

#1288

BILL NO. Z-12-07-20

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. M-58 (Sec. 2 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 R1 (Single Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Part of the Northeast Quarter of Section 2, Township 31 North, Range 12 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Center of said Section 2, being marked by a survey spike; thence North 87 degrees 33 minutes 08 seconds East (deed bearing and basis of all bearings in this description), on and along the South line of said Northeast Quarter, being within the right-of-way of Till Road, a distance of 1943.82 feet to a survey spike; thence North 02 degrees 59 minutes 00 seconds West, a distance of 50.00 feet to a #5 rebar at the Southeast corner of a 20.22 acre base tract of real estate described in a deed to Salin Bank and Trust Company in Document Number 2007040723 in the Office of the Recorder of Allen County, Indiana, this being the true point of beginning; thence North 02 degrees 59 minutes 00 seconds West, on and along the East line of said 20.22 acre base tract, a distance of 216.16 feet to a #5 rebar at the Southeast corner of the plat of Courtyards at Dawson's Creek, as recorded in Plat Cabinet F, page 96 in the Office of said Recorder; thence South 61 degrees 56 minutes 12 seconds West, on and along the South line of said plat, a distance of 165.16 feet to a #5 rebar, thence North 89 degrees 59 minutes 27 seconds West, continuing on and along said South line, a distance of 82.46 feet to a #5 rebar; thence North 61 degrees 04 minutes 31 seconds West, on and along the Southwesterly line of said plat, a distance of 88.12 feet to a #5 rebar; thence North 43 degrees 04 minutes 49 seconds West, continuing on and along said Southwesterly line, a distance of 439.00 feet to a #5 rebar; thence North 55 degrees 34 minutes 47 seconds West, continuing on and along said Southwesterly line, a distance of 29.62 feet to a #5 rebar; thence North 85 degrees 47 minutes 46 seconds West, on and along the South line of said plat, a distance of 36.59 feet to a point on the East line of the R1 zoning district; thence South 02 degrees 31 minutes 48 seconds East, on and along said R1 zoning district line, a distance of 549.33 feet to a point on the North right-of-

way line of Till Road as established in Document Number 990082527 in the Office of said Recorder; thence North 87 degrees 33 minutes 08 seconds East, on and along said North right-of-way line, a distance of 653.69 feet to the true point of beginning, containing 4.306 acres of land, subject to all easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. M-58 (Sec. 2 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: 1288/12
Bill Number: Z-12-07-20
Council District: 3 – Tom Didier

Introduction Date: July 24, 2012

Plan Commission
Public Hearing Date: August 13, 2012

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

Synopsis of Ordinance: To rezone approximately 4.31 acres of property from AR-Low Intensity Residential to R1-Single Family Residential.

Location: The northeast corner of Till Road and Dawson's Creek Boulevard.

Reason for Request: To allow for a single family neighborhood.

Applicant: CPH Development, Inc.

Property Owner: Salin Bank and Trust

Related Petitions: Primary Plat, Courtyards of Dawson's Creek, Section II

Effect of Passage: Property will be rezoned to R1-Single Family Residential and the applicant intends to development a second section of Courtyards at Dawson's Creek, and existing single family subdivision.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and may develop with single family housing or low intensity agricultural uses.

Department of Planning Services
Rezoning Petition Application

Applicant	Applicant <u>CPH Development, Inc.</u>		
	Address <u>10808 LaCabreah Lane</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46818</u>
	Telephone <u>260/489-7095</u>	Fax <u>260/489-7950</u>	E-mail <u>orin@northeasterngroup.com</u>

Property Ownership	Property Owner <u>Salin Bank & Trust Company, Custodian of the Joseph L. Zehr IRA</u>		
	Address <u>8455 Keystone Crossing</u>		
	City <u>Indianapolis</u>	State <u>IN</u>	Zip <u>46204</u>
	Telephone _____	Fax _____	E-mail _____

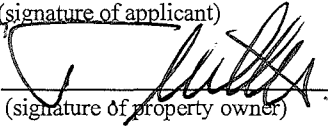
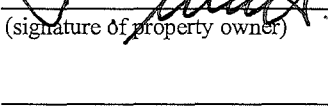
Contact Person	Contact Person <u>Orrin R. Sessions</u>		
	Address <u>same</u>		
	City _____	State _____	Zip _____
	Telephone _____	Fax _____	E-mail _____

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 <u>101 East Till Road</u>		
	Present Zoning <u>AR</u>	Proposed Zoning <u>R1</u>	Acreage to be rezoned <u>4.306 acres</u>
	Proposed density <u>3.1 lots/acre</u> _____ units per acre		
	Township name <u>Washington</u> Township section # <u>2</u>		
	Purpose of rezoning (attach additional page if necessary) <u>To permit construction of a 19 lot single family detached subdivision</u>		
	Sewer provider <u>City of Fort Wayne</u> Water provider <u>City of Fort Wayne</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 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)
<u>TIM MILLER, COMMUNITY PRESIDENT</u>		<u>6-20-12</u>
(printed name of property owner)	(signature of property owner)	(date)
<u>SALIN BANK & TRUST COMPANY</u>		
(printed name of property owner)	(signature of property owner)	(date)
(printed name of property owner)	(signature of property owner)	(date)

MSB

Received	Receipt No.	Hearing Date	Petition No.
7/5/12	108814	8/12/12	

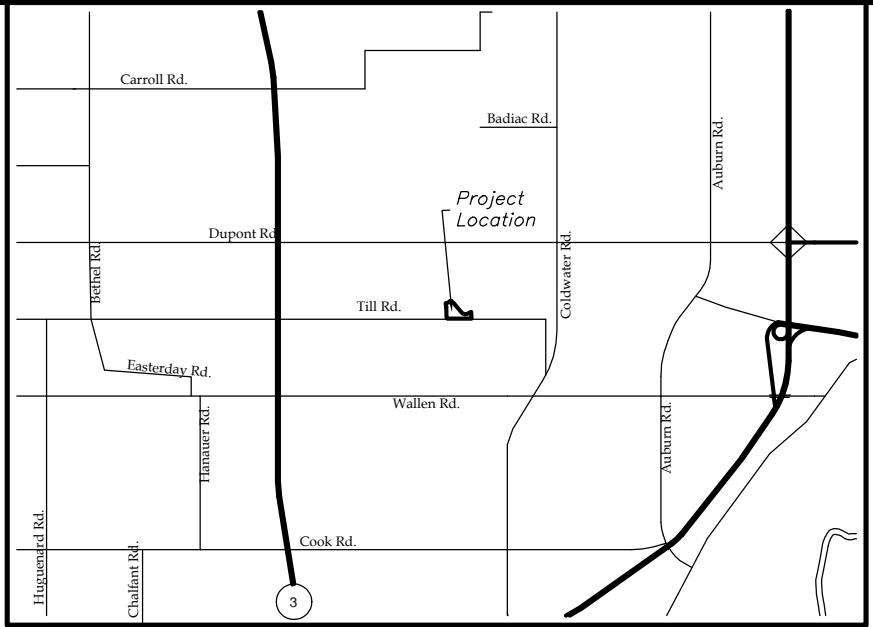
Primary Plat of:

THE COURTYARDS AT DAWSON'S CREEK, SECTION II

Developer:
CPH Development, Inc.
10808 LaCabreah Lane
Fort Wayne, IN 46845
Tel: 260/489-7095 Fax: 489-7950

Surveyor - Planner:
Sauer Land Surveying, Inc.
14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Tel: 260/469-3300 Fax: 469-3301

Engineer:
Civil Engineering Services
8121 Union Chapel Road
Fort Wayne, IN 46845
Tel: 260/627-2791



Location Map

RECORD DESCRIPTION: (as described in Document Number 2011013103)

Part of the Northeast Quarter of Section 2, Township 31 North, Range 12 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Center of said Section 2, being marked by a survey spike; thence North 87 degrees 33 minutes 08 seconds East (deed bearing and basis of all bearings in this description), on and along the South line of said Northeast Quarter, being within the right-of-way of Till Road, a distance of 1943.82 feet to a survey spike; thence North 02 degrees 59 minutes 00 seconds West, a distance of 50.00 feet to a #5 rebar at the Southeast corner of a 20.22 acre base tract of real estate described in a deed to Salin Bank and Trust Company in Document Number 2007040723 in the Office of the Recorder of Allen County, Indiana, this being the true point of beginning; thence North 02 degrees 59 minutes 00 seconds West, on and along the East line of said 20.22 acre base tract, a distance of 216.16 feet to a #5 rebar at the Southeast corner of the plat of Courtyards at Dawson's Creek, as recorded in Plat Cabinet F, page 96 in the Office of said Recorder; thence South 61 degrees 56 minutes 12 seconds West, on and along the South line of said plat, a distance of 165.16 feet to a #5 rebar; thence North 89 degrees 59 minutes 27 seconds West, continuing on and along said South line, a distance of 82.46 feet to a #5 rebar; thence North 61 degrees 04 minutes 31 seconds West, on and along the Southwesterly line of said plat, a distance of 88.12 feet to a #5 rebar; thence North 43 degrees 04 minutes 49 seconds West, continuing on and along said Southwesterly line, a distance of 439.00 feet to a #5 rebar; thence North 55 degrees 34 minutes 47 seconds West, continuing on and along said Southwesterly line, a distance of 29.62 feet to a #5 rebar; thence North 85 degrees 47 minutes 46 seconds West, on and along the South line of said plat, a distance of 92.56 feet to a #5 rebar; thence South 55 degrees 32 minutes 50 seconds West, continuing on and along said South line, a distance of 51.97 feet to a #5 rebar; thence South 70 degrees 12 minutes 32 seconds West, continuing on and along said South line, a distance of 85.67 feet to a #5 rebar on the Easterly right-of-way line of Dawson's Creek Boulevard, as described in Document Number 990082527 in the Office of said Recorder; thence Southerly, on and along said Easterly right-of-way line, as defined by the arc of a non-tangent circular curve to the right having a radius of 340.00 feet, an arc distance of 117.54 feet, being subtended by a long chord having a length of 116.95 feet and a bearing of South 12 degrees 33 minutes 43 seconds East to a survey spike at the point of tangency; thence South 02 degrees 39 minutes 31 seconds East, continuing on and along said Easterly right-of-way line and tangent to said curve, a distance of 362.60 feet to a #5 rebar on the North right-of-way line of Till Road; thence South 47 degrees 33 minutes 11 seconds East, on and along said North right-of-way line, a distance of 35.42 feet to a #5 rebar; thence North 87 degrees 33 minutes 08 seconds East, continuing on and along said North right-of-way line, a distance of 788.95 feet to the true point of beginning, containing 6.289 acres of land, subject to all easements of record. This description is based on an original survey by Sauer Land Surveying, Inc., Survey No. VDCR-001, dated February 14, 2011.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map No. 18003C 0170G, effective August 3, 2009.

Symbol Legend

	Proposed Sanitary Sewer
	Proposed Storm Sewer
	Proposed Water Lines
	Existing Sanitary Sewer
	Existing Storm Sewer
	Existing Water Lines

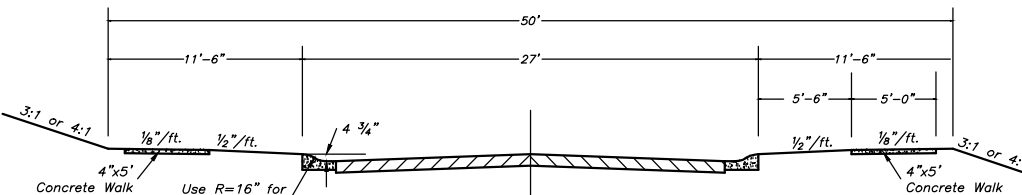
THE COURTYARDS OF DAWSON'S CREEK, SECTION II PLAT NOTES:

FRONT BUILDING LINE.....	25 feet
REAR BUILDING LINE.....	25 feet
STREET R/W.....	50 feet
INTERSECTION RADII.....	20 feet
FRONT EASEMENT.....	20 feet
EXTERIOR REAR EASEMENT.....	20 feet
INTERIOR REAR EASEMENT.....	10 feet
SIDEWALKS.....	both sides
SIDEYARDS.....	5' Min.
REQUESTED WAIVERS:	
Lots 64-66 having access from Block "D".	
Lots 72-74 having access from Block "E".	

Note: All Block areas are blanket Utility and Surface Drainage Easements, with the exception of Blocks "D" and "E" which are also to be Access Easements.

Beginning Benchmark (NAVD '88)
Marker spike w/Brown tag located at the most Westerly corner of Block "A" in the Courtyards at Dawson's Creek.
ELEV.=823.37

Site Benchmark
North Rim of Existing Manhole located at the Northeast corner of the intersection of Till Road & Dawson's Creek Boulevard.
ELEV.=806.45

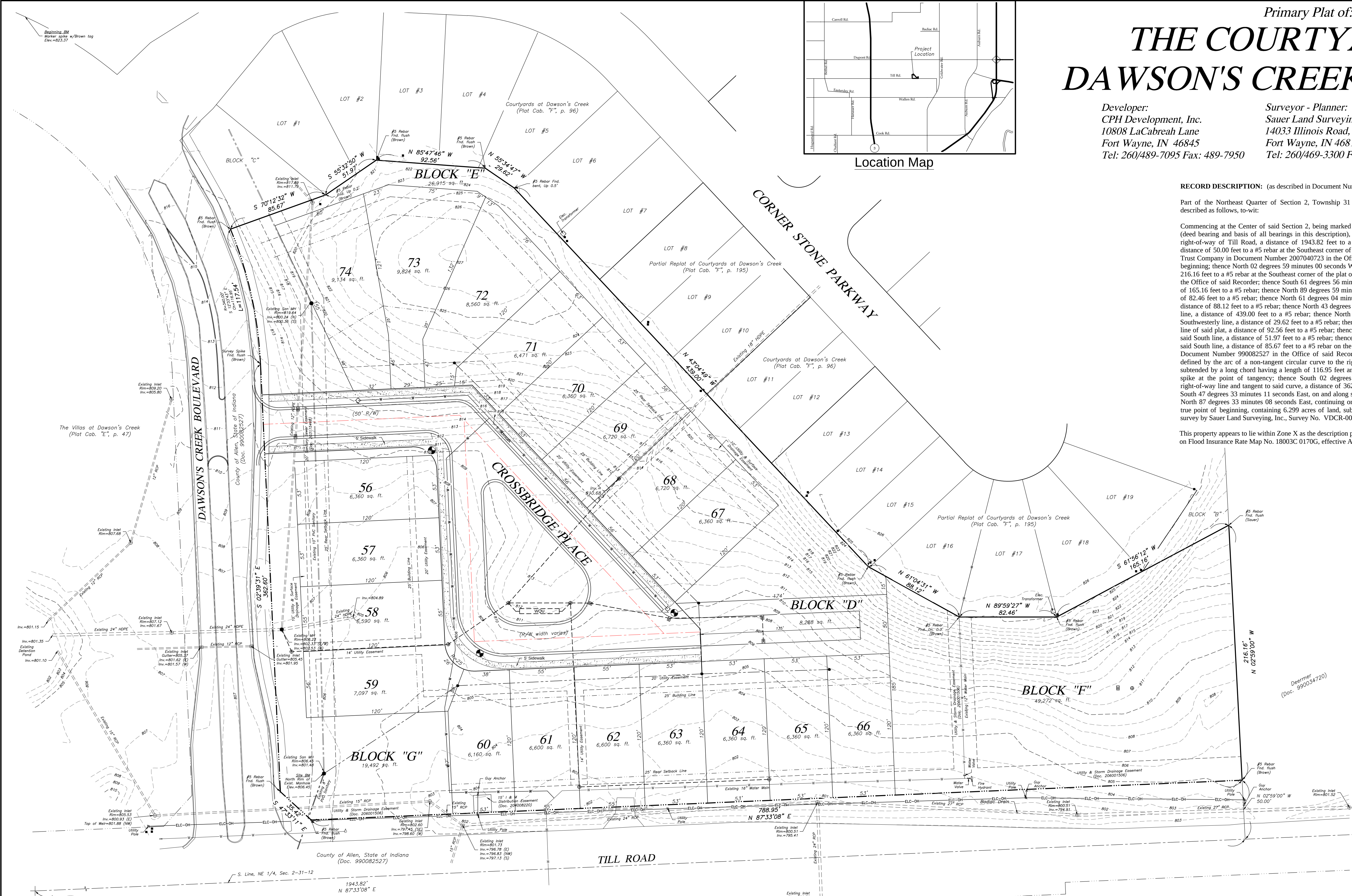


Note: All sidewalks though driveways shall be at a 1/8" per ft. cross-slope.

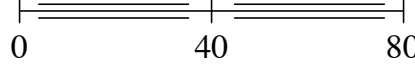
TYPICAL STREET CROSS-SECTION

Not to Scale

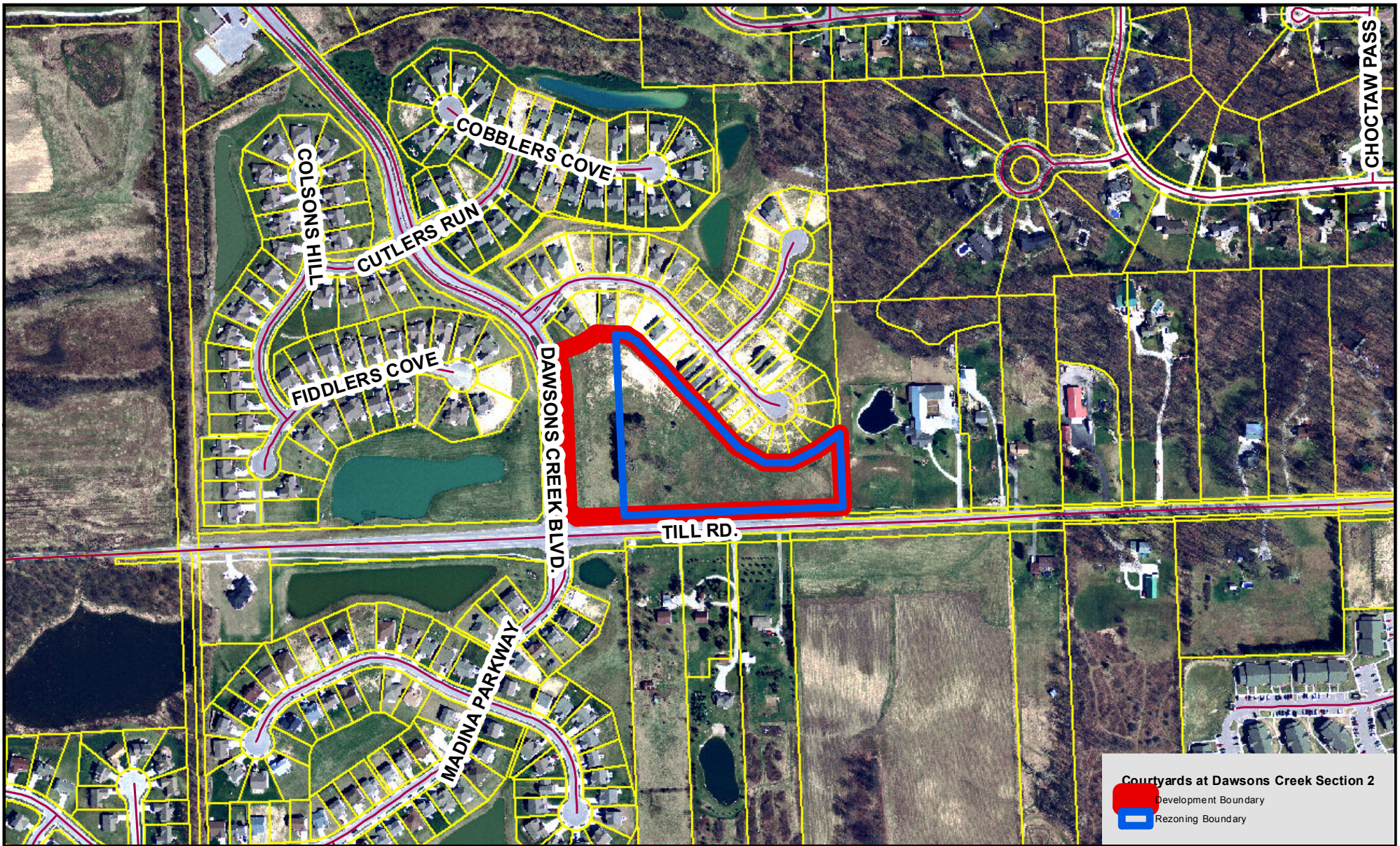
This instrument prepared by John C. Sauer, Indiana Land Surveyor



SCALE IN FEET:



Original Map Scale: 1"=40'
Date: 3 JULY 12



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

Rezoning Petition 1288/12
Primary Development Plan - Courtyards at Dawsons Creek Section 2

Printed: July 19, 2012

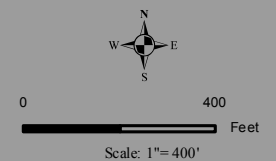
© 2004 Board of Commissioners of the County of Allen

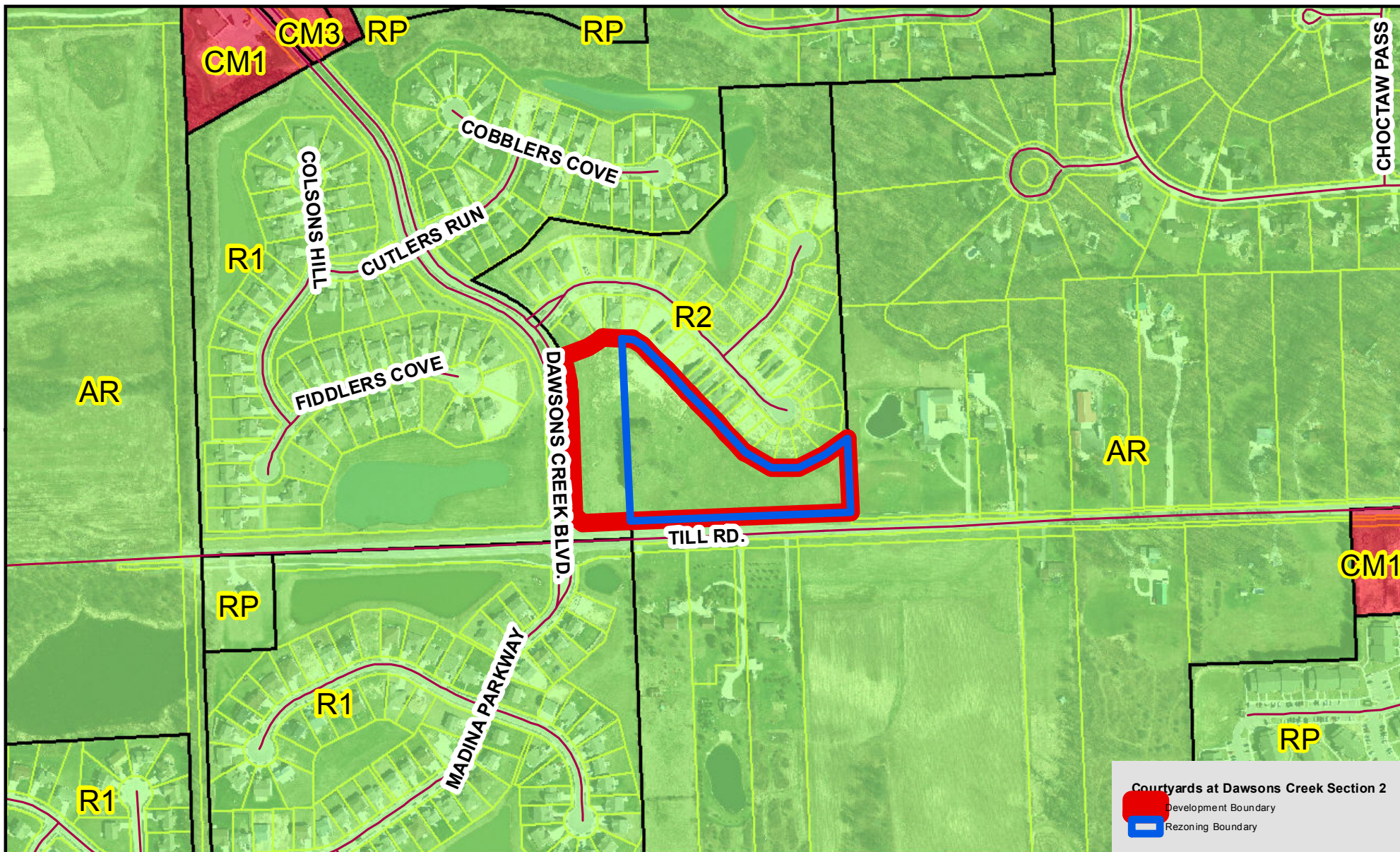
North American Datum 1983

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.





Courtyards at Dawsons Creek Section 2
 ■ Development Boundary
 ■ Rezoning Boundary

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