

#1278

BILL NO. Z-12-05-03

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G-02 (Sec. 8 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 a CM1

(Professional Offices and Personal Services) District under the terms of Chapter 157 Title

XV of the Code of the City of Fort Wayne, Indiana:

Parcel "A":

Part of Lot #18 in Edsall's Subdivision of Lago Reserve in Township 30 North, Range 12 East, Allen County, Indiana, together with part of the East 26.0 rods of the South 160 rods of said Lago Reserve, more particularly described as follows, to wit:

Beginning at the Northwest corner of Lot #1 in Washington Place Addition recorded in Plat Book 15, page 134, in the Office of the Recorder of Allen County, Indiana; thence Northerly, recorded parallel with the East line of said Lot #18, a distance of 140.45 feet to the Southeast corner of a 0.0297 acre tract of land dedicated for street purposes in Document No. 960021083 in the Office of the Recorder of Allen County, Indiana; thence Southwesterly, by an interior angle of 51 degrees 15 minutes, 37 seconds, along the Southerly line of said 0.0297 acre tract, a distance of 132.00 feet (recorded 129.35 feet) to the Southwest corner thereof; thence Southerly, by a deflection angle left of 53 degrees 05 minutes 06 seconds, a distance of 251.50 feet to a square inch rod found on the North line of Lot #4 in said Washington Place Addition; thence Northeasterly, by an interior angle of 52 degrees 48 minutes 50 seconds, along the North line of said Lot #4, a distance of 101.9 feet to the Northeast corner thereof; thence continuing Northeasterly, along the North line of Lot #3 in said Washington Place Addition, a distance of 20.3 feet to a 3/8 inch rod found at the Southwest corner of Lot #1 in said Washington Place Addition; thence Northerly, by an interior angle of 129 degrees 00 minutes 39 seconds, along the West line of said #Lot 1, a distance of 120.00 feet to the point of beginning, containing 0.585 acres of land.

Together with:

Parcel "B":

A tract of land in Township 30 North, Range 12 East, being a part of Lot Number 18 Edsall's Subdivision of Lago Reserve, TOGETHER with a part of the East 26.0 rods of the South 160.0 rods of said Lago Section, by metes and bounds described as follows, to-wit:

COMMENCING at the Northwest corner of Lot Number 1 in the plat of Washington Place Addition, as recorded in Plat Book 15, page 134, of the records in the Office of the Recorder of said County; thence North and parallel to the East line of said Lot Number 18 of Edsall's Subdivision, a distance of 204.35 feet to an intersection by the centerline of the public highway known as the Upper Huntington Road; thence Southwesterly on the centerline of said Highway, 258.7 feet to its intersection by the West line of said Lot Number 18 Edsall's Subdivision; thence South on the West line of aforesaid Lot and on a line parallel to and 26.0 rods West of East line of said Lago Section, a distance of 288.87 feet to the Northwest corner of Lot Number 5 of said Washington Place Addition; thence Northeasterly on the North line of Lots Numbered 5, 4 and 3, a distance of 244.3 feet to the Southwest

corner of Lot Number 1 in said Washington Place Addition; thence North of the West line of the aforesaid Lot, 120.0 feet to the Point of Beginning, in Allen County , Indiana.

EXCEPTING from the above described real estate the following tract:

A tract of land in Township 30 North, Range 12 East, being a part of Lot Number 18 Edsall's Subdivision of Lagro Reserve, TOGETHER with a part of the East 26.0 rods of the South 160.0 rods of said Lagro Section and by metes and bounds described as follows, to-wit:

COMMENCING at the Northwest corner of Lot Number 1 in the Plat of Washington Place Addition, as recorded in Plat Book 15, page 134 in the records of the Office of the Recorder of Allen County, Indiana, thence North and parallel to the East line of said Lot Number 18 of Edsall's Subdivision, a distance of 204.35 feet to the center of the public highway known as the Upper Huntington Road, thence Southwesterly on the aforesaid highway centerline, a distance of 129.35 feet, thence Southerly, a distance of 309.87 feet to a point in the North line of Lot Number 4 Washington Place Addition, aforesaid, situated at a distance of 17.65 feet Northeasterly from the Northwest corner of the aforesaid Lot Number 4, thence Northeasterly on the North line of said Lot Number 4, a distance of 101.9 feet to the Northeast corner thereof; thence continuing Northeasterly on the North line of Lot Number 3 Washington Place Addition, aforesaid, a distance of 20.3 feet to the Southwest corner of Lot Number 1 in said Washington Place Addition, thence North on the West line of the aforesaid Lot Number 1, a distance of 120.0 feet to the Place of Beginning, containing approximately six-tenths of an acre.

EXCEPT that part being more particularly described as follows:

A tract of land in Township 30 North, Range 12 East, being a part of Lot Number 18 in Edsall's Subdivision of Lagro Reserve, TOGETHER with a part of the East 26.0 rods of the South 160.0 rods of said Lagro Section, by metes and bounds described as follows, to- wit:

COMMENCING at a point on the West line of Lot Number 18 of Edsall's Subdivision of the Lagro Reserve, said point also being the Southerly right-of-way line of Jefferson Boulevard and being 2.0 feet North of the South line of Edsall's Subdivision of Lagro Reserve, this point shall also be the Point of Beginning of the following described parcel of right-of-way; thence in a Northeasterly direction along the Southerly right-of-way line of Jefferson Boulevard 129.35 feet to a point on the East property line which is 100 feet East of the West line of the aforesaid Lot Number 18; thence South along the East property line a distance of 12.8 feet; thence Southwesterly 129.35 feet to a point on the West property line of Lot Number 18 of Edsall's Subdivision; thence North 12.8 feet to a point on the existing 40 foot right-of-way line which is also the Point of Beginning; continuing 2587.0 square feet or 0.0594 acres of land, more or less.

Together with:

Parcel "C":

Part of Lagro Reserve in Township 30 North Range 12 East (Wayne Township), Allen County, Indiana, more particularly described as follows, to-wit:

Beginning on the West line of the East 6.50 chains (429.0) feet of Lagro Reserve at its intersection with the South line of Lot Number 17 in Edsall's Subdivision in Lagro Reserve (recorded in Deed Record 30, pages 160-161, in the Office of the Recorder of Allen County, Indiana); thence South 89 degrees 42 minutes West (bearings based on Indiana State Highway Commission plans for U.S. Highway #24) on and along the South line of said Lot #17, a distance of 63.4 feet (recorded 66 feet) to the centerline of U.S. Highway #24; thence South 51 degrees 30 minutes West on and along said centerline 242.44 feet; thence South 26 degrees 12 minutes 30 seconds East, 253.8 feet; thence North 38 degrees 38 minutes East (recorded North 38 degrees 50 minutes East), 59.0 feet; thence North 48 degrees 48 minutes East (recorded North 49 degrees East) 141.0 feet to the West line of said East 6.50 chains; thence North 00 degrees 27 minutes West, on and along said West line, 240.0 feet to the point of beginning, containing 1.345 acres of land.

Excepting that part being more particularly described as follows:

DOC. #960070152

Part of the Lagro Reserve in Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, and more particularly described as follows, to wit: Commencing on the West line of the East 6.50 chains (429.0 feet) of Lagro Reserve at its intersection with the South line of Lot 17 in Edsall's Subdivision in Lagro Reserve (recorded in Deed Record 30, pages 160-161, in the Office of the Recorder of Allen County, Indiana;) thence South 89 degrees 42 minutes West (bearings based on Indiana State Highway Commission plans for U.S. Highway #24) on and along the south line of said Lot 17, a distance of 63.4 feet (recorded 66 feet) to the center line of U.S. Highway #24; thence South 51 degrees 30 minutes West on and along said centerline 242.44 feet; thence South 26 degrees 12 minutes 30 seconds East 40.9 feet to the South right of way line of West Jefferson Boulevard; which is also the point of beginning of the following described parcel; thence continuing South 26 degrees 12 minutes 30 seconds East 10.22 feet; thence North 51 degrees 30 minutes East 294.46 feet; thence North 12.7 feet to the intersection of the Southerly right of way line of Jefferson Boulevard; thence South 51 degrees 30 minutes West a distance of 300.16 feet to the point of beginning and containing 2973.1 square feet or 0.0682 acres of land, more or less.

Subject to the 40 foot wide right of way of West Jefferson.

and the symbols of the City of Fort Wayne Zoning Map No. G-02 (Sec. 8 of Wayne Township), as established by Section 157.201(B) 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: 1278/12
Bill Number: Z-12-05-03
Council District: 4-Mitch Harper

Introduction Date: May 8, 2012

Plan Commission
Public Hearing Date: May 14, 2012

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

Synopsis of Ordinance: To rezone approximately 2.41 acres of property from R3-Multiple Family Residential to CM1-Professional Offices and Personal Services.

Location: 3825, 3835 and 3919 West Jefferson Boulevard

Reason for Request: To bring the existing uses of a dentist office, chiropractic office and pediatrics office, respectively, into conformity with the zoning classification and zoning ordinance.

Applicants: Christopher Bible, Allen County Family and Sports Chiropractic, and White House on Jefferson Blvd./Jefferson Pointe Trust

Property Owners: same

Related Petitions: Primary Development Plan for a new medical office building at 3919 West Jefferson

Effect of Passage: Property will be rezoned to CMI-Professional Offices and Personal Services, bringing the existing uses into conformity with the zoning ordinance, continuing the trend in this area of West Jefferson Boulevard for professional offices on the south side of the road.

Effect of Non-Passage: The property will remain zoned R3-Multiple Family Residential and may develop with residential uses. The existing office uses may remain under approvals from the Board of Zoning Appeals, but may need additional approvals for expansion, new signage, etc.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Christopher Biele
Address 3825 W. Jefferson Blvd
City Ft. Wayne State IN. Zip 46804
Telephone 435-1968 Fax 435-1971 E-mail _____

Property Ownership
Property Owner Christopher Biele
Address 3825 W. Jefferson Blvd
City Ft. Wayne State IN. Zip 46804
Telephone 435-1968 Fax 435-1971 E-mail _____

Contact Person
Contact Person Christopher Biele
Address 3825 W. Jefferson Blvd
City Ft. Wayne State IN. Zip 46804
Telephone 409-6262 Fax 435-1971 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 3825 W. Jefferson Blvd
Present Zoning R3 Proposed Zoning CMI Acreage to be rezoned 0.5005
Proposed density n/a units per acre
Township name Wayne Township section # 9
Purpose of rezoning (attach additional page if necessary) May need to increase parking for Dental office in future.
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 plat/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.

(printed name of applicant) _____ (signature of applicant) _____ (date) _____

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

Christopher L Biele Christopher L Biele 4-2-12
(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.
4/10/12	107731	5/14/12	1278

107730
107732

**Department of Planning Services
Rezoning Petition Application**

Applicant	Applicant	<u>Allen County Family and Sports Chiropractic</u>		
	Address	<u>3835 W. Jefferson Blvd.</u>		
	City	<u> Ft. Wayne </u>	State	<u> IN </u> Zip <u> 46804 </u>
	Telephone	<u> 260-469-0109 </u>	Fax	<u> 260-436-4750 </u> E-mail <u> acchiropower@gmail.com </u>
Property Ownership	Property Owner	<u>Allen County Family and Sports Chiropractic / Dr. Michael Hartle</u>		
	Address	<u>3835 W. Jefferson Blvd.</u>		
	City	<u> Ft. Wayne </u>	State	<u> IN </u> Zip <u> 46804 </u>
	Telephone	<u> 260-469-0109 </u>	Fax	<u> 260-436-4750 </u> E-mail <u> acchiropower@gmail.com </u>
Contact Person	Contact Person	<u>Dr. Michael Hartle</u>		
	Address	<u>3835 W. Jefferson Blvd.</u>		
	City	<u> Ft. Wayne </u>	State	<u> IN </u> Zip <u> 46804 </u>
	Telephone	<u> 260-469-0109 </u>	Fax	<u> 260-436-4750 </u> E-mail <u> acchiropower@gmail.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 <u>3835 W. Jefferson Blvd.</u>	
	Present Zoning <u>R3</u>	Proposed Zoning <u>CM1</u> Acreage to be rezoned <u>10.54</u>
	Proposed density _____ units per acre	
	Township name <u>*WAYNE</u>	Township section # <u>9</u>
	Purpose of rezoning (attach additional page if necessary) <u>WANT A BIGGER SIGN</u> <u>+ POTENTIAL ENCARGE CLINIC</u>	
Sewer provider <u>City</u> Water provider <u>City</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.

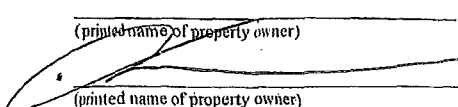
☒ Applicable filing fee

☐ 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 Plan Commission as these 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.

_____ (printed name of applicant)	_____ (signature of applicant)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
 (printed name of property owner)	<u>Michael Hartle</u> (signature of property owner)	<u>4/10/12</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
<u>4/10/12</u>	<u>10773D</u>	<u>5/14/12</u>	<u>1278</u>

107731
107732

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant White House on Jefferson Blvd & Jefferson Pointe Trust
Address 3919 W Jefferson Blvd Ste 40.
City Fort Wayne State IN Zip 46804
Telephone 330-715-2005 Fax _____ E-mail ~~whitehouse@whitehouse.com~~

Property Ownership
Property Owner S.A.A
Address _____
City _____ State _____ Zip _____
Telephone _____ Fax _____ E-mail _____

Contact Person
Contact Person Alex Chang / Dickmeyer
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 3919 W. Jefferson Blvd.
Present Zoning R3 Proposed Zoning CM1 Acreage to be rezoned 1.28
Proposed density NA units per acre
Township name * Wayne Township section # 9
Purpose of rezoning (attach additional page if necessary)
to allow for medical office use
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 Rezoning Only

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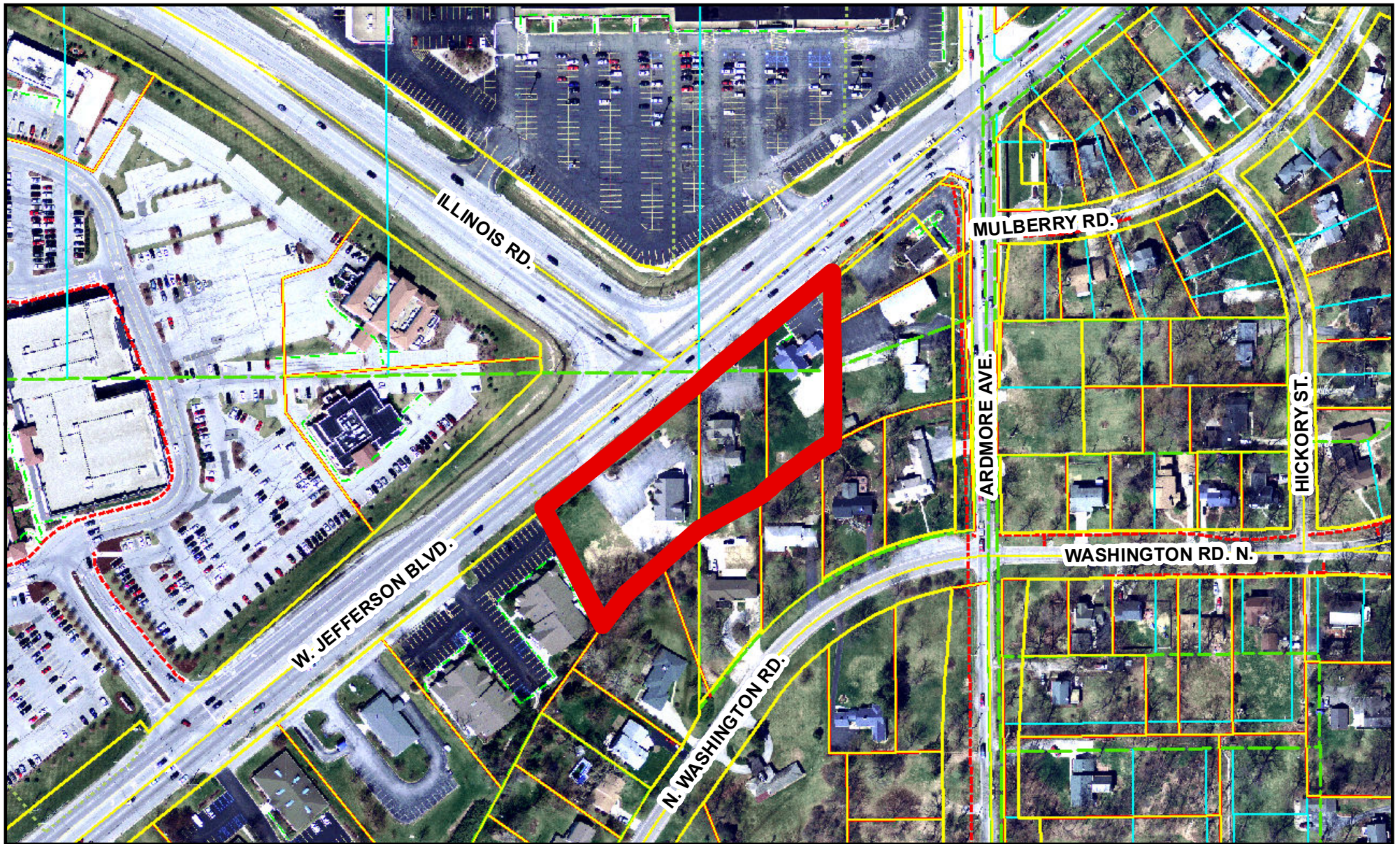
White House on Jefferson Trust [Signature] 4.10.12
(printed name of applicant) (signature of applicant) (date)
See other Attachment _____
(printed name of property owner) (signature of property owner) (date)
See other Attachment _____
(printed name of property owner) (signature of property owner) (date)

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

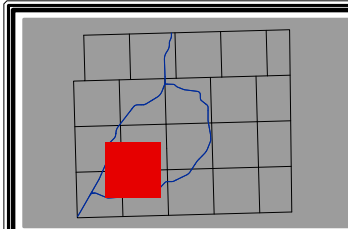
Received	Receipt No.	Hearing Date	Petition No.
4/10/12	107732	May 14	1278

107731
107730 2012

Rez-2012-6037



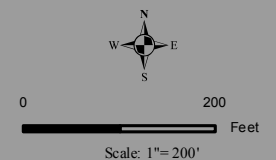
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

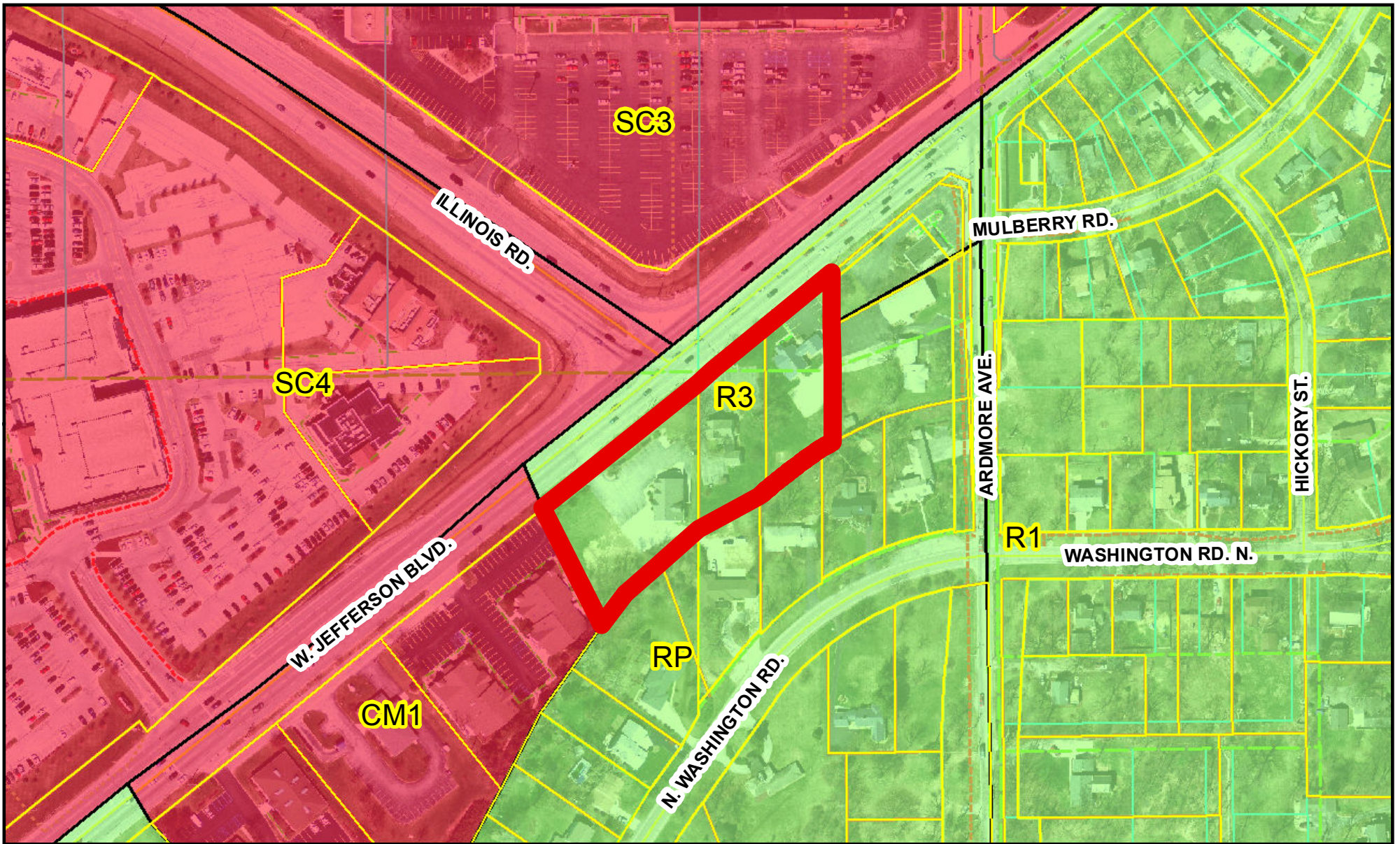


Rezoning Petition 1278/12

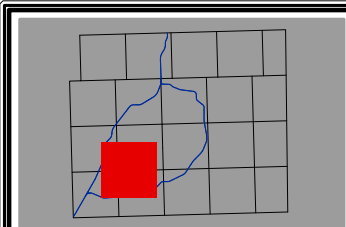
Printed: April 17, 2012
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999

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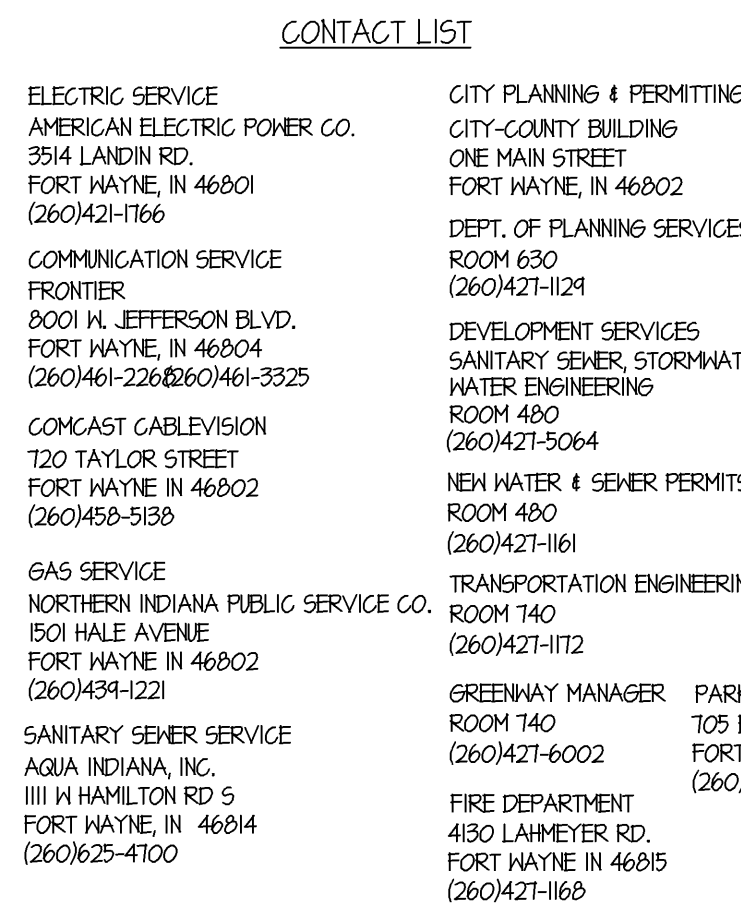
Rezoning Petition 1278/12

Printed: April 17, 2012
 © 2004 Board of Commissioners of the County of Allen
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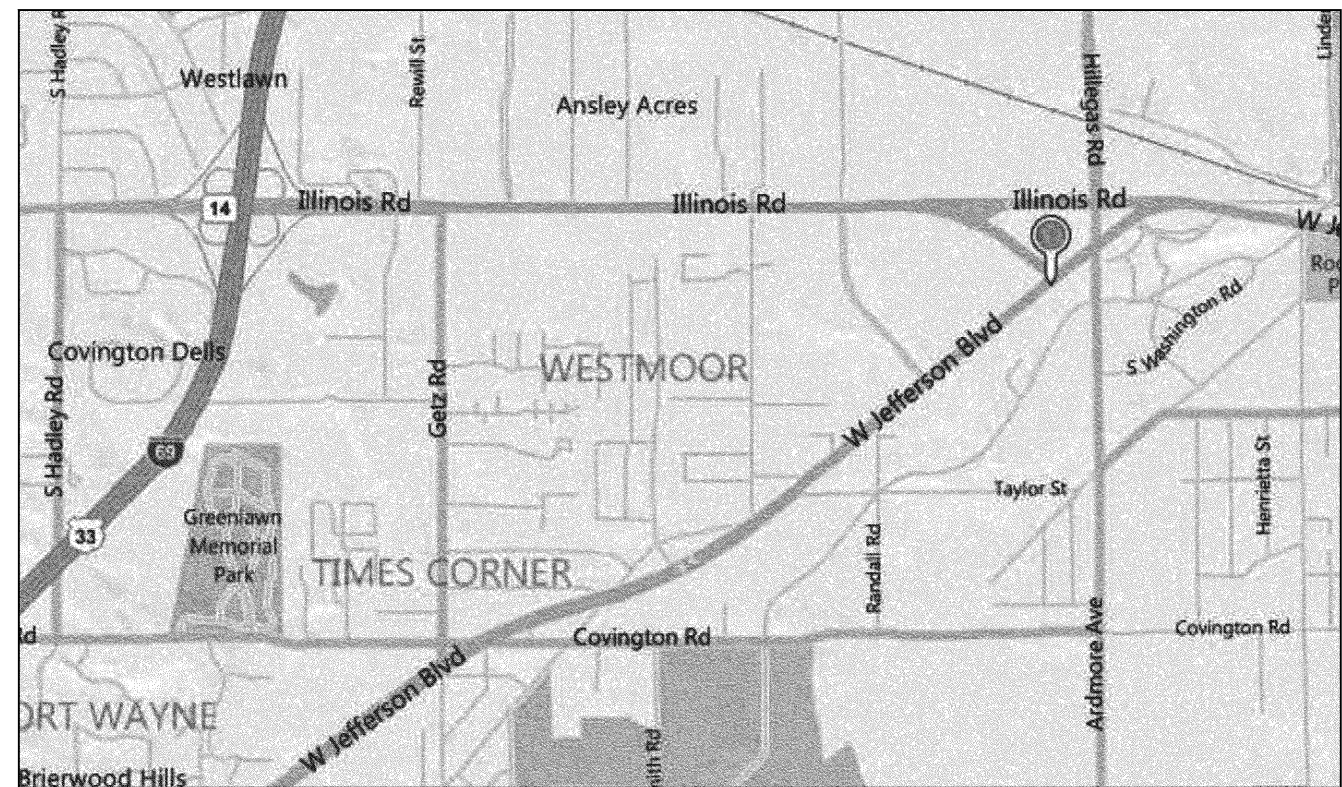
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0 200
 Feet
 Scale: 1"=200'



Know what's **below**.
Call before you dig.



VICINITY MAP
NTS

DESCRIPTION IS PART OF DOC. #990067004

Part of Lago Reserve in Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, more particularly described as follows, to-wit: BEGINNING on the West line of the East 6.50 chains (429.0 feet) of Lago Reserve at its intersection with the South line of Lot Number 17 in Edsall's Subdivision in Lago Reserve (recorded in Deed Record 30, pages 160-161, in the Office of the Recorder of Allen County, Indiana); thence South 89 degrees 42 minutes West (bearings based on Indiana State Highway Commission plans for U.S. Highway #24) on and along the South line of said Lot Number 17, a distance of 63.4 feet (recorded 66 feet) to the centerline of U.S. Highway #24; thence South 51 degrees 30 minutes West on and along said centerline 242.44 feet; thence South 26 degrees 12 minutes 30 seconds East, 253.8 feet; thence North 38 degrees 38 minutes East (recorded North 38 degrees 50 minutes East) 59.0 feet; thence North 48 degrees 48 minutes East (recorded North 49 degrees East) 141.0 feet to the West line of said East 6.50 chains; thence North 00 degrees 27 minutes West, on and along said West line, 240.0 feet to the point of beginning; containing 1.345 acres of land.

EXCEPTING that part being more particularly described as follows:

DOC. #960070152

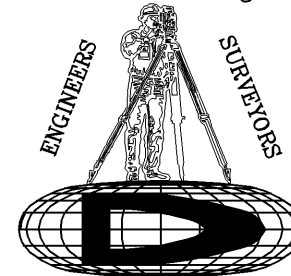
Part of the Lago Reserve in Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, and more particularly described as follows, to wit: Commencing on the west line of the east 6.50 chains (429.0 ft.) of Lago Reserve at its intersection with the south line of Lot 17 in Edsall's Subdivision of Lago Reserve (Recorded in Deed Record 30, pages 160-161, in the Office of the Recorder of Allen County, Indiana); thence South 89 degrees 42 minutes West (bearings based on Indiana State Highway Commission plans for U.S. Highway #24) on and along the south line of said lot 17, a distance of 63.4 ft. (recorded 66 ft.) to the center line of U.S. Highway #24; thence South 51 degrees 30 minutes West on and along said centerline 242.44 ft.; thence South 26 degrees 12 minutes 30 seconds East 40.9 ft. to the point of way line of West Jefferson Blvd.; which is also the point of beginning of the following described parcel; thence continuing South 26 degrees 12 minutes 30 seconds East 10.22 ft.; thence North 51 degrees 30 minutes East 294.46 ft.; thence North 12.7 ft. to the intersection of the southerly right of way line of Jefferson Blvd.; thence South 51 degrees 30 minutes West a distance of 300.16 ft. to the point of beginning and containing 2973.1 sq. ft. or 0.0682 acres of land more or less.

Subject to the 40 feet wide right-of-way of West Jefferson Blvd.

LEGEND OF SYMBOLS

	ANCHOR (GUY)
	BENCHMARK
	STORM SEWER INLET
	CURB INLET
	SANITARY SEWER MANHOLE
	STORM SEWER MANHOLE
	GAS VALVE - MAIN GAS VALVE
	GAS METER
	ELECTRIC METER
	WATER METER
  	FIRE HYDRANT WATER VALVE LIGHT POLE
PP/LP 	POWER/LIGHT POLE
PP/FWP 	POWER POLE
PP/TP 	POWER/TELEPHONE POLE
	SIGN
C/O 	CLEAN-OUT
	FLAG POLE
	WOOD FENCE LINE
	CHAIN LINK FENCE LINE / WIRE FENCE (AS NOTED)
OE _____	OVERHEAD ELECTRIC
OT _____	OVERHEAD TELEPHONE
FO _____	UNDERGROUND FIBER OPTIC CABLE
G _____	GAS LINE
UE _____	UNDERGROUND ELECTRIC
UT _____	UNDERGROUND TELEPHONE
OT _____	OVERHEAD TELEPHONE
TV _____	CABLE TV
W _____	WATER LINE
ST _____	STORM SEWER
SS _____	SANITARY SEWER
 100	EXISTING CONTOUR
x100.00	EXISTING ELEVATION
FF	FINISH FLOOR ELEVATION
x BOLD P	PROPOSED GRADE ELEVATION
x BOLD G	PROPOSED GUTTER ELEVATION
x BOLD C	PROPOSED TOP OF CURB/CONCRETE ELEVATION

DICKMEYER & ASSOCIATES
Engineers-Surveyors, Inc.



Engineering-Surveying-Global Positioning-Planning
6018 E. STATE BOULEVARD
FORT WAYNE, INDIANA 46815
Tel: 260-749-0125 Fax: 260-749-0921

CONSULTANT:

CERTIFICATION



PRIMARY DEVELOPMENT PLAN
3919 W. JEFFERSON BLVD
FORT WAYNE, IN 46804

FOR:
VEERULA
(330) 715-2005

REVISIONS:

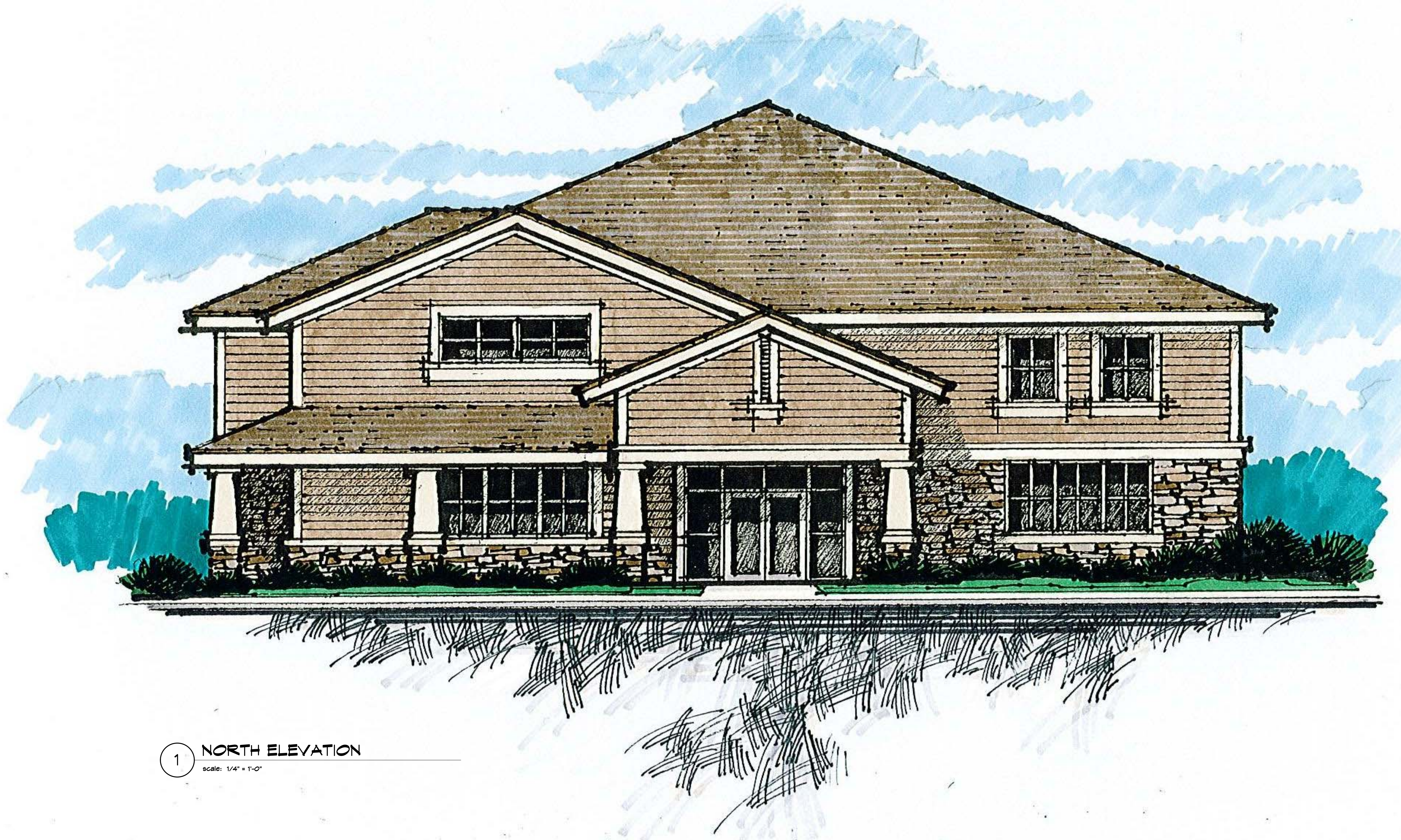
CHECKED BY:

CAD FILE NAME:
PRIMARY PRELIM-EDWG

DATE:
OFFICE: 04/11/2012
FIELD:

SHEET NO:

P-1



1 NORTH ELEVATION
Scale: 1/4" = 1'-0"

CERTIFICATION:

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REVISIONS:

FELDERMAN
DESIGN-BUILD
8644 COVENTRY LANE, FORT MYER, INDIANA 46504
TEL: (260) 434-4000 FAX: (260) 434-4001
www.felderman.com

PROPOSED PROJECT FOR:

CUSTOMER APPROVED:

SIGN: DATE:

PROJECT NUMBER: 1-12-501	DRAWN BY: GMD
DATE ISSUED: 02-15-2012	CHECKED BY: GMD

SHEET NUMBER:

A2.0