

#REZ-2014-0080

BILL NO. Z-14-06-53

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-02 (Sec. 9 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 a C3
(General Commercial) District under the terms of Chapter 157 Title XV of the Code of the
City of Fort Wayne, Indiana:

Part of Lots numbered 47, 48, 49, 50, 51, and 52 in Wichman's Addition to the City
of Fort Wayne, according to the plat thereof, recorded in Plat Book 3, page 22, in the
Office of the Recorder of Allen County, Indiana, and part of the Northeast Quarter of
Section 9, Township 30 North, Range 12 East, Allen County, Indiana, more
particularly described as follows:

Commencing at a brass pin in concrete defining the intersection of the Westerly
right-of-way line of a 100 foot wide Indiana Michigan Power Company Easement
with the Northerly right-of-way line of the Consolidated Rail Corporation (formally
Pennsylvania Railroad); thence Northwesterly along said Northerly right-of-way line
of the Consolidated Rail Corporation a distance of 321.08 feet to a 5/8 inch iron pin
set at the true point of beginning; thence continuing Northwesterly along said
railroad right-of-way line, a distance 172.58 feet to the Southeast corner of
Wichman's Addition to the City of Fort Wayne, according to the plat thereof,
recorded in Plat Book 3, page 22, in the Office of the Allen County Recorder; thence
Northeasterly with a deflection angle to the right of 123 degrees 17 minutes 00
seconds along the Easterly line of said Wichman's Addition, a distance of 71.67 feet
to a P.K. nail set at the Southeast corner of Lot Number 52 in said Addition; thence
Northwesterly with a deflection angle to the left of 90 degrees 00 minutes along the
Southerly line of said Lot, a distance of 74.72 feet to a point on the Southerly right-
of-way line of West Jefferson Boulevard, as defined in Deed Record 527, page 553,
in said Recorder's Office; thence Northeasterly along a curve to the right having a
radius of 562.96 feet, said curve being 10.0 feet radially distance Southeasterly of the
former right-of-way line, as shown in Plat Book 14, page 101, in said Recorder's
Office, an arc distance of 170.77 feet to a 5/8 inch iron pin set at a point on the
Easterly line of said Wichman's Addition; thence Northeasterly along said Easterly
line, a distance of 10.59 feet to a 5/8 inch iron pin set at a point on the Southeasterly
right-of-way line of West Jefferson Boulevard, as defined in Deed Record 343, page
423, in said Recorder's Office; thence Southeasterly with a deflection angle to the

1 right of 44 degrees 53 minutes 10 seconds along said right-of-way line, a distance of
2 100.00 feet to a 5/8 inch iron pin set at the Northeast corner of the real estate
3 conveyed to Terry A. and Jean R. Becker, in the Deed Recorded in Document #90-
4 013455, in said Recorder's Office; thence Southwesterly with a deflection angle to
5 the right of 132 degrees 52 minutes 25 seconds along the Easterly line of said Becker
6 Tract, a distance of 13.65 feet to a 5/8 inch iron pin set at a point on the Southerly
7 right-of-way line of West Jefferson Boulevard, as defined in Document #94-025285,
8 in said Recorder's Office; thence Southwesterly with a deflection angle to the left of
9 18 degrees 04 minutes 45 seconds, a distance of 210.71 feet to the point of
10 beginning, containing 0.758 acres, subject to easements.

11 and the symbols of the City of Fort Wayne Zoning Map No. I-02 (Sec. 9 of Wayne
12 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
13 Wayne, Indiana is hereby changed accordingly.

14 SECTION 2. That this Ordinance shall be in full force and effect from and after its
15 passage and approval by the Mayor.

16 _____
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY:

19 _____
20 Carol T. Helton, City Attorney
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City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2014-0080
Bill Number: Z-14-06-53
Council District: 5 – Geoff Paddock

Introduction Date: June 24, 2013

Plan Commission
Public Hearing Date: July 7, 2014

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

Synopsis of Ordinance: To rezone approximately 0.75 acres of property from IN1-Light Industrial to
C3-General Commercial

Location: 2701 West Jefferson

Reason for Request: To allow an outdoor stage for the existing tavern.

Applicant: Oliveri Enterprises, LLC

Property Owner: Anthony Oliveri and Syd Mathias

Related Petitions: none

Effect of Passage: Property will be rezoned to C3-General Commercial which will allow the
tavern owners to utilize an outdoor stage behind the business.

Effect of Non-Passage: The property will remain zoned I1-Light Industrial. The tavern may continue
to operate but outdoor uses will not be allowed.

**Department of Planning Services
Rezoning Petition Application**

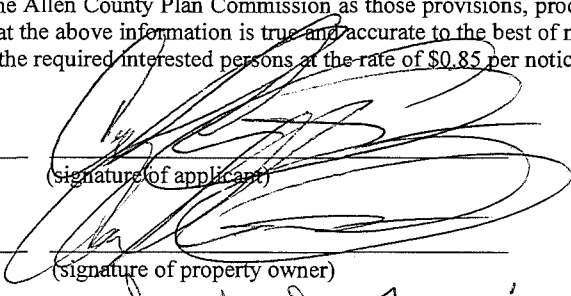
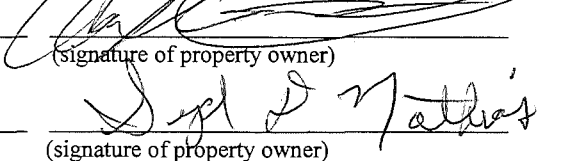
Applicant	Applicant	<u>Oliveri Enterpriss LLC (Anthony Oliveri)</u>		
	Address	<u>2701 west Jefferson Blvd</u>		
	City	<u>Fort Wayne</u>	State	<u>IN</u> Zip <u>46802</u>
	Telephone	<u>260-387-7960</u>	Fax	<u>260-387-7961</u> E-mail <u>Oliveri2020@gmail.com</u>
Property Ownership	Property Owner	<u>Anthony Oliveri / Syd Mathias</u>		
	Address	<u>2701 west Jefferson Blvd</u>		
	City	<u>Fort Wayne</u>	State	<u>IN</u> Zip <u>46802</u>
	Telephone	<u>260-440-4320</u>	Fax	<u>—</u> E-mail <u>Oliveri2020@gmail.com</u>
Contact Person	Contact Person	<u>Anthony Oliveri</u>		
	Address	<u>1504 Getz Rd</u>		
	City	<u>Fort Wayne</u>	State	<u>IN</u> Zip <u>46804</u>
	Telephone	<u>260-440-4320</u>	Fax	<u>—</u> E-mail <u>Oliveri2020@gmail.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>2701 west Jefferson</u>	
	Present Zoning <u>I1</u>	Proposed Zoning <u>C3</u> Acreage to be rezoned <u>.778</u>
	Proposed density <u>NA</u>	units per acre
	Township name <u>Wayne</u>	Township section # <u>9</u>
	Purpose of rezoning (attach additional page if necessary) <u>To allow outdoor use (recreation)</u>	
	Sewer provider <u>City</u>	Water provider <u>City</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 <u>\$500.00</u>	<u>pay to Allen County Treasurer</u>
	☐ 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.

<u>Anthony Oliveri</u>		<u>6/2/2014</u>
(printed name of applicant)	(signature of applicant)	(date)
<u>Anthony Oliveri</u>		<u>6/2/2014</u>
(printed name of property owner)	(signature of property owner)	(date)
<u>Syd D. Mathias</u>	<u>Syd D Mathias</u>	<u>6-2-2014</u>
(printed name of property owner)	(signature of property owner)	(date)
<u> </u>	<u> </u>	<u> </u>
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
6/4/14	115185	7-7-14	

EXHIBIT "A"

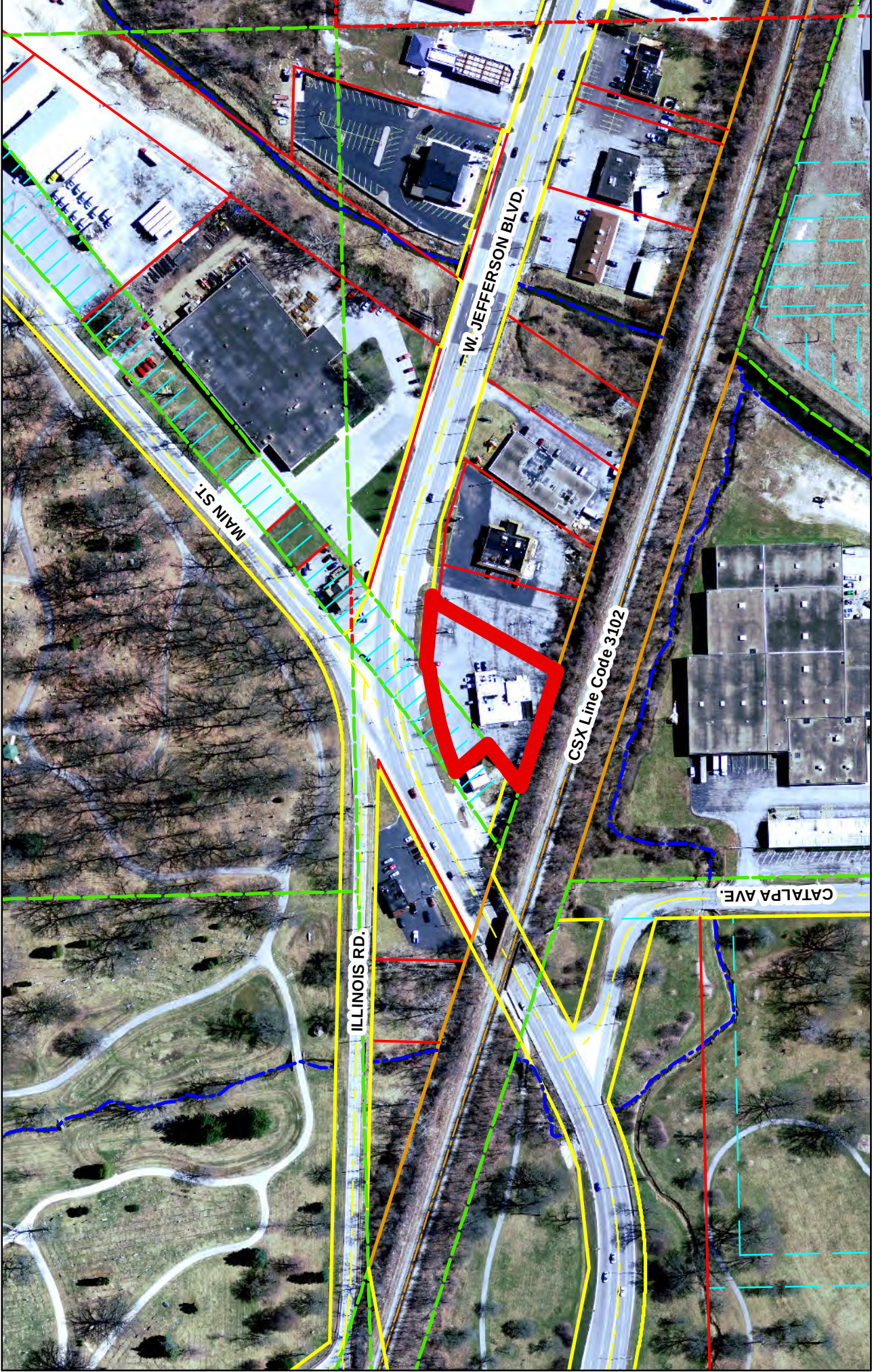
Legal Only

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9524674

Rezoning Petition REZ-2014-0080 - 2701 West Jefferson Blvd

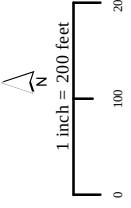


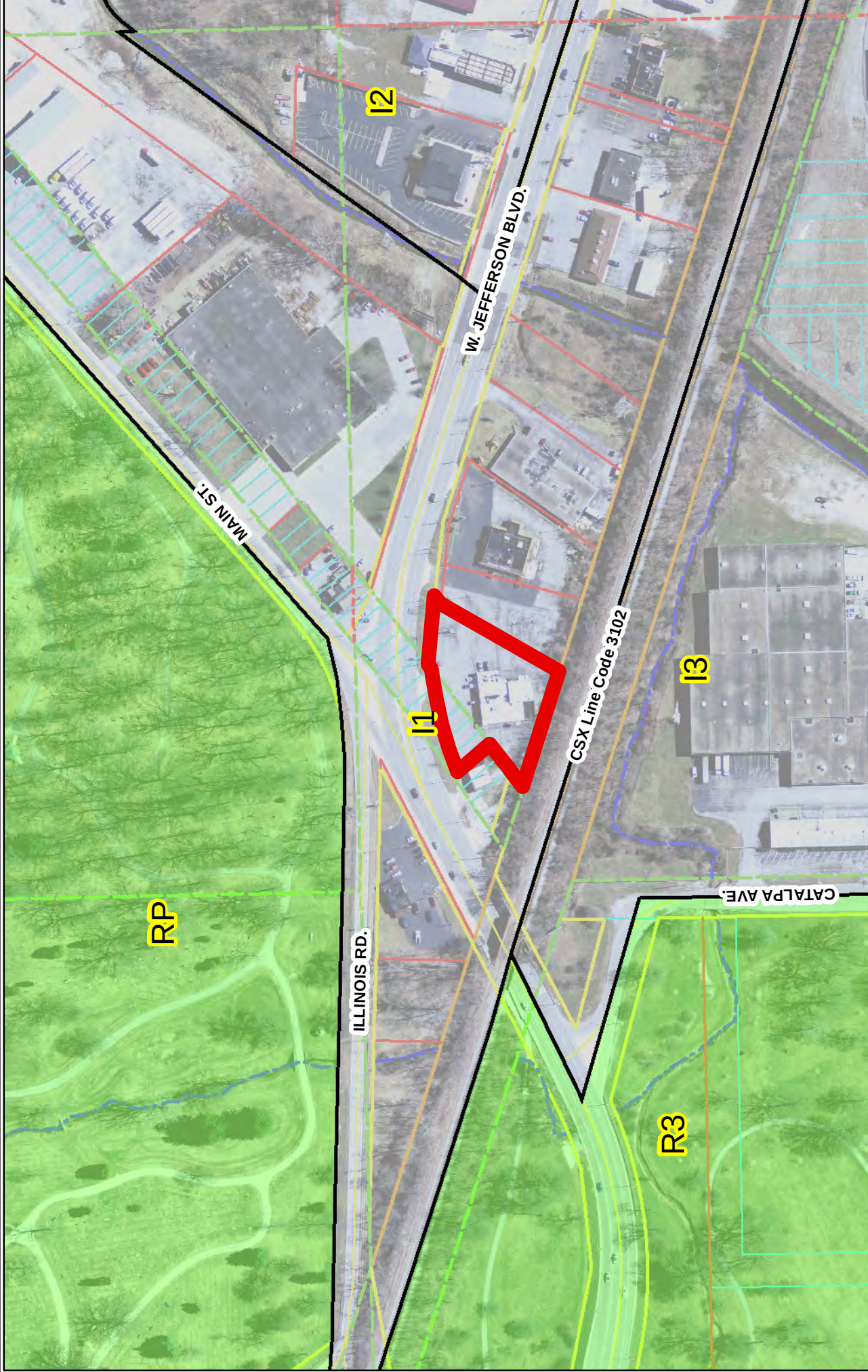
Project boundaries represented by bold colored lines are for representational purposes only.

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: 6/19/2014





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