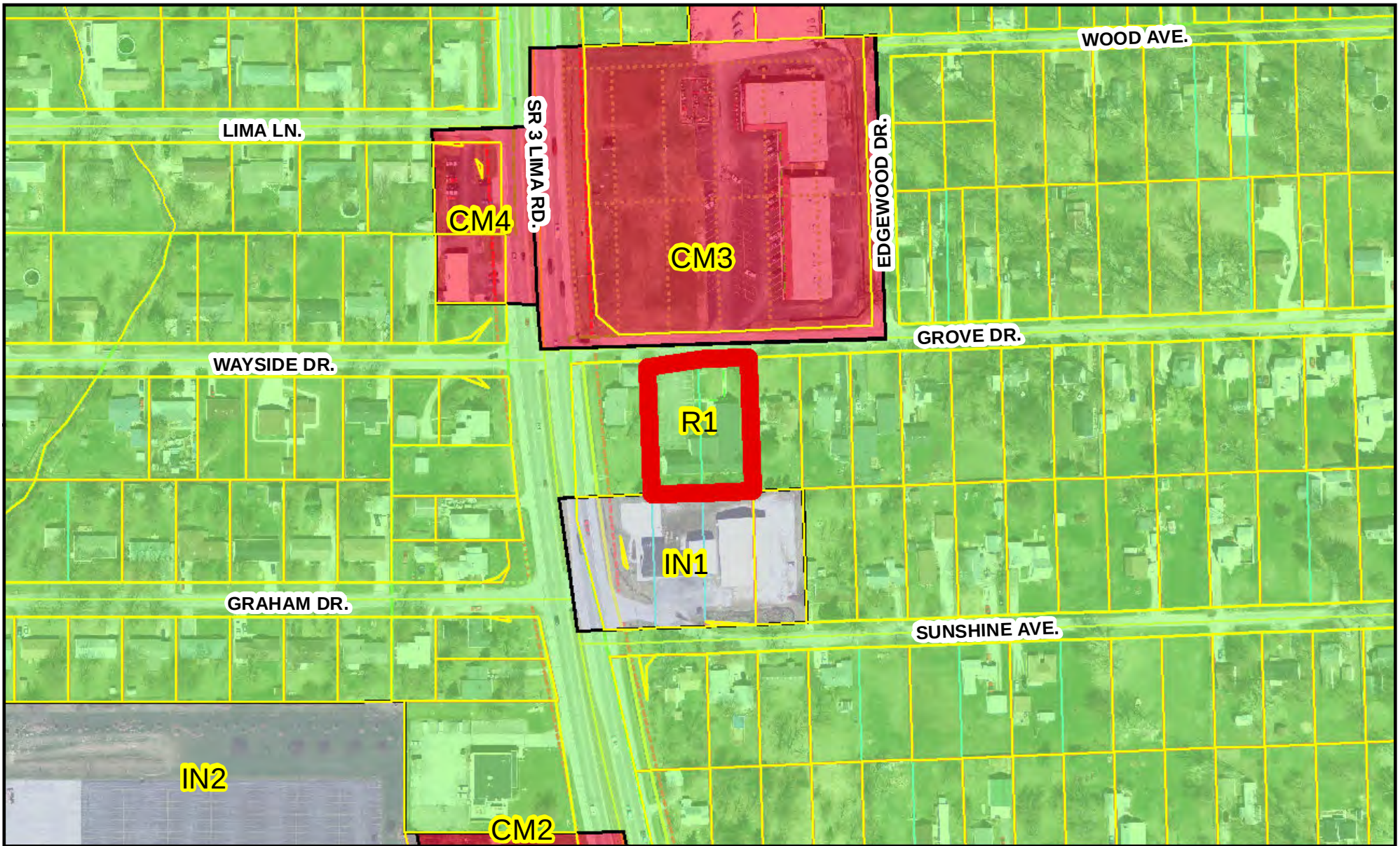
## Rezoning Petition 1274/12

Printed: March 21, 2012  
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 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos: Spring 2006 / Contours: 1999

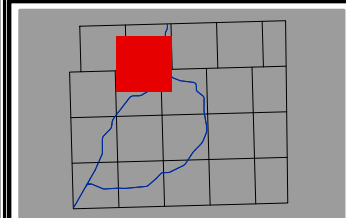
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### Rezoning Petition 1274/12

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