

#REZ-2013-0182

BILL NO. Z-13-12-25

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. Q-58 and P-58 (Sec. 6 of St. Joseph 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 CM2
(Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code
of the City of Fort Wayne, Indiana:

A part of the fractional Northwest Quarter of Fractional Section 6, Township 31
North, Range 13 East of the Second Principle Meridian in Allen County, Indiana,
more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 6;
thence North 89 degrees 58 minutes 21 seconds East (adjoining deed bearing and
basis to follow), a distance of 134.00 feet along the North line of said Northeast
Quarter to the a bronze plug at the centerline of Auburn Road; thence South 00
degrees 34 minutes 00 seconds West, a distance of 927.36 feet along said centerline
to the South line of an existing 0.61 acre tract; thence South 89 degrees 10 minutes
12 seconds West, a distance of 40.00 feet along said South line to a 5/8 inch rebar set
at the Point of Beginning of the herein described tract; thence continuing South 89
degrees 10 minutes 12 seconds West, a distance of 154.77 feet along said South line
to a 5/8 inch rebar with "Karst" identification cap found on the East line of an
existing tract described in Document Number 95-17179 in the Office of the Recorder
of Allen County, Indiana; thence North 01 degrees 08 minutes 08 seconds West, a
distance of 134.95 feet (135 feet Deed) along said East line to a 5/8 inch rebar with
"#0027" identification cap found on the South line of an existing tract described in
Document Number 2008017768 in the Office of the Recorder of Allen County,
Indiana; thence North 89 degrees 04 minutes 49 seconds East, a distance of 158.78
feet along said South line to a 5/8 inch rebar with #0027 identification cap found on
the West right-of-way line of said Auburn Road as established by Document Number
94-022382 in the Office of the Recorder of Allen County, Indiana; thence South 00
degrees 34 minutes 00 seconds West, a distance of 135.24 feet along said West right-
of-way line to the Point of Beginning. Containing 0.49 areas, more or less. Subject to
easements of record.

and the symbols of the City of Fort Wayne Zoning Map Nos. Q-58 and P-58 (Sec. 6 of St.
Joseph 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-2013-0182
Bill Number: Z-13-12-25
Council District: 2-Russ Jehl

Introduction Date: December 17, 2013

Plan Commission
Public Hearing Date: January 6, 2014

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

Synopsis of Ordinance: To rezone approximately 0.49 acres from AR-Low Intensity Residential to CM2-Limited Retail and Commercial for a 5,000 square foot retail building.
Location: 10149 Auburn Road, on the west side of the street.
Reason for Request: The applicant wishes to construct a new building for a retail business.
Applicant: J. Benjamin and Athina P. Jacquay

Related Petitions: Primary Development Plan, 10149 Auburn Road Retail Building

Effect of Passage: The existing residential lot will be rezoned to CM2 to allow the construction of a retail business building. There will be one remaining residential lot on this stretch of the Auburn Road corridor, which currently has a Use Variance for music instruction.

Effect of Non-Passage: Property will remain AR and the property may remain as a residential use.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant J. Benjamin & Athina P. Jacquay
Address 8106 Auburn Road
City Fort Wayne State Indiana Zip 46825
Telephone 260/760-8172 Fax 260/482-6710 E-mail ben2gage@aol.com

Property Ownership
Property Owner James E. & Gloria M. Stelle Georgia (48)
Address 1901 Kelley's Landing
City Fort Wayne State Indiana Zip 46825
Telephone 260/489-3428 Fax ----- E-mail -----

Contact Person
Contact Person Kenneth W. Nord C E & M Architects
Address 116 W. Rudisill Blvd.
City Fort Wayne State Indiana Zip 46807
Telephone 260/744-2781 Fax 260/456-8579 E-mail knord@cemincorp.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 10149 Auburn Road
Present Zoning AR Proposed Zoning CMZ Acreage to be rezoned 0.55 0.49
Proposed density N/A units per acre
Township name St. Joseph Township section # 6
Purpose of rezoning (attach additional page if necessary) To allow for the construction of a retail business
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

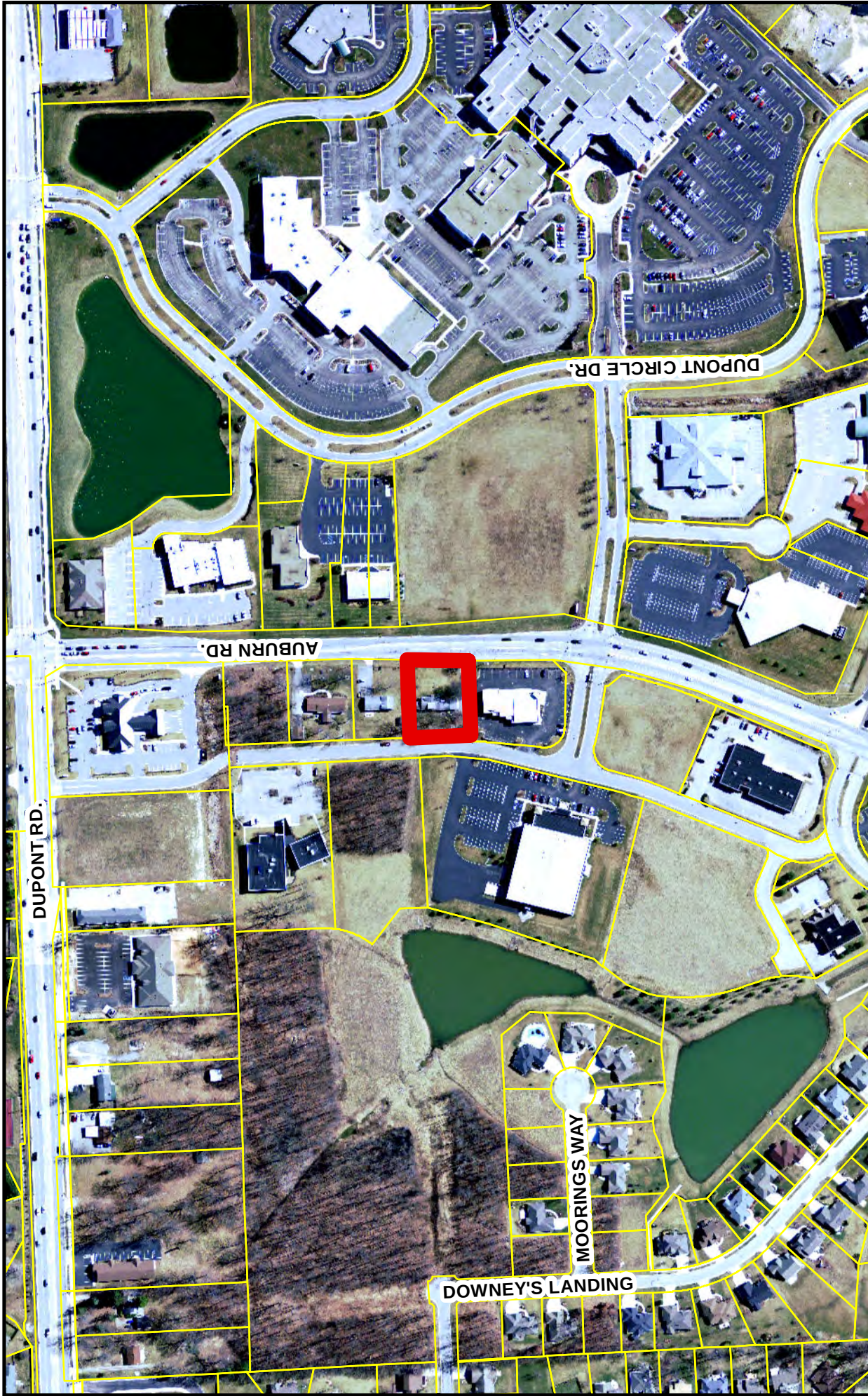
I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

J. Benjamin Jacquay (signature of applicant) 11-26-13
(printed name of applicant) (date)
James E. Stelle (signature of property owner) 11/27/13
(printed name of property owner) (date)
Georgia M. Stelle (signature of property owner) 11/27/13
(printed name of property owner) (date)

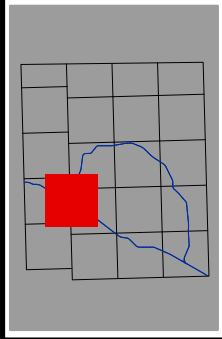
(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
Dec 4, '13	113726	Jan 6 '14	

Rec-2013-082



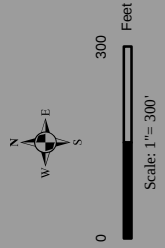
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

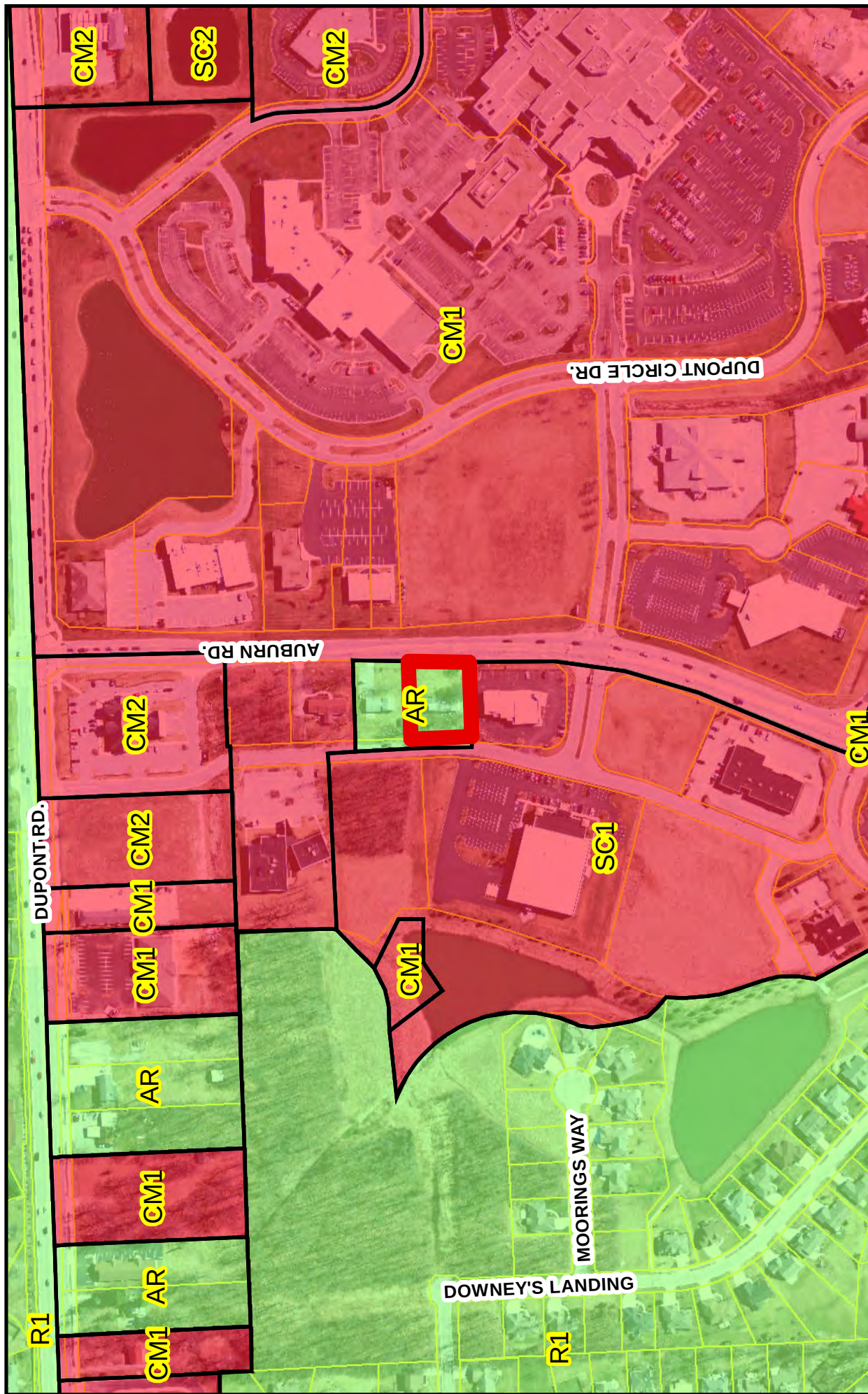


Rezoning Petition REZ-2013-0182 and Primary Development Plan - 10149 Auburn Road Retail Building

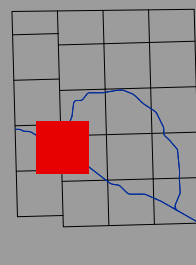


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0 300 Feet
Scale: 1"= 300'



Rezoning Petition REZ-2013-0182 and Primary Development Plan - 10149 Auburn Road Retail Building

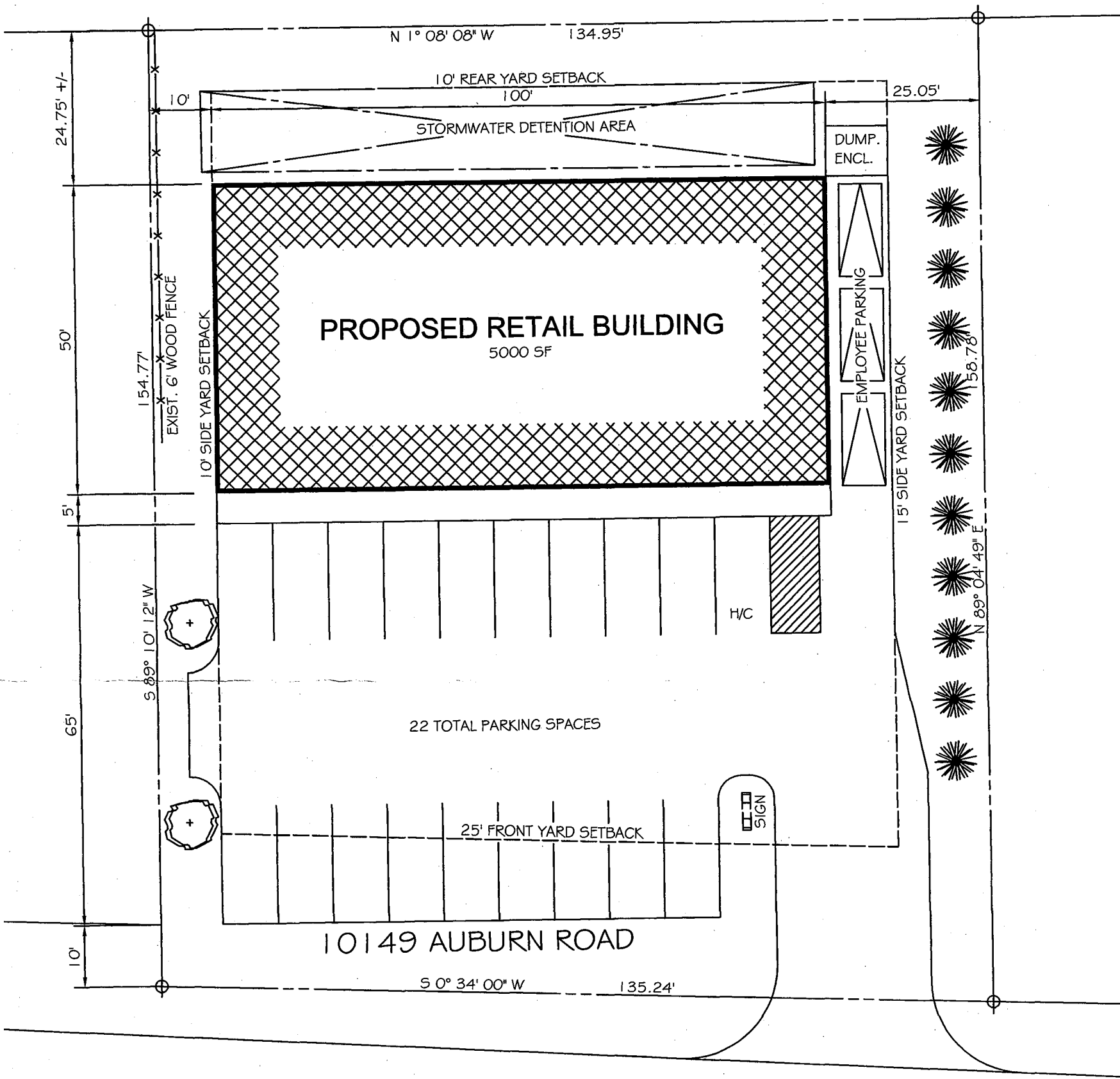
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AUBURN PARK DRIVE

(PRIVATE)



AUBURN ROAD

R/W WIDTH VARIES



NORTH

PROPOSED SITE PLAN

SCALE: 1" = 20'-0"

SCALE IN FEET

