

1 **#1300**

2 **BILL NO. Z-12-11-17**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. V-38 (Sec. 15 of St. Joseph Township)**

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

10 SECTION 1. That the area described as follows is hereby designated an RP
11 (Planned Residential) District under the terms of Chapter 157 Title XV of the Code of the
12 City of Fort Wayne, Indiana:

13 Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15,
14 Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-
15 wit:

16 Beginning on the East line of the said West Half, at a point situated 40.00 feet North of the Southeast
17 corner of said West Half; thence North, on and along said East line, a distance of 432.9 feet to the
18 Northeast corner of said South 15 acres; thence Westerly, by an interior angle of 90 degrees 03
19 minutes, on and along the North line of said South 15 acres, being established by an existing line
20 fence, a distance of 191.0 feet; thence Southerly by an interior angle of 88 degrees 27 minutes, on
21 and along an existing line fence, a distance of 476.5 feet to the South line of said Southwest Quarter;
22 thence Easterly, by an interior angle of 90 degrees 27 minutes, on and along said South line, being
23 also the centerline of St. Joe Center Road, a distance of 94.05 feet to a point situated 1,236.35 feet
24 East of the Southwest corner of said Southwest Quarter said point being also situated 84.45 feet West
25 of the Southeast corner of said West Half; thence Northerly, by an interior angle of 90 degrees 00
26 minutes, a distance of 40.00 feet to the North right-of-way line of said St. Joe Center Road, thence
27 Easterly, by a deflection angle right of 90 degrees 00 minutes and parallel to said South line on and
28 along said North right-of-way line, line being parallel to and 40.00 feet North of said South line, a
29 distance of 85.18 feet to the point of beginning, containing 1.935 acres of land, EXCEPTING
30 THEREFROM the South 30 feet of the West 94.05 feet thereof.

31 and the symbols of the City of Fort Wayne Zoning Map No. V-38 (Sec. 15 of St. Joseph
32 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
33 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: 1300/12
Bill Number: Z-12-11-17
Council District: 1 – Tom Smith

Introduction Date: November 27, 2012

Plan Commission
Public Hearing Date: December 10, 2012

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

Synopsis of Ordinance: To rezone approximately 1.4 acres of property from R1-Single Family Residential to RP-Planned Residential

Location: The area is located on the north of the street, at 6641 St. Joe Center Road, just east of St. Joe Central Elementary School.

Reason for Request: The applicant seeks to construct a 6-unit senior apartment development.

Applicant: HH Construction

Property Owners: Chris and Molly Hartman

Related Petitions: Primary Development Plan, Cottages of St. Joe Center Road

Effect of Passage: Property will be rezoned to the RP-Planned Residential district, which will allow for single, two-family and multiple family residential development.

Effect of Non-Passage: The property will remain zoned for single family residential uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Cottages of St. Joe Center Road
Address 10616 Flutter Road
City Fort Wayne State Indiana Zip 46835
Telephone 749-7747 Fax _____ E-mail hhconstructing@aol.com

Property Ownership
Property Owner Chris and Molly Hartman
Address 10616 Flutter Road
City Fort Wayne State Indiana Zip 46835
Telephone 749-7747 Fax _____ E-mail _____

Contact Person
Contact Person Greg Roberts-Donovan Engineering, Inc.
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 6641 St. Joe Center Road
Present Zoning R1 Proposed Zoning RP Acreage to be rezoned 1.87 ac
Proposed density 5 units per acre
Township name St. Joseph Township section # 15
Purpose of rezoning (attach additional page if necessary) Proposed Senior Apartments

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.

Chris Hartman x [Signature] 10-18-12
(printed name of applicant) (signature of applicant) (date)

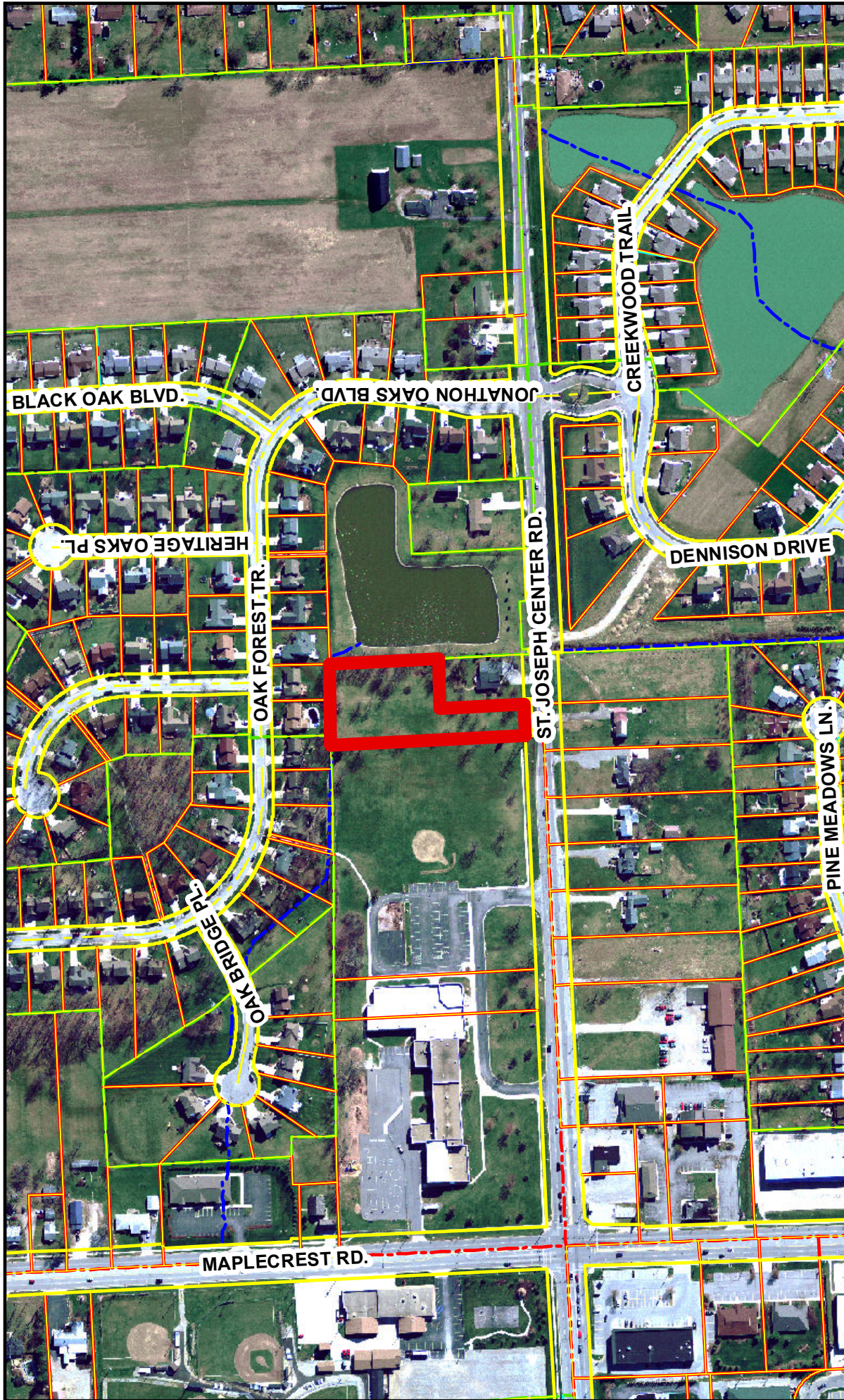
(printed name of property owner) (signature of property owner) (date)

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

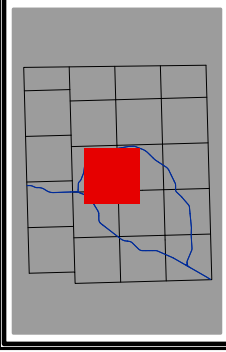
(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
11/7/12	110557	12/10/12	

REZ-2012-044

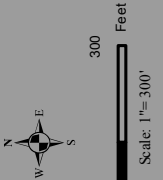


This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

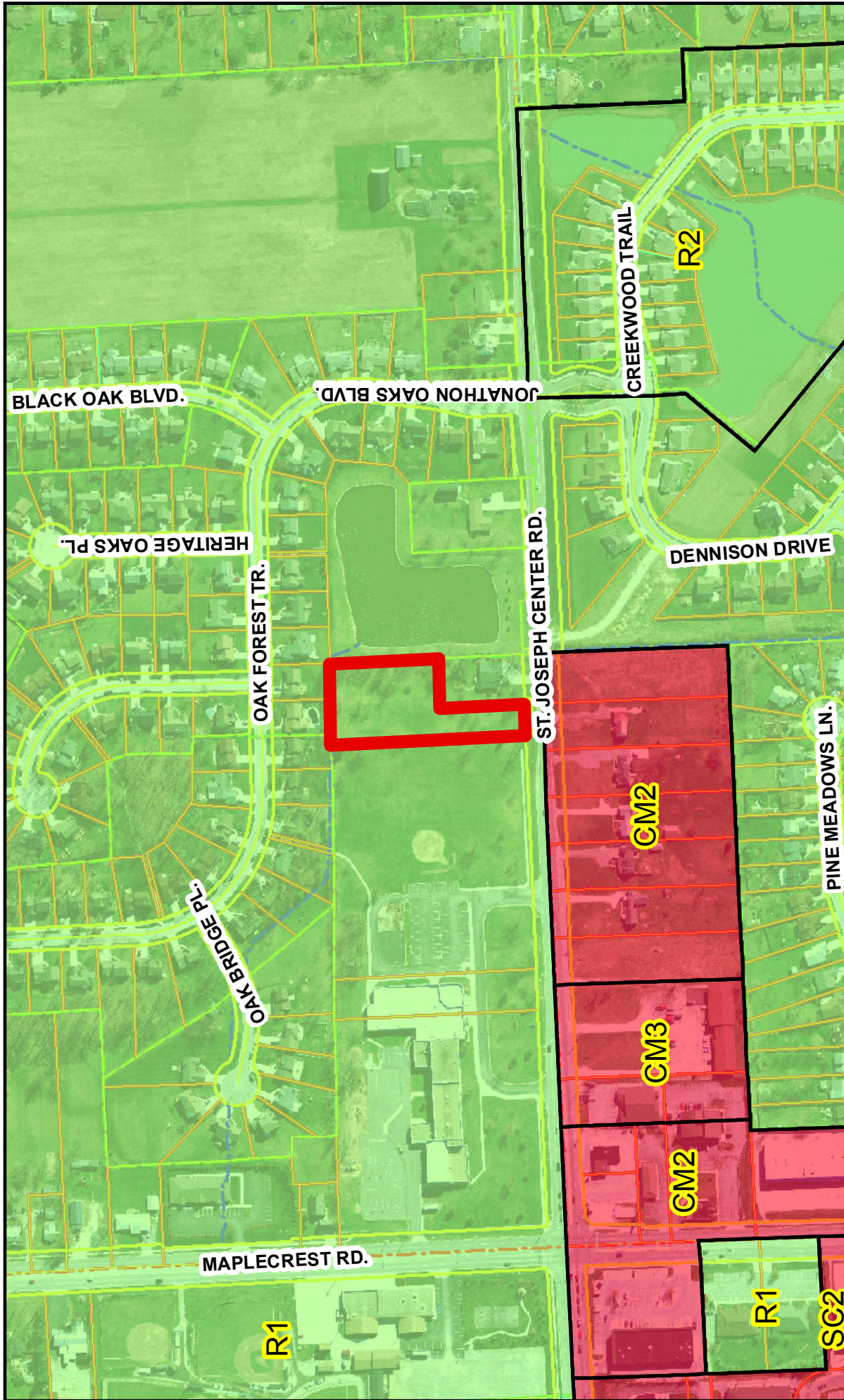


Rezoning Petition 1300/12 and Primary Development Plan - The Cottages at St. Joe Center Road

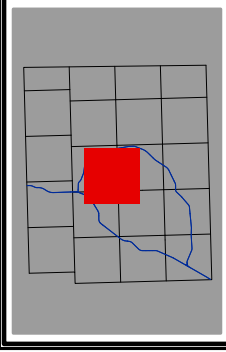
Printed November 14, 2012
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 / Contours: 1999



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.

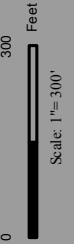


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Rezoning Petition 1300/12 and Primary Development Plan - The Cottages at St. Joe Center Road

Printed: November 14, 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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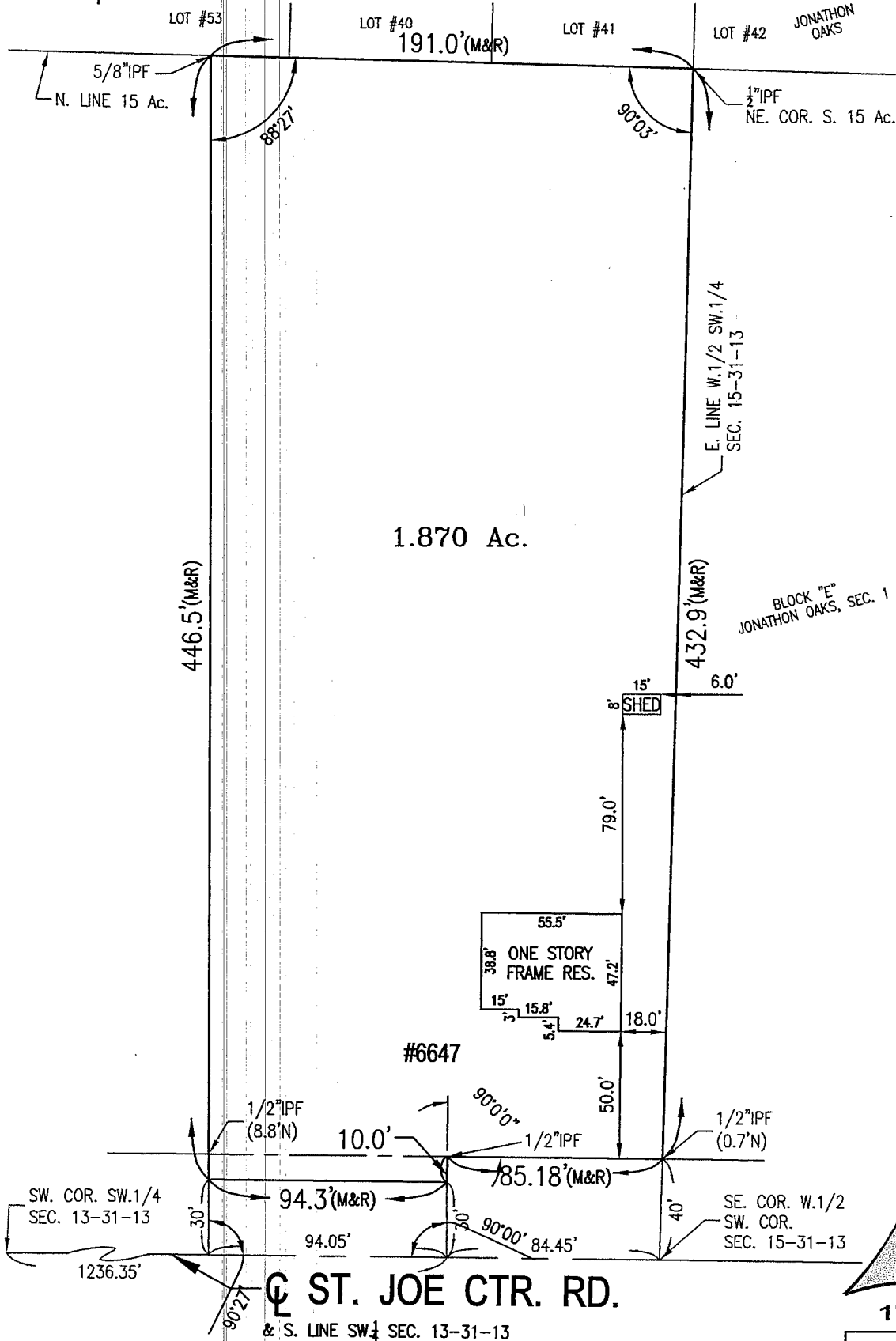
PLAT OF SURVEY

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: SEE ATTACHED SHEET!



Job No.: 12-
Job for:

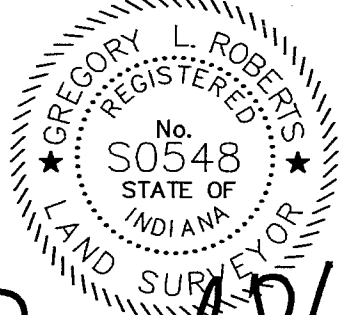
Date: 11-01-12

LEGEND

IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RRF	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
(R)	Recorded
(P)	Platted
(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:



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.

Gregory L. Roberts
SHEET 1 OF 2

PLAT OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 29500021 IN
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Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning on the East line of the said West Half, at a point situated 40.0 feet North of the Southeast corner of said West Half; thence North, on and along said East line, a distance of 432.9 feet to the Northeast corner of said South 15 acres; thence Westerly, by an interior angle of 90 degrees 03 minutes, on and along the North line of said South 15 acres, being established by an existing line fence, a distance of 191.0 feet; thence Southerly by an interior angle of 88 degrees 27 minutes, on and along an existing line fence, a distance of 476.5 feet to the South line of said Southwest Quarter; thence Easterly, by a interior angle of 90 degrees 27 minutes, on and along said South line, being also the centerline of St. Joe Center Road, a distance of 94.05 feet to a point situated 1,236.35 feet East of the Southwest corner of said Southwest Quarter said point being also situated 84.45 feet West of the Southeast corner of said West Half; thence Northerly, by an interior angle of 90 degrees 00 minutes, a distance of 40.00 feet to the North right-of-way line of said St. Joe Center Road; thence Easterly, by a deflection angle right of 90 degrees 00 minutes and parallel to said South line on and along said North right-of-way line, being line parallel to and 40.00 feet North of said South line, a distance of 85.18 feet to the point of beginning, containing 1.935 acres of land, EXCEPTING THEREFROM the South 30 feet of the West 94.05 feet thereof.

Job No.: 12-
Job for:

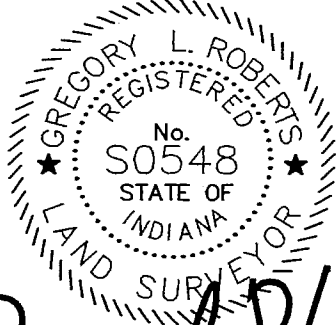
Date: 11-01-12

LEGEND

IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RRF	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

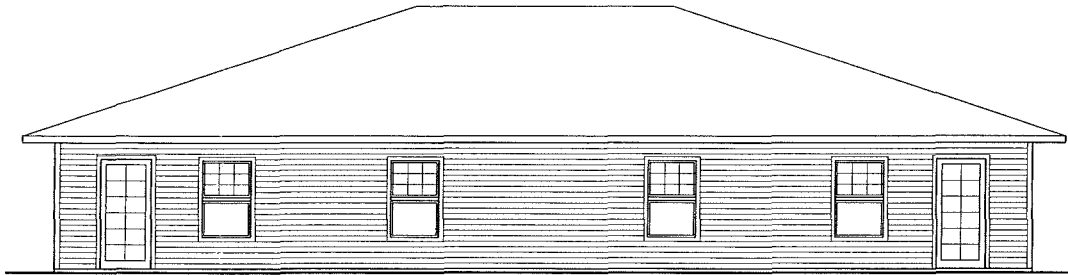
All monuments are at grade except as noted.
All Property line distances are recorded
dimensions, except as noted. Monuments found
have no documented history except as noted.

Date of latest field work:

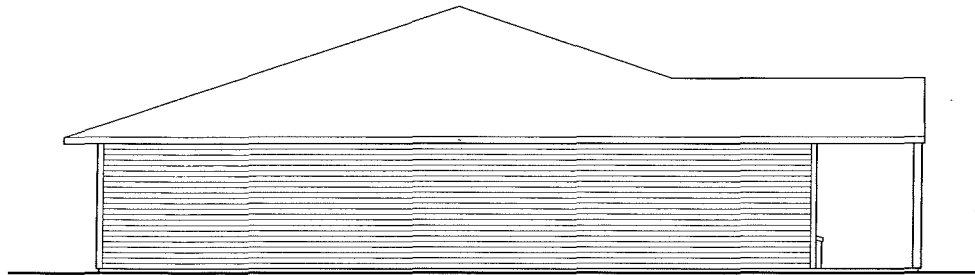


Gregory L. Roberts
SHEET 2 OF 2

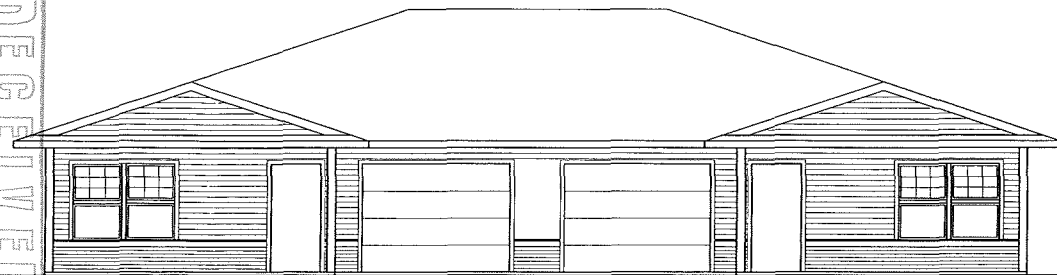
I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.



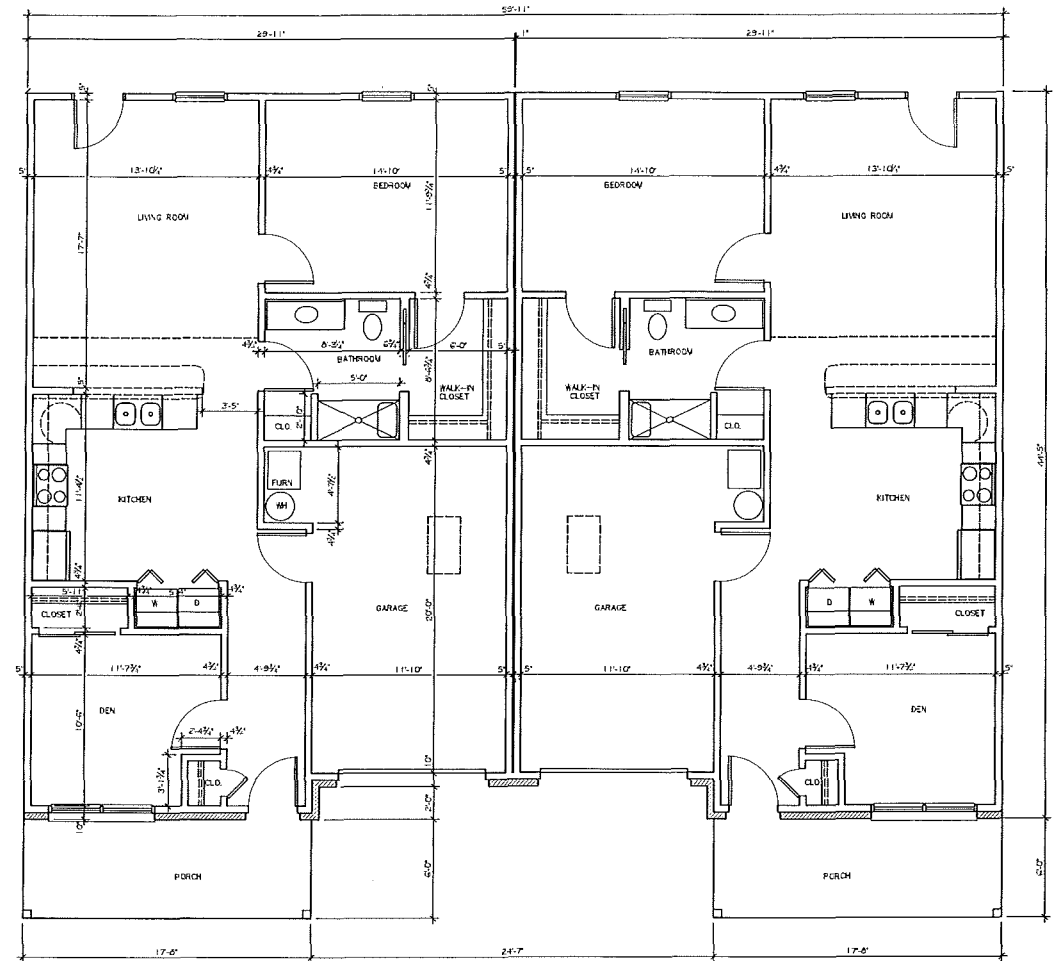
BACK ELEVATION
SCALE: 1/4" = 1'-0"



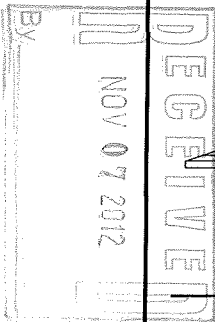
END ELEVATION
SCALE: 1/4" = 1'-0"



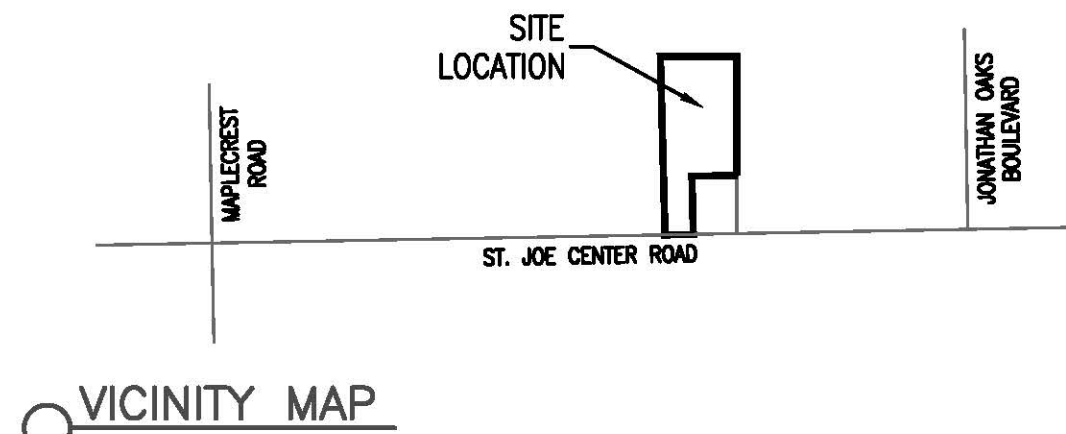
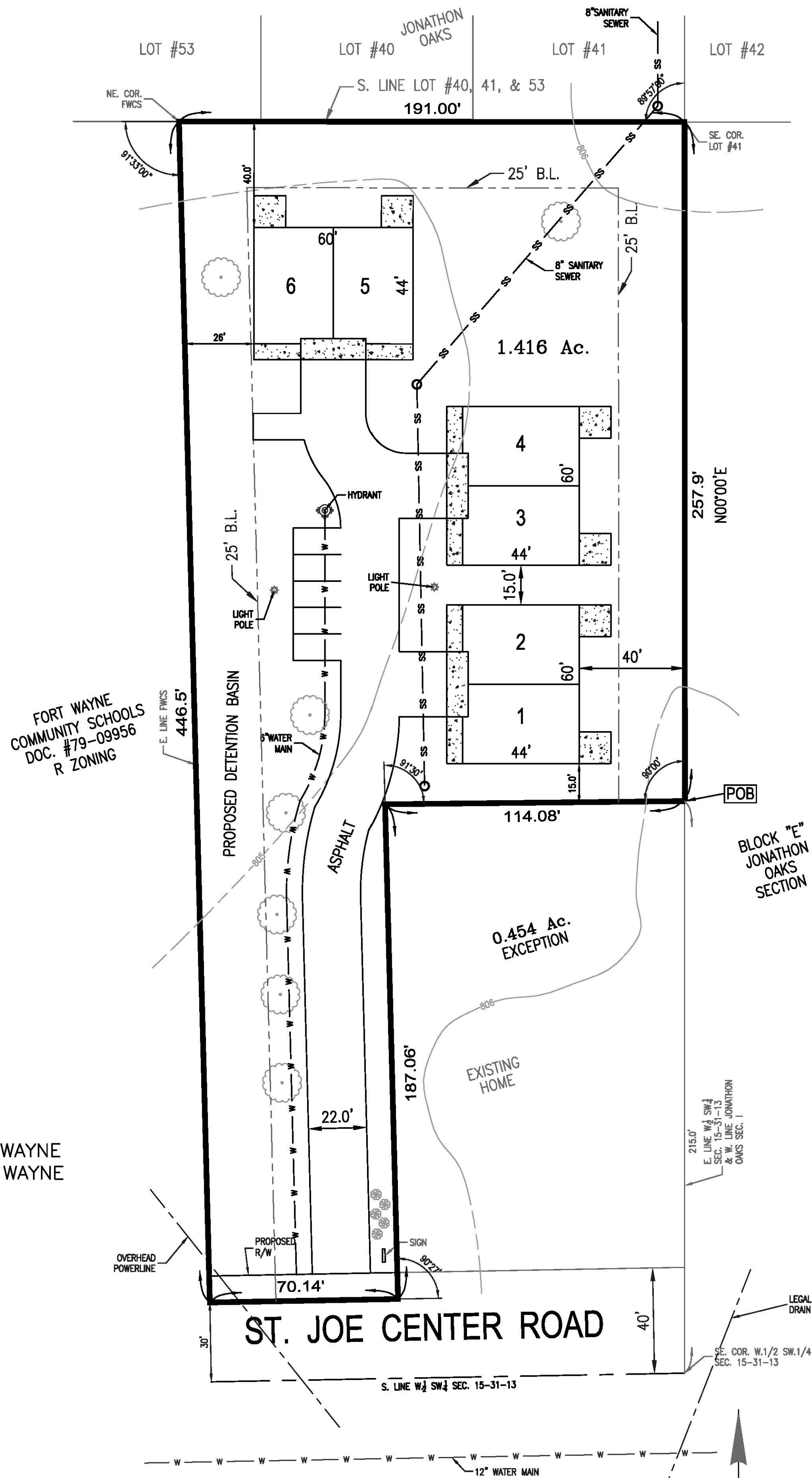
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



H & H CONSTRUCTION SAINT JOE CENTER ROAD FORT WAYNE IN 46833			
REVISED:	SCALE: 1/4" = 1'-0"	DRAWN BY: I. G. BISH	JOB NO:
H & H CONSTRUCTION 15510 FLUTTER ROAD FORT WAYNE IN 46833 260-749-7747			
DATE: 08-14-12	FLOOR PLANS & ELEVATIONS	A1.1	



LEGAL DESCRIPTION

Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana; thence North along the East line of the W 1/2 of the SW 1/4 of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section 1 a distance of 215.0 feet to the point of beginning; thence continuing North along the West 1/2 of the SW 1/4 of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section 1 a distance of 257.9 feet to the Southeast corner of Lot 41 in Jonathon Oaks, Section 1; thence West with a deflection angle to the left of 89 degrees 57 minutes (88 degrees 13 minutes 30 seconds, recorded) along the South line of Lot 40 and Lot 41 in Jonathon Oaks Section 1 and the South line of Lot 53 in Jonathon Oaks, Section 1, a distance of 191.0 feet to the Northeast corner of a tract of land conveyed to Fort Wayne Community Schools as recorded in Document 79-09956; thence South with a deflection angle to the left of 91 degrees 33 minutes along the East line of the Fort Wayne Community Schools tract a distance of 476.5 feet to a point on the South line of the W 1/2 of the SW 1/4 of Section 15-31-13; thence East with a deflection angle to the left of 89 degrees 33 minutes along the South line of the W 1/2 of the SW 1/4 of Section 15-31-13 a distance of 70.14 feet; thence North with a deflection angle to the left of 89 degrees 33 minutes a distance of 215.98 feet; thence East with a deflection angle to the right of 90 degrees 27 minutes distance of 113.0 feet to the point of beginning 1.569 acres, excepting therefrom the South 30 feet taken for road right of way.

NOTES:

- 1) THE SITE IS CURRENTLY ZONED R-1, WITH A RP ZONING APPLIED FOR.
- 2) SITE CONTAINS 1.87 ACRES AND WILL HAVE 10 UNITS
- 3) THE CITY OF FORT WAYNE WATER MAIN IS LOCATED ON THE SOUTH SIDE OF ST. CENTER ROAD
- 4) THE CITY OF FORT WAYNE SANITARY SEWER LINE IS LOCATED AT THE NORTHEAST CORNER OF THE SITE
- 5) A LEGAL DRAIN IS LOCATED SE OF THE PROPOSED SITE

UTILITIES
WATER - CITY OF FORT WAYNE
SEWER - CITY OF FORT WAYNE
GAS - NIPSCO

OWNER
CHRIS & MOLLY HARTMAN
10616 FLUTTER ROAD
FORT WAYNE IN 46835

DEVELOPER
COTTAGES OF ST JOE CENTER ROAD
10616 FLUTTER ROAD
FORT WAYNE IN 46835

1967 2012
DONOVAN
ENGINEERING, INC.
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Fort Wayne, Indiana 46805
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Fax 260.424.1918
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REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	11-07-12	DETAILS	MER

PRIMARY DEVELOPMENT PLAN

6641 ST JOE CENTER ROAD
FORT WAYNE, INDIANA

SCALE: 1"=30'
DRAWN BY: MER
DATE: 10-09-12

COTTAGES OF ST. JOE CENTER RD.

SHEET 1 OF 1