

#REZ-2013-0128

BILL NO. Z-13-10-10

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-02 (Sec. 8 of Adams 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 IN1
(Limited Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of
Fort Wayne, Indiana:

Parcel I:

A parcel, triangular in form, lying North of the Wabash Railroad right-of-way; West of the
West line of Clarksdale Addition; and East of the East line of the land as described in Deed
by Warren Wayne Webster to Denzil Webster, as recorded in Deed Record 497, page 151,
and in particular described as follows to-wit:

A part, triangular in form, of the Northwest Quarter of Section 8, Township 30 North, Range
13 East, in Allen County, Indiana, by metes and bounds, described as follows:

Commencing on the North line of the right-of-way of the Wabash Railroad, at the Southwest
corner of the plat as recorded in Plat Book 10, pages 90-91, of Clarksdale Addition to the
City of Fort Wayne, as marked by a concrete monument defining the right-of-way of U.S.
Highways Nos. 24 and 30, and as situated 539 feet West of the East line of said Quarter
Section; thence North by an 89 degrees 33 minutes deflection to the right of the Westward
direction of said railroad right-of-way line, on a line coincident with the West boundary line
of the plat of said Clarksdale Addition, as marked and defined by the State Highway right-
of-way fence, a distance of 429.9 feet to a concrete monument marking the said highway
right-of-way; thence South, a distance of 492.9 feet to the aforesaid railroad right-of-way
line, at a point situated 6.16 feet West of the place of beginning; thence East on the line
aforesaid, 6.16 feet to the place of beginning, containing 0.035 acres of land.

Parcel II:

A part of the Northwest Quarter of Section 8, Township 30 North, Range 13 East, in Allen
County, Indiana, by metes and bounds, as described as follows:

Commencing on the North line of the right-of-way of the Wabash Railroad, at a point
situated 6.16 feet West of the Southwest corner of the plat as recorded as Clarksdale
Addition to the City of Fort Wayne, in Plat Book 10, pages 90-91, as said plat corner is
marked by concrete monument defining the right-of-way of U.S. Highways Nos. 24 and 30,
and as situated 539 feet West of the East line of said Quarter Section; thence running
Northward by a 90 degrees 15 minutes deflection to the right of the Westward direction of
said railroad right-of-way line, a distance of 492.9 feet to a concrete monument, marking the

aforementioned U.S. Highway right-of-way line; thence Northwestward, along the aforesaid right-of-way line, by a deflection left of 46 degrees 22 minutes, a distance of 62.3 feet; thence Northwestward by a deflection left of 38 degrees 15 minutes, to the chord of a curve, right along the said highway Southerly right-of-way line, as situated extrorsely concentric to, and 85 feet radially distance Southwesterly of the 0 degree 56 minutes centerline of curve of said highway, a distance of 307.1 feet, thence Southward by a deflection left of the aforesaid chord, of 96 degrees 03 minutes, on a line parallel to the said Clarksdale Addition West line, as by the said highway right-of-way fence defined, a distance of 565.5 feet to the North right-of-way line of said Wabash Railroad; thence East along the line aforesaid, 343.84 feet to the place of beginning, containing 4.345 acres of land.

Excepting Therefrom:

The South 157.0 feet of both aforescribed parcels containing 1.26 parcels of land contained in Document Number 91-6726

and the symbols of the City of Fort Wayne Zoning Map No. R-02 (Sec. 8 of Adams 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: REZ-2013-0128
Bill Number: Z-13-10-10
Council District: 6 – Glynn Hines

Introduction Date: October 22, 2013

Plan Commission
Public Hearing Date: November 4, 2013

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

Synopsis of Ordinance: To rezone approximately 3.12 acres of property from IN3-Heavy Industrial to IN1-Limited Industrial

Location: 3730 East Washington Boulevard, just west of the Coliseum/Washington Boulevard “cloverleaf”, the current location of the Hallmark Inn.

Reason for Request: To allow the use of the property as an assisted living facility (with a Special Use approval from the Board of Zoning Appeals).

Applicant: Kunjrai LLC

Property Owners: Kunjrai LLC

Related Petitions: Future Board of Zoning Appeals Special Use Petition

Effect of Passage: Property will be downzoned to IN1-Limited Industrial, which will allow the applicant to apply for a Special Use Approval for an assisted living facility.

Effect of Non-Passage: The property will remain zoned IN3-Heavy Industrial and the hotel use may remain, or the site may be redeveloped with an industrial use.

**Department of Planning Services
Rezoning Petition Application**

Applicant	Applicant <u>Kunjrai LLC</u>		
	Address <u>3730 E Washington</u>		
	City <u>Fort Wayne</u>	State <u>Indiana</u>	Zip <u>46803</u>
	Telephone _____	Fax _____	E-mail _____
Property Ownership	Property Owner <u>Kunjrai LLC</u>		
	Address <u>3730 E Washington</u>		
	City <u>Fort Wayne</u>	State <u>Indiana</u>	Zip <u>46803</u>
	Telephone _____	Fax _____	E-mail _____
Contact Person	Contact Person <u>Louis A Lengacher</u>		
	Address <u>17116 Notestine Road</u>		
	City <u>Woodburn</u>	State <u>Indiana</u>	Zip <u>46797</u>
	Telephone <u>260-410-2038</u>	Fax <u>N/A</u>	E-mail <u>louislengacher@yahoo.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>3730 E Washington</u>	
	Present Zoning <u>IN3</u>	Proposed Zoning <u>IN1</u> Acreage to be rezoned <u>3.12</u>
	Proposed density <u>N/A</u>	units per acre
	Township name <u>* Adem</u>	Township section # <u>8</u>
	Purpose of rezoning (attach additional page if necessary) <u>Convert to Assisted Living Facility</u>	
	Sewer provider <u>FW</u>	Water provider <u>FW</u>

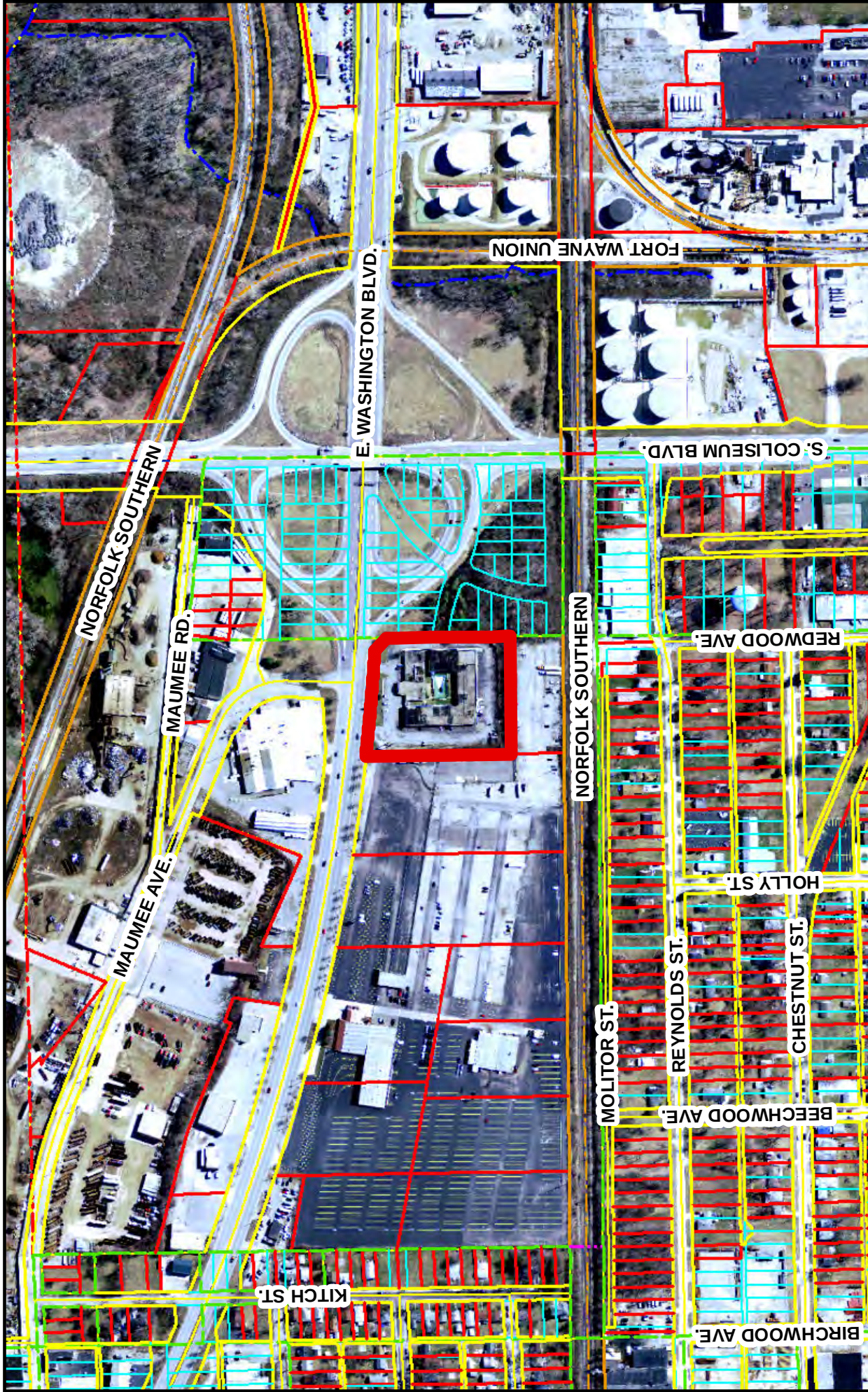
Filing Requirements	<i>Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.</i>	
	☐ Applicable filing fee	
	☐ Applicable number of surveys showing area to be rezoned (plans must be folded)	
	☐ Legal Description of parcel to be rezoned	
	☐ Rezoning Questionnaire (original and 10 copies) County Rezonings 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.

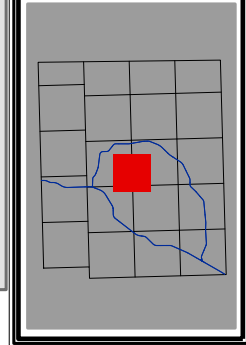
<u>Louis A Lengacher</u> (printed name of applicant)	<u>[Signature]</u> (signature of applicant)	<u>4/26/2013</u> (date)
<u>RAZ BATER</u> (printed name of property owner)	<u>[Signature]</u> (signature of property owner)	<u>4/26/2013</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>9-26-13</u>	Receipt No. <u>11314</u>	Hearing Date	Petition No.
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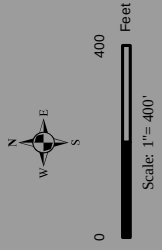
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

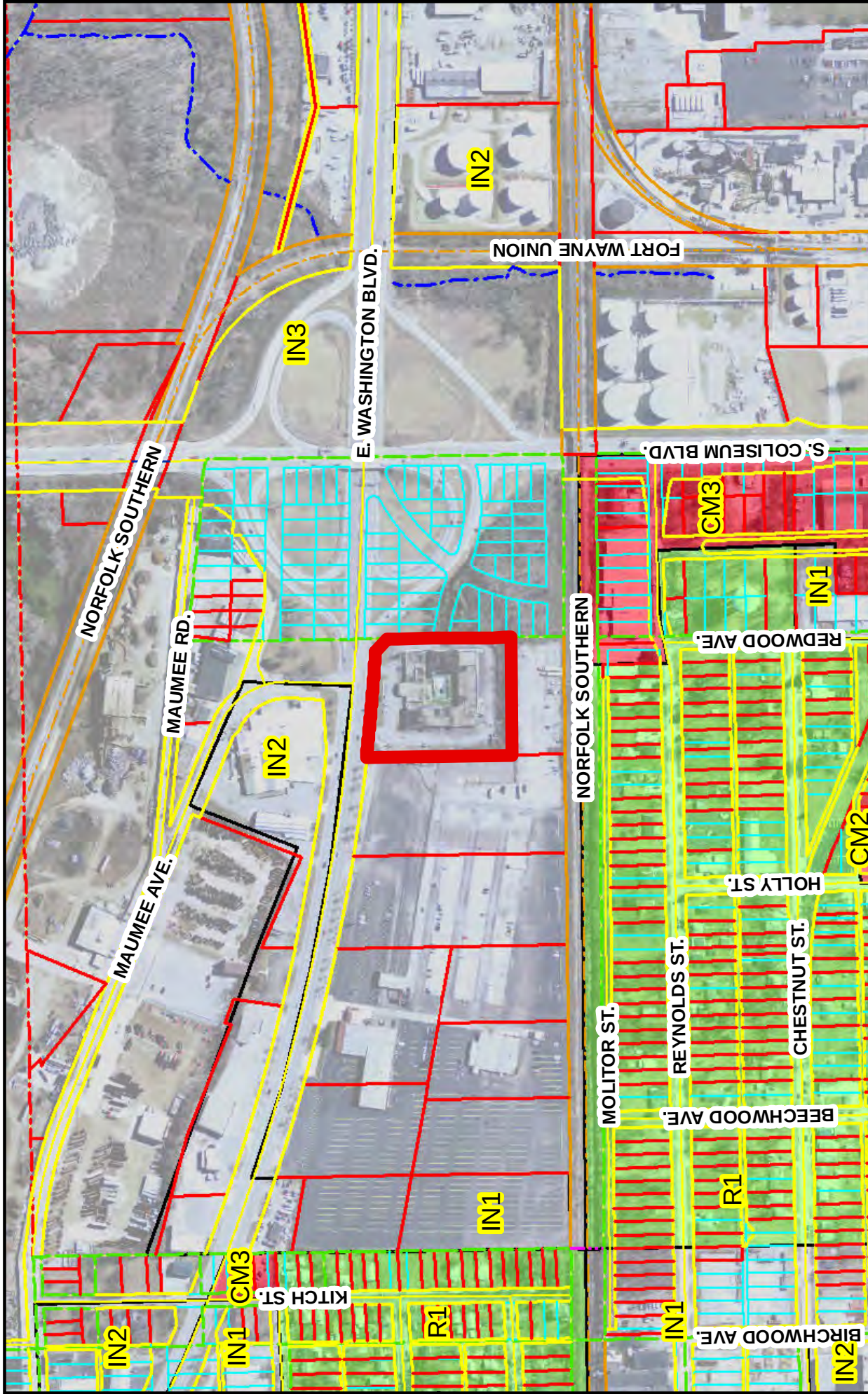


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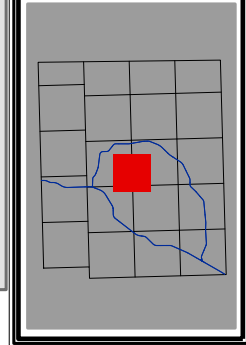
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