

#REZ-2014-0027

BILL NO. Z-14-03-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. DD-27 (Sec. 28 of Aboite 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 IN2
(General Industrial) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Part of the South Half of the Southeast Quarter of Section 28, Township 30 North,
Range 11 East of the Second Principal Meridian, Aboite Township in Allen County, Indiana,
more particularly described as follows:

Commencing at an Iron Pin at the Northeast corner of the South Half of said Southeast
Quarter; thence South 00 degrees 31 minutes 41 seconds East, (state plane bearing and
basis of bearings to follow), a distance of 63.64 feet (68.0' Deed) along the East line of
the South Half of said Southeast Quarter and within the right-of-way of Homestead
Road to the North line of an existing tract described in Document Number 2009064953
in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 36
minutes 01 seconds West, a distance of 35.00 feet along said North line to a 5/8" steel
rebar set on the West right-of-way line of said Homestead Road, said point also being
the POINT OF BEGINNING of the herein described tract; thence South 00 degrees 31
minutes 41 seconds East, a distance of 460.00 feet along said West right-of-way line
and parallel with the East line of the South Half of said Southeast Quarter to a 5/8"
steel rebar set on the South line of said existing tract described in Document Number
2009064953; thence South 89 degrees 36 minutes 01 seconds West, a distance of
449.08 feet along said South line to a 5/8" steel rebar set on the West line of said
existing tract, also being a East line of Pine Hollow, Section I, as recorded in Plat Book
46, pages 139-143 in the Office of the Recorder of Allen County, Indiana; thence North
00 degrees 31 minutes 30 seconds West, a distance of 460.00 feet along said West and
East line to a 5/8" steel rebar set on the North line of said existing tract also being a
South line of The Dells of Bittersweet, Section IV, as recorded in Plat Cabinet "A", pages
30 in the Office of the Recorder of Allen County, Indiana; thence North 89 degrees 36
minutes 01 seconds East, a distance of 449.06 feet along said North and South line to
the Point of Beginning. Containing 4.74 acres more or less. Subject to easements of
record.

and the symbols of the City of Fort Wayne Zoning Map No. DD-27 (Sec. 28 of Aboite
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-2014-0027
Bill Number: Z-14-03-16
Council District: 4 – Mitch Harper

Introduction Date: March 25, 2014

Plan Commission
Public Hearing Date: April 7, 2014

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

Synopsis of Ordinance: To rezone approximately 4.74 acres of property from IN1-Limited Industrial to IN2-General Industrial

Location: 7114 Homestead Road

Reason for Request: To bring the current uses into compliance with the zoning ordinance.

Applicant: WES Limited, Inc.

Property Owner: WES Limited, Inc.

Related Petitions: Primary Development Plan, Wayne Chemical Building Addition

Effect of Passage: Property will be rezoned to IN2-General Industrial to allow the current use of processing cleaning products and the company will be able to expand.

Effect of Non-Passage: The property will remain zoned IN1-Light Industrial and the existing use will be non-conforming and will not be able to expand on the property.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Wayne Chemical, Inc.
Address 7114 Homestead Road
City Fort Wayne State IN Zip 46814
Telephone 260.432.1120 Fax 260.432.1473 E-mail bspindler@waynechemical.com

Property Ownership
Property Owner WES Ltd., Inc.
Address 7114 Homestead Road
City Fort Wayne State IN Zip 46814
Telephone 260.432.1120 Fax 260.432.1473 E-mail bspindler@waynechemical.com

Contact Person
Contact Person James A. Federoff & Scott M. Federoff, Carson Boxberger LLP
Address 301 W. Jefferson Boulevard, Suite 200
City Fort Wayne State IN Zip 46802
Telephone 260.423.9411 Fax 260.423.4329 E-mail jfederoff@carsonboxberger.com

All staff correspondence will be sent only to the designated contact person.

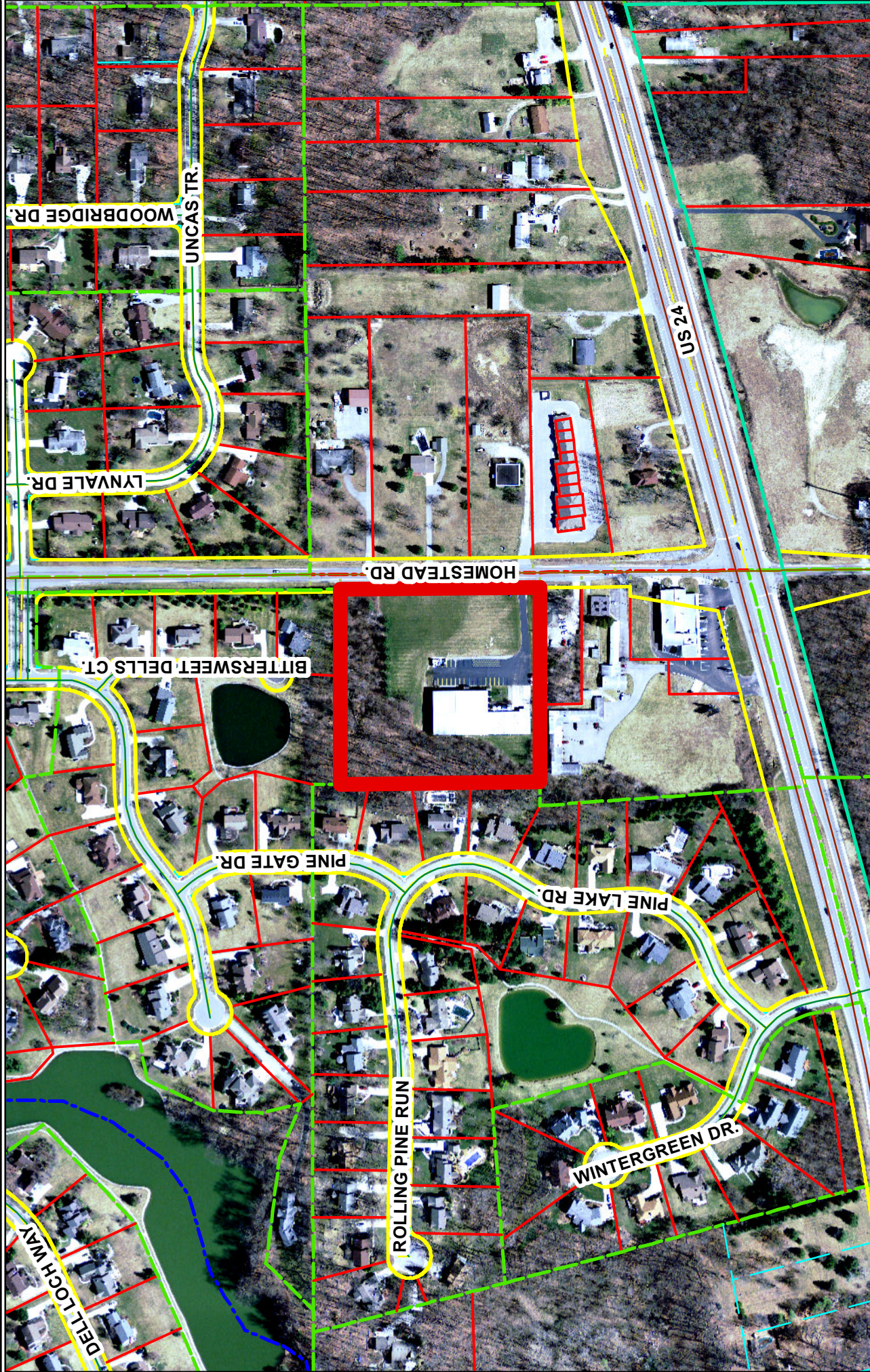
Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 7114 Homestead Road
Present Zoning IN1 Proposed Zoning IN2 Acreage to be rezoned 4.74
Proposed density 1 units per acre
Township name Aboite Township section # 28
Purpose of rezoning (attach additional page if necessary) To allow expansion of the existing Wayne Chemical operation, which became a legal non-conforming use when the property was annexed into the City of Fort Wayne.
Sewer provider Aqua Indiana Water provider Private 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.

Wayne Chemical, Inc., (printed name of applicant) by: William E. Spindler, President	<u>W E Spindler</u> (signature of applicant)	<u>2/ 26 /2014</u> (date)
WES Ltd., Inc., (printed name of property owner) by: William E. Spindler, President	<u>W E Spindler</u> (signature of property owner)	<u>2/ 26 /2014</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>3/4/14</u>	Receipt No. <u>114191</u>	Hearing Date <u>4/2/14</u>	Petition No. <u>Rez-2014-0027</u>
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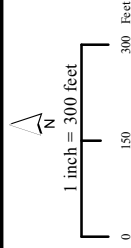


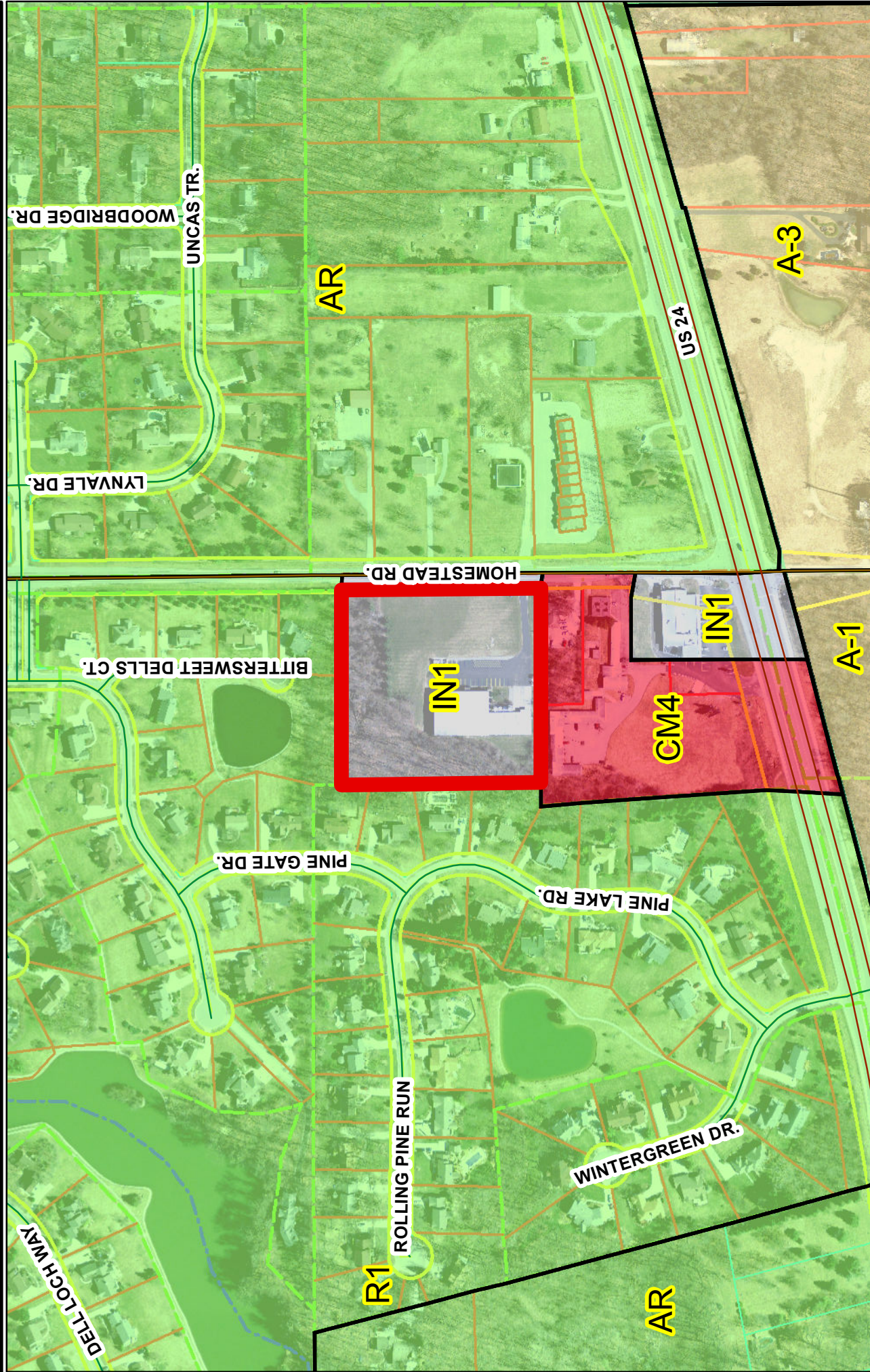
Project boundaries represented by bold colored lines are for representational purposes only.

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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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 3/14/2014





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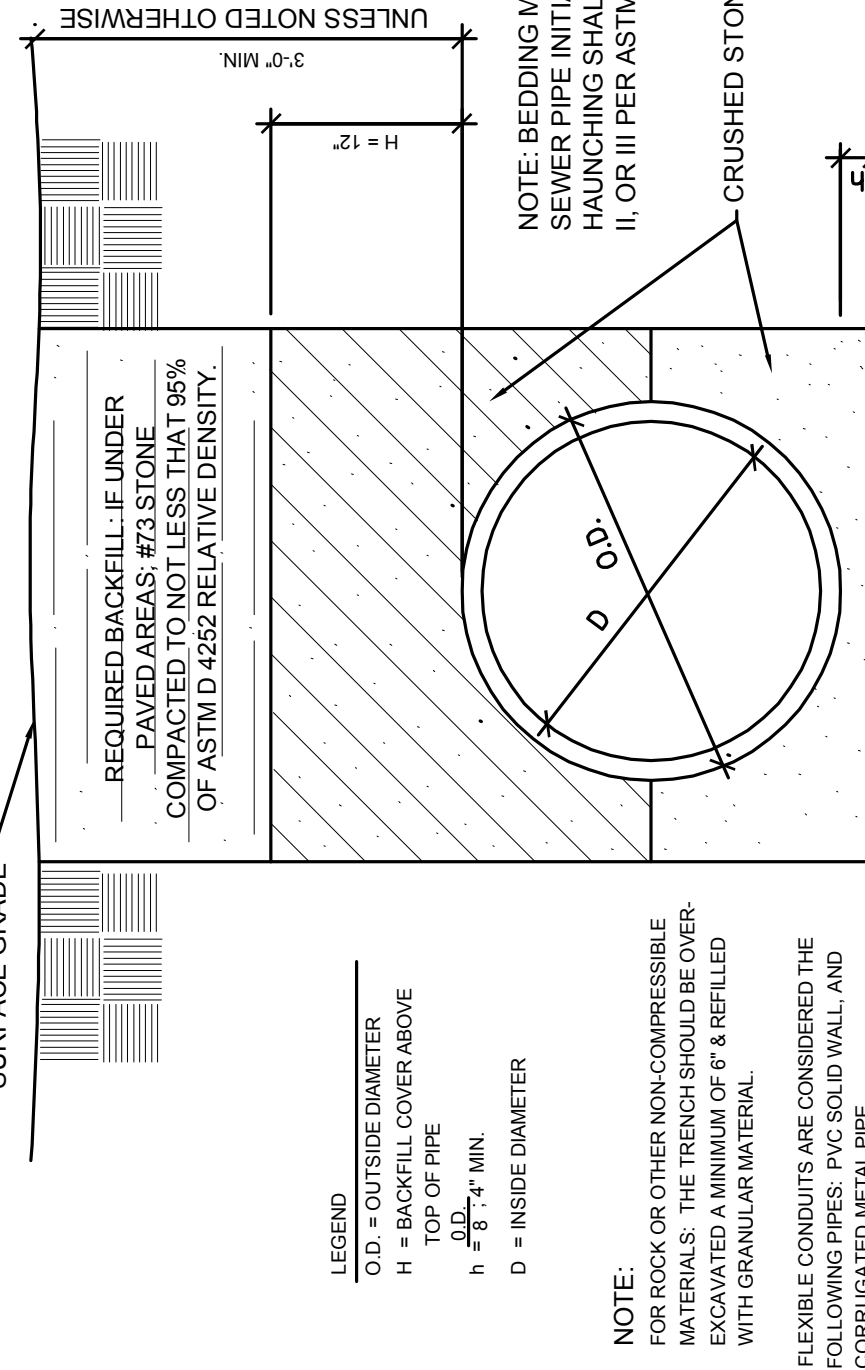
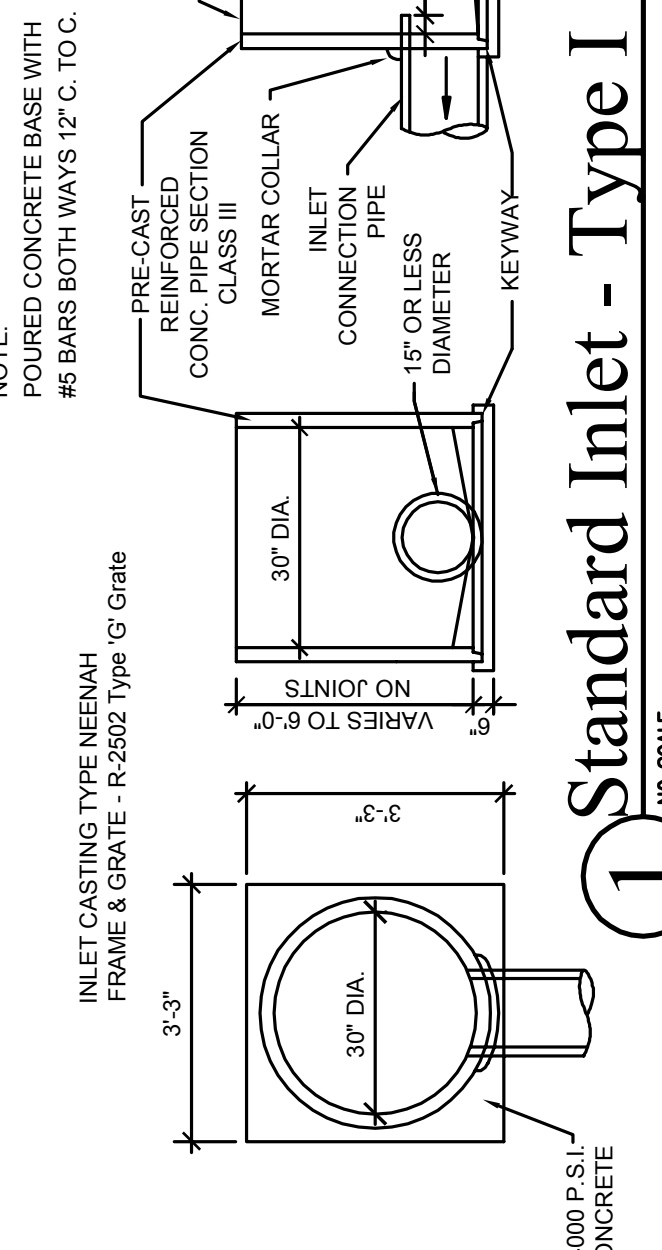
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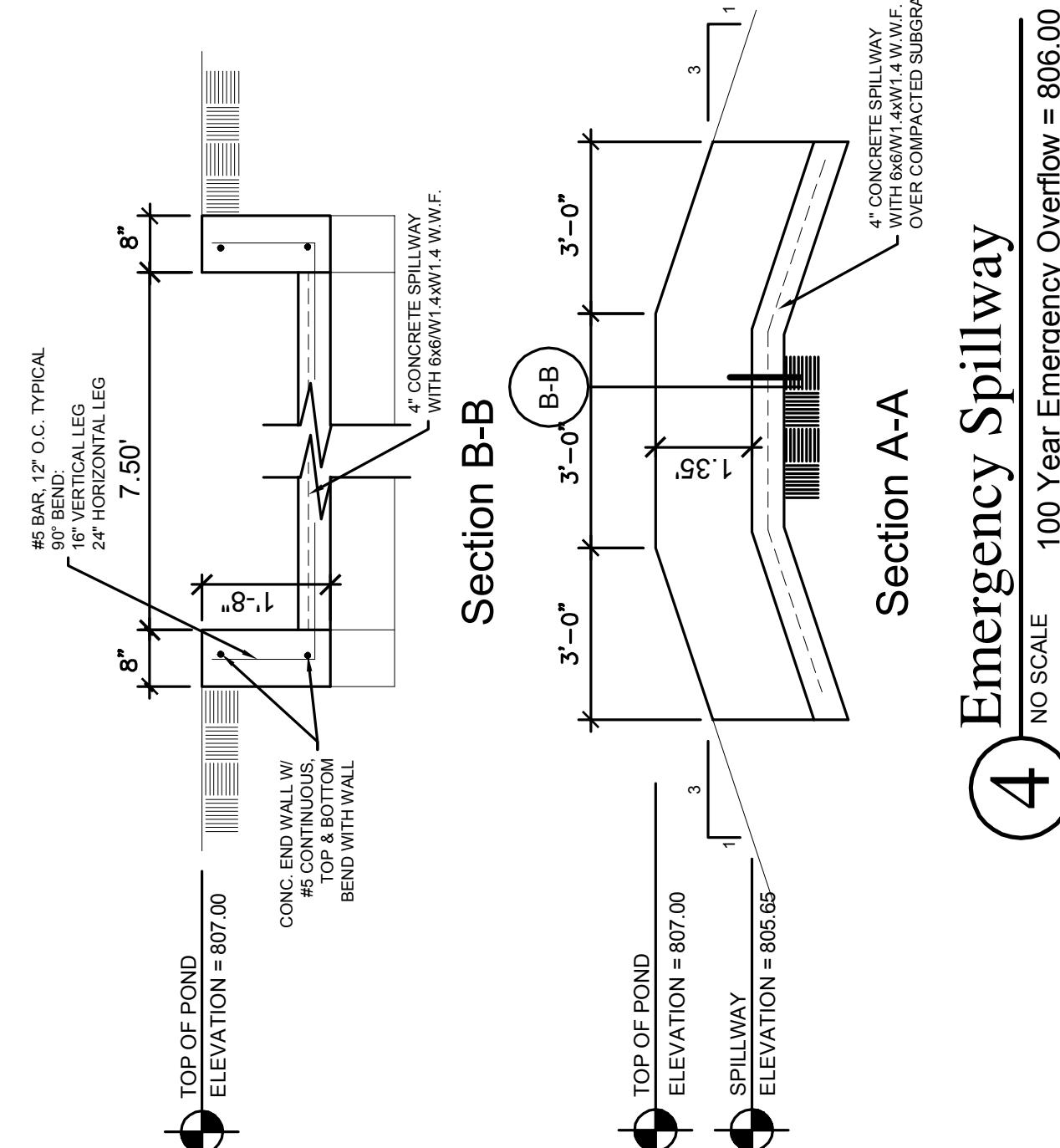
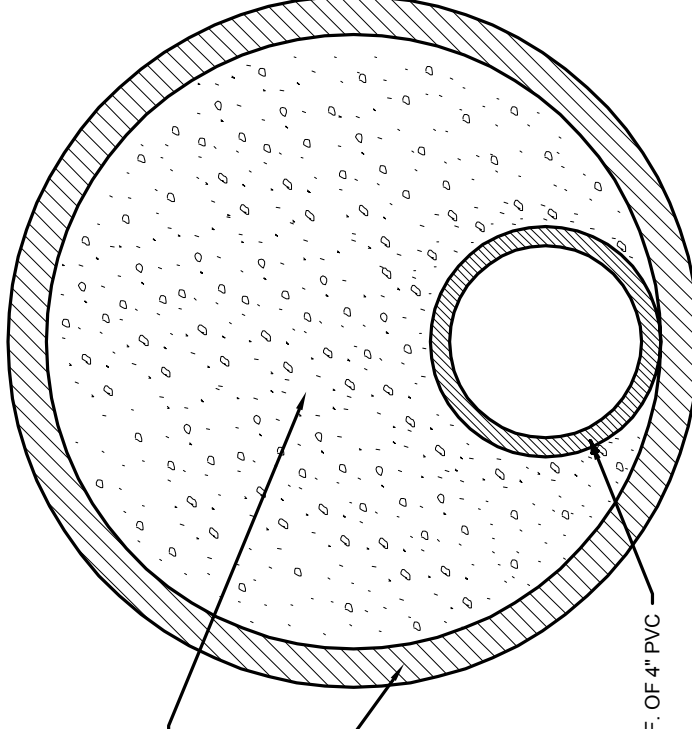
General Utility Notes:

- 1) CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES BEFORE BEGINNING CONSTRUCTION AND REPORT ANY VARIATIONS TO THE DESIGN ENGINEER BEFORE PROCEEDING WITH WORK.
- 2) CONTRACTOR SHALL COORDINATE ALL UTILITY WORK WITH UTILITY AGENCIES. CONTRACTOR SHALL ALSO PAY ALL FEES & COST CHARGED BY THESE UTILITY AGENCIES TO COMPLETE NEW CONSTRUCTION.
- 3) ADJUST ALL LIDS, PLATES & COVERS TO FINAL FINISHED GRADE.
- 4) MINIMUM 18" CLEARANCE BETWEEN CROSSINGS OF WATER & SANITARY WATER & STORM, STORM & SANITARY, CENTER PIPE SECTIONS AT POINTS PIERS CROSS SO THAT JOINTS ARE AT MAXIMUM DISTANCE APART.
- 5) ALL MATERIAL & WORKMANSHIP SHALL COMPLY WITH ALL APPLICABLE CODES, SPECIFICATIONS, LOCAL ORDINANCES, INDUSTRY STANDARDS & UTILITY COMPANY REGULATIONS.
- 6) CONTRACTOR SHALL INSTALL WARNING TAPE FOR ALL UTILITIES.
- 7) PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION & REPAIR ANY DAMAGE THAT MAY OCCUR AT CONTRACTORS COST.
- 8) RESTORE ALL PAVING, WALKS, LAWN AREAS, ETC... TO REMAIN THAT ARE DISTURBED OR REMOVED FOR NEW CONSTRUCTION.



SIZE OF COARSE AGGREGATES (CRUSHED STONE) AFTER INDIANA DEPARTMENT OF HIGHWAY CONSTRUCTION AND RECONSTRUCTION USE DESIGN

PIPE SIZES	#5	#6	#8
11-12"	100	100	100
15-18"	80	80	100
24"	30-60	30-60	30-60
30"	30-60	30-60	30-60
36"	15-45	20-50	30-60
NO. 4	0-15	0-15	0-15
NO. 10	0-15	0-15	0-15

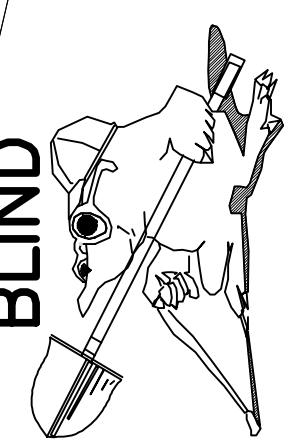


**Required Parking: 15 for employees + 1 for company vehicles
Total Parking Spaces: 43**

Note: Water will be connected internally to existing.

For technical questions concerning the drawings or project, contact:
**Kerry Schoeph
MSKTD & Assoc
(260) 432-9337**

Primary Development Plan
1" = 20.00'

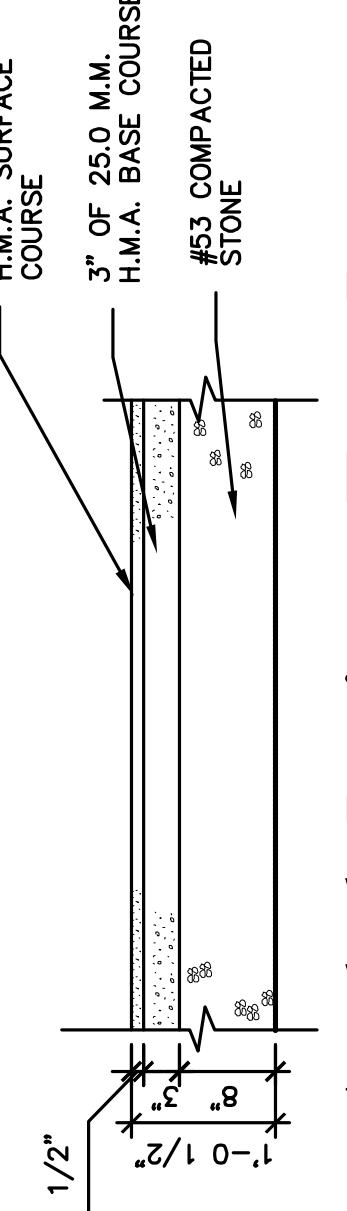


HOLEY MOLEY SAYS, "DON'T DIG "BLIND"

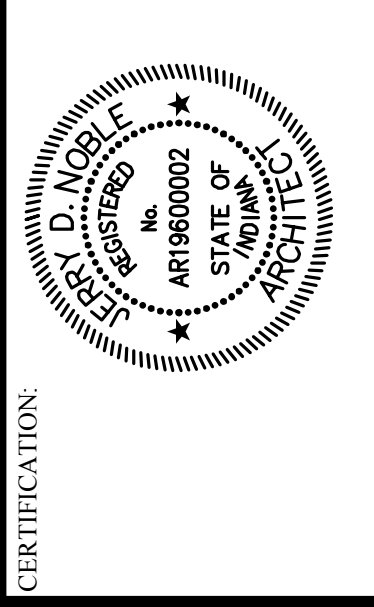
1-800-382-5544
CALL TOLL FREE
1-800-428-5200
FOR CALLS OUTSIDE OF INDIANA

6" Concrete Paving
NO SCALE

Asphalt Paving - Type I
NO SCALE



MSKTD & Associates, Inc.
ARCHITECTURE ENGINEERING INTERIOR DESIGN
1715 MAGNANOX WAY FORT WAYNE, IN 46804
INDIANAPOLIS, IN 46204
TEL (260) 432-9337 FAX (317) 822-6236
http://www.msktd.com



These concepts, plans, designs, plans and details are shown on this drawing as the work of MSKTD & Associates, Inc. and its duly licensed professional engineers and architects. No other persons were created, developed and executed for use on this specific project. None of the concepts, ideas, designs, plans and details are to be used for any other project without the written consent of MSKTD & Associates, Inc. The Owner shall be permitted to use this project for information and reference to construct any other project.

Developer:
WES Limited Inc.
7114 Homestead Road
Fort Wayne, IN 46814

Wayne Chemical
7114 Homestead Road
Fort Wayne, Indiana 46804
FX 219/432-1473
219/432-1120

Revisions Table

REVISIONS:	DATE:	BY:

Primary Development Plan
COMMISSION NUMBER: 6077.01
DATE: 2-27-14
SHEET NUMBER: C2.1