

#REZ-2014-0049

BILL NO. Z-14-05-19

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-07 (Sec. 16 of Wayne 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:

Commencing at the Southeast corner of the Southwest Quarter of the Northeast
Quarter of Section 16, Township 30 North, Range 12 East; thence North on the East
line of said Southwest Quarter, a distance of 688.38 feet; thence West parallel with
the South line of said Southwest Quarter, a distance of 37.27 feet; thence South and
parallel with the East line of said Southwest Quarter, a distance of 688.38 feet to the
South line of said Southwest Quarter; thence East on said South line, a distance of
237.27 feet to the point of beginning, such parcel of real estate being sometimes
known as the East Half of Lot 5 in the Plat of Survey and Subdivision of the Tielker
Homestead, as recorded in Book 47, page 250 of the Miscellaneous Records of said
Allen County.

and the symbols of the City of Fort Wayne Zoning Map No. I-07 (Sec. 16 of Wayne
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-2014-0049
Bill Number: Z-14-05-19
Council District: 5 – Geoff Paddock

Introduction Date: May 27, 2014

Plan Commission
Public Hearing Date: May 12, 2014

Next Council Action: Ordinance will return to Council on June 10, 2014 with a recommendation from the Plan Commission.

Synopsis of Ordinance: To rezone approximately 3.75 acres of property from IN2-General Industrial to R1-Single Family Residential

Location: 2822 Nuttman Avenue

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

Applicant: Tanas B. Donev

Property Owner: Tanas B. Donev

Related Petitions: none

Effect of Passage: Property will be rezoned to R1-Single Family Residential to allow the current use of a single family home.

Effect of Non-Passage: The property will remain zoned IN2-General Industrial. The property owner has a prospective buyer for the home and the lending institution will not approve the loan while the property is zoned industrial.

Department of Planning Services
Rezoning Petition Application

Applicant
Applicant TANAS B. DONEV
Address 5401 BLUFFTON ROAD
City FT. WAYNE State IN Zip 46809
Telephone 260-704-3574 Fax 1-888-282-9704 E-mail tmdonev@gmail.com

Property Ownership
Property Owner SAME AS ABOVE
Address _____
City _____ State _____ Zip _____
Telephone _____ Fax _____ E-mail _____

Contact Person
Contact Person MARGIE V. BROOKS
Address 5401 BLUFFTON RD
City FT. WAYNE State IN Zip 46809
Telephone 260-466-1013 Fax 1-888-282-9704 E-mail mbrealty3@gmail.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 2822 NUTTMAN AVE
Present Zoning IN2 Proposed Zoning R-1 Acreage to be rezoned 3.75
Proposed density _____ units per acre
Township name _____ Township section # _____
Purpose of rezoning (attach additional page if necessary) MAKE EXISTING HOME PERMITTED USE
Sewer provider CITY Water provider 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 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.

(printed name of applicant)	(signature of applicant)	(date)
<u>TANAS B. DONEV</u>	<u>Tanas B. Donev</u>	<u>4-1-14</u>
(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.
4-1-14	114392	5/12/14	

Rez-2014-0049

1305 E. State Blvd. - Suite 3
Fort Wayne, In. 46805
Office: 260-496-9699
Fax: 260-496-9799

Job No. 14-C-18

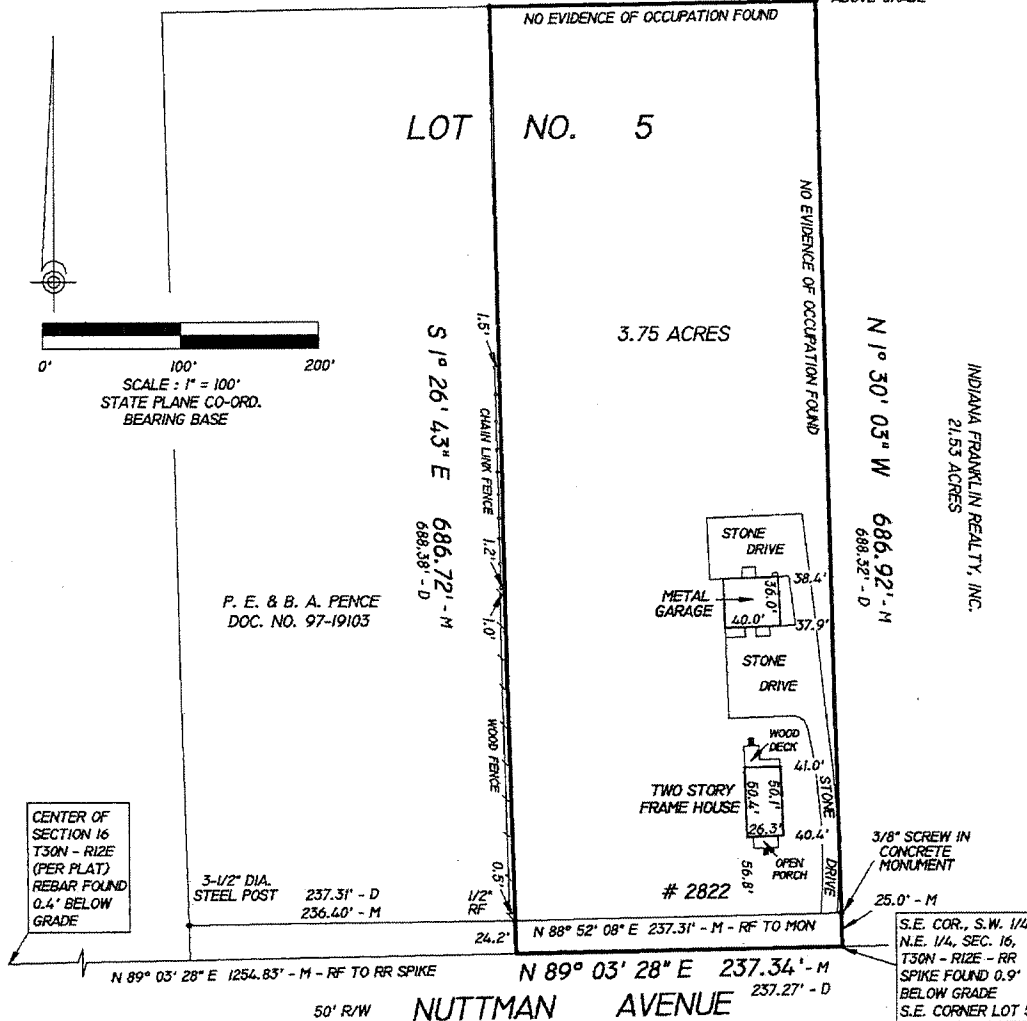
This document is a retracement survey of land located in Wayne Township, Allen County, Indiana, made in accordance with the pertinent records on file in the Office of the Recorder and/or Auditor of said county.

T. P. & M. L. WOEHINKER
DOC. NO. 91-44889

1" PIPE &
1-1/2" PIPE
0.6' ABOVE
GRADE

S 89° 00' 49" W 236.67' - M
237.27' - D

1" PIPE FOUND
NEXT TO 2-1/2"
PIPE - BOTH 1'
ABOVE GRADE



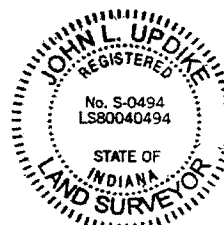
FIELD WORK COMPLETED: March 28, 2014

John L. Updike, L.S.#S0494
LS 80040494

Lender:

Date: **March 31, 2014**

RF - Rebar Found at grade
RS - 5/8" dia x 24" long Rebar, set at grade, with UPDIKE cap
RRS - Railroad Spike
PK - P.K. nail
MAG- Mag nail
PF - Pipe Found
P - Platted
D - Deed
R - Recorded (as noted)
M - Measured



John L. Updike

UPDIKE SURVEYING, INC.

1305 E. State Blvd. - Suite 3
Fort Wayne, In. 46805
Office: 260-496-9899
Fax: 260-496-9799

Sheet 2 of 2

Survey No.: 14-C-18

Date: March 31, 2014

RECORD DESCRIPTION
DOCUMENT NUMBER 2014005363

Commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 16, Township 30 North, Range 12 East; thence North on the East line of said Southwest Quarter, a distance of 688.38 feet; thence West parallel with the South line of said Southwest Quarter, a distance of 37.27 feet; thence South and parallel with said East line of said Southwest Quarter, a distance of 688.38 feet to the South line of said Southwest Quarter; thence East on said South line, a distance of 237.27 feet to the point of beginning, such parcel of real estate being sometimes known as the East Half of Lot 5 in the Plat of Survey and Subdivision of the Tielker Homestead, as recorded in Book 47, page 250 of the Miscellaneous Records of said Allen County.

SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 19 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A.) CLARITY OR AMBIGUITY OF RECORD DESCRIPTIONS
- B.) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS
- C.) OCCUPATION OR POSSESSION LINES

THIS SURVEY IS CLASSIFIED AS AN SUBURBAN SURVEY. RELATIVE POSITIONAL ACCURACY FOR THIS SURVEY IS 0.13 FEET PLUS 100 PARTS PER MILLION, AS DEFINED IN 865 IAC 1-12-7.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR ABSTRACT OF TITLE. A COMPLETE TITLE SEARCH MAY REVEAL FACTS THAT MAY AFFECT PORTIONS OF THIS SURVEY. NO OPINION OF TITLE IS MADE NOR IMPLIED IN THIS REPORT. THE OPINIONS EXPRESSED HEREIN ARE ON MATTERS OF SURVEY.

2822 Nuttman Avenue, Fort Wayne, Indiana.
The East Half of Lot 5 in Tielker Homestead.

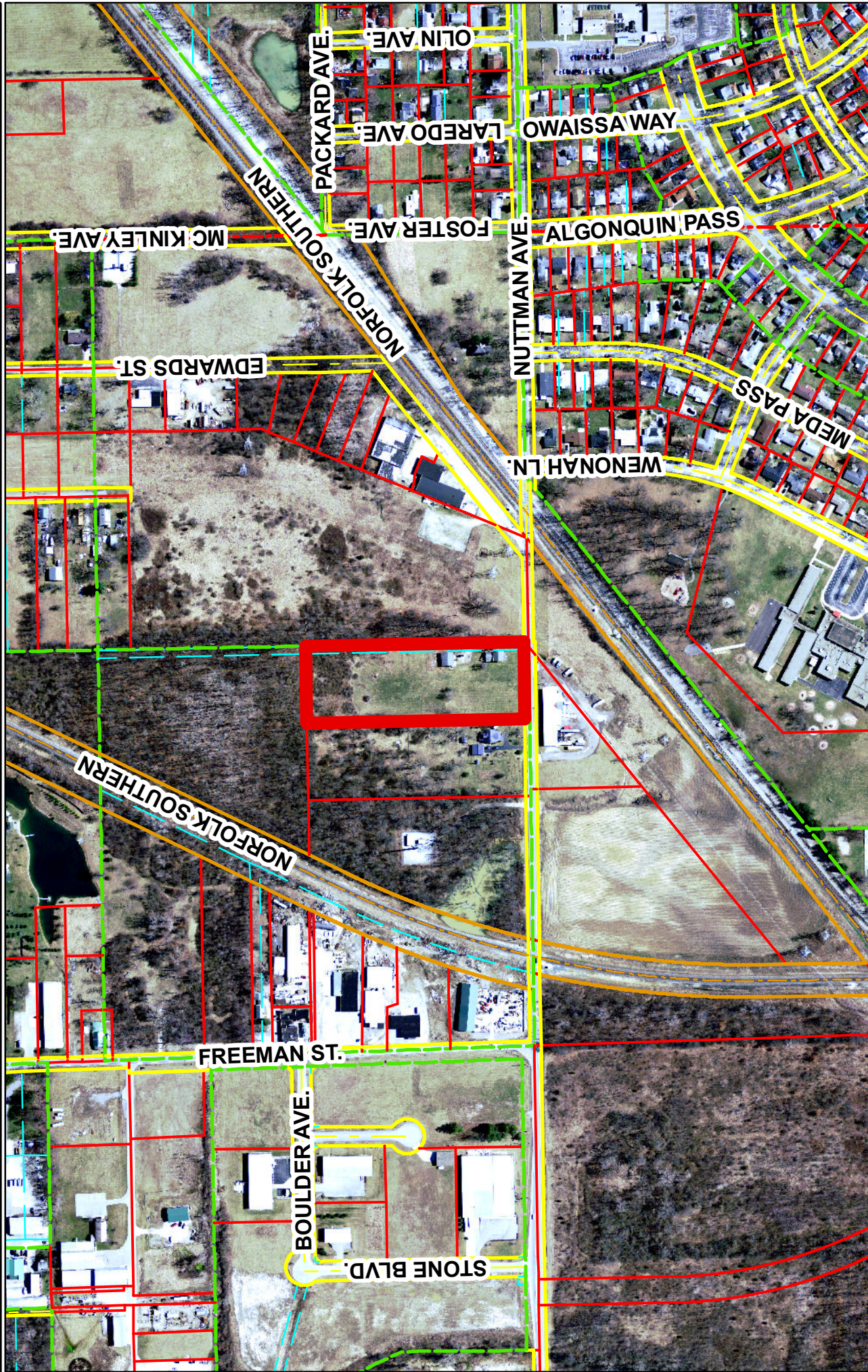
A.) This survey is based on the record plat of Tielker Homestead, as recorded in Miscellaneous Record 47, page 250, in the Office of the Recorder of Allen County, Indiana. This is a survey of the parcel described in Document Number 2014005363, with title vested in Tanas B. Donev.

B.) Spikes, rebars and pipes of various sizes were found in this area of the subdivision. They are not believed to be the original monuments set when the plat and parcels were laid out. They were probably set for the retracement surveys of the parcels in this area. Measurements between the found monuments were within 1.7 feet of plat and deed dimensions. The found monuments on the surveyed parcel were held as marking the deeded parcel corners.

C.) The lines of occupation and possession are as follows: The center of a chain link fence runs from 1.2 to 1.5 feet West of the West line of the surveyed parcel. the East face of a wood fence runs from 0.5 to 1.0 feet West of the West line of the surveyed parcel.



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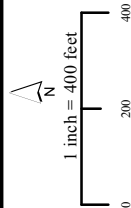


Project boundaries represented by bold colored lines are for representational purposes only.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photo and Contours: Spring 2009

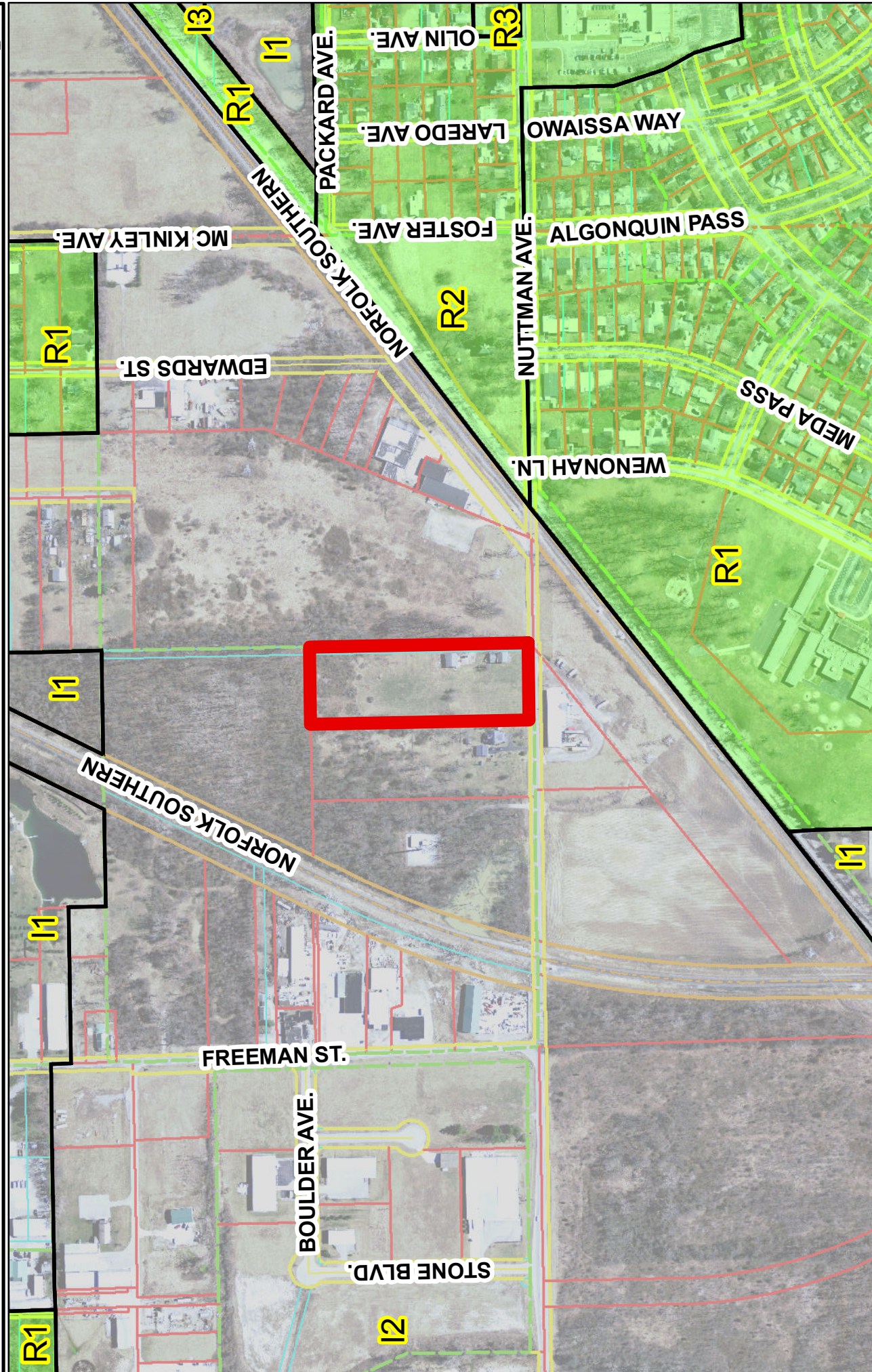
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

Date: 4/23/2014





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Date: 4/23/2014

