

#REZ-2014-0086

BILL NO. Z-14-07-15

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-03 (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 I2
(General Industrial) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Lot #150 in Harvester Park Addition to the City of Fort Wayne and the South 74 feet
of Lot #149 in Harvester Park Addition to the City of Fort Wayne, as recorded in
Plat Record 11, page 99 in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. R-03 (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-2014-0086
Bill Number: Z-14-07-15
Council District: 6 – Glynn Hines

Introduction Date: July 22, 2014

Plan Commission
Public Hearing Date: August 11, 2014

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

Synopsis of Ordinance: To rezone approximately 0.53 acres of property from I1-Light Industrial to I2-General Industrial

Location: 2650 South Coliseum Boulevard

Reason for Request: To allow used car sales and repair

Applicant: Rogelio Garcia

Property Owner: Terrance Hurd

Related Petitions: none

Effect of Passage: Property will be rezoned to I2-General Industrial to allow the proposed use of used cars and car repair.

Effect of Non-Passage: The property will remain zoned I1-Light Industrial and the property may be used for any of the permitted uses within the I1 district.

Department of Planning Services
 Rezoning Petition Application

Applicant

Applicant Rogelio Garcia
 Address 3315 CASSELWOOD Rd
 City FORT WAYNE State IN Zip 46806
 Telephone (260) 515-1708 Fax _____ E-mail _____

Property Ownership

Property Owner Terrance Hurd
 Address 4107 Selkirk Ct
 City Ft. Wayne State IN Zip 46816
 Telephone (260) 515-6601 Fax _____ E-mail Terrance-Hurd@Hotmail.com

Contact Person

Contact Person Adam R Olson
 Address 433 Council Dr.
 City Fort Wayne State IN Zip 46825
 Telephone (260) 373-0850 Fax (260) 373-0854 E-mail adam.olson@charleston-services.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 2650 S. Caliseum Blvd, Fort Wayne, IN 46803
 Present Zoning I1 Proposed Zoning I2 Acreage to be rezoned _____
 Proposed density 12/14 units per acre
 Township name Wayne Township section # 008
 Purpose of rezoning (attach additional page if necessary) Used car sales and repair.
02-18-08-383-004.000-074
 Sewer provider City Water provider City

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.

<u>Rogelio Garcia</u> (printed name of applicant)	<u>Rogelio Garcia</u> (signature of applicant)	<u>6/25-14</u> (date)
<u>Terrance Hurd</u> (printed name of property owner)	<u>Terrance Hurd</u> (signature of property owner)	<u>6/25/14</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>7/2/14</u>	Receipt No. <u>115420</u>	Hearing Date <u>6/11/14</u>	Petition No. <u>2014-0086</u>
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ANDERSON SURVEYING, INC.

Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A

1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
Toll Free: (888) 483-1724

1947 E. Schug Road
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Phone: (260) 691-3425
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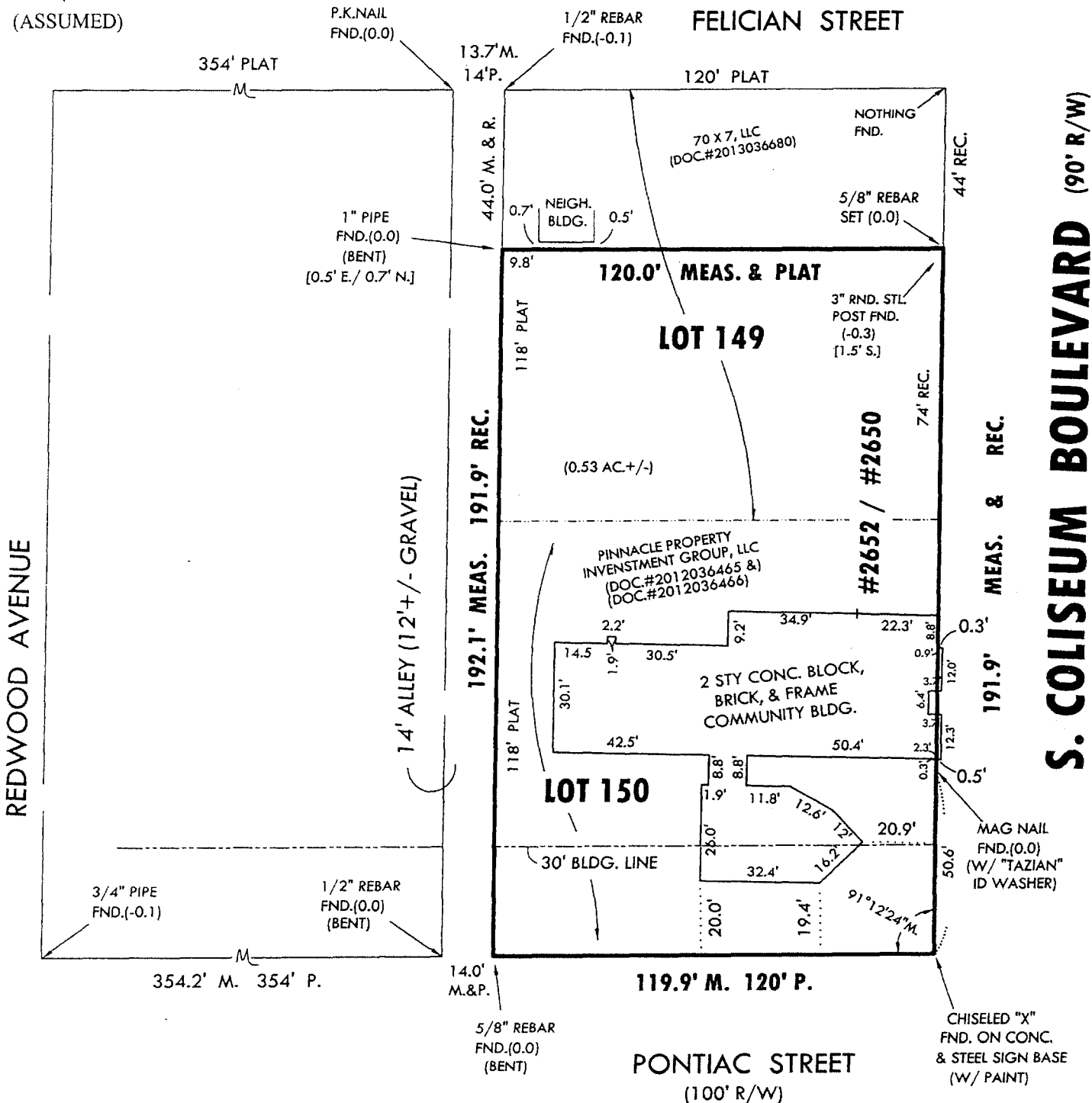


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PLAT OF SURVEY (Page 1 of 2)

(JUNE 2014 / 12-06-118)

This document is a retracement survey of a parcel of land located in Allen County, Indiana.
SEE PAGE 2 OF 2 FOR THE SURVEYOR'S REPORT AND LEGAL DESCRIPTION.





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SURVEYOR'S REPORT**RECORDED DESCRIPTION OF REAL ESTATE:***Property Address: 2650 and 2652 S. Coliseum Boulevard*

Allen County Recorder's Document 201236466 (Pinnacle Property Investment Group, LLC)

Lot #150 in Harvester Park Addition to the City of Fort Wayne, except the North 66.5 feet thereof, according to the recorded plat thereof.

ALSO: Allen County Recorder's Document ##2012036465 (Pinnacle Property Investment Group, LLC)

The South 74 feet of Lot Number 149 and the North 66.65 feet of Lot Number 150 in Harvester Park Addition to the City of Fort Wayne, as recorded in Plat Record 11, Page 98.

In accordance with the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12, Sections 1 through 29 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) Variances in the reference monuments:
- (b) Discrepancies in record descriptions and plats:
- (c) Inconsistencies in lines of occupation and:
- (d) Random errors in measurement (Theoretical Uncertainty).

The Relative Positional Accuracy (due to random errors in measurement) of the corners of the subject tract established this survey is within the specifications for a **"Suburban" Survey** (0.13 feet plus 100 parts per million) as defined in I.A.C. 865.

The boundary lines of said Lots were retraced during this survey on the basis of monumentation found essentially in agreement with the dimensions appearing on the recorded plat of said Addition. The plat of Harvester Park Addition does not indicate the type of monumentation utilized to establish the original lot corners. All monumentation found is considered by this firm to be "Local Corners", due to a lack of original monumentation, which are subject to undiscovered evidence regarding the true location of said corners. The corners of subject tract are marked as shown on the Plat of Survey in conformity with said monumentation. The uncertainty for all corners is not readily determinable because of the reliance on local corners. The lines of possession were essentially in agreement with the boundary lines as retraced this survey. Reference a previous survey of the subject tract by this firm dated June 12, 2012.

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this Plat of Survey are as follows:

DUE TO VARIANCES IN REFERENCE MONUMENTS: As noted on the attached Plat of Survey. All found monumentation is of unknown origin unless noted otherwise. Bearing and distance differential over the RPA for this survey are noted on the Plat of Survey. All set rebars are 5/8 inch diameter 24 inches long with orange identification caps stamped "ANDERSON-FIRM #29A". See Plat of Survey.

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: As noted above the deeds indicate the "North 66.5 feet of Lot #150" vs. the "North 66.65 feet of Lot #150. Meas. (M) indicates measured dimension. Plat (P) indicates platted dimension. Rec. (R) indicates recorded dimension. Calc. (C) indicates calculated dimension. See Plat of Survey.

DUE TO INCONSISTENCIES IN LINES OF OCCUPATION: As noted on the attached Plat of Survey.

CONTRACT REQUIREMENTS: All surveying fees to Anderson Surveying, Inc. must be satisfied before this survey and report is valid.

The commitment for title insurance was not provided at the time of this report. An abstract or title search may reveal additional information affecting this property. This survey is subject to any facts and or easements that may be disclosed by said full and accurate title search. Anderson Surveying, Inc. should be notified of any additions or revisions that may be required.

This property is in Zone "X" as location plots by scale on Flood Insurance Rate Map 18003 C0315G, effective August 3, 2009. The accuracy of this statement is subject to map scale uncertainty. The exact location of any flood plain can only be ascertained with a topographic procedure, which is beyond the scope of this Plat of Survey. As provided for under the guidelines of the National Flood Insurance Program, the final decision regarding flood insurance is left up to the local lending institution.

This is certified as a **"Suburban" Survey** in accordance with the Indiana Survey Standards to the owner of record and the buyer as listed on this certificate, the title company of contract and the lender for said buyer for the exclusive use in the conveyance of the above described real estate. The attached Plat of Survey is not to be warranted or assigned to any person(s) after said conveyance is complete.

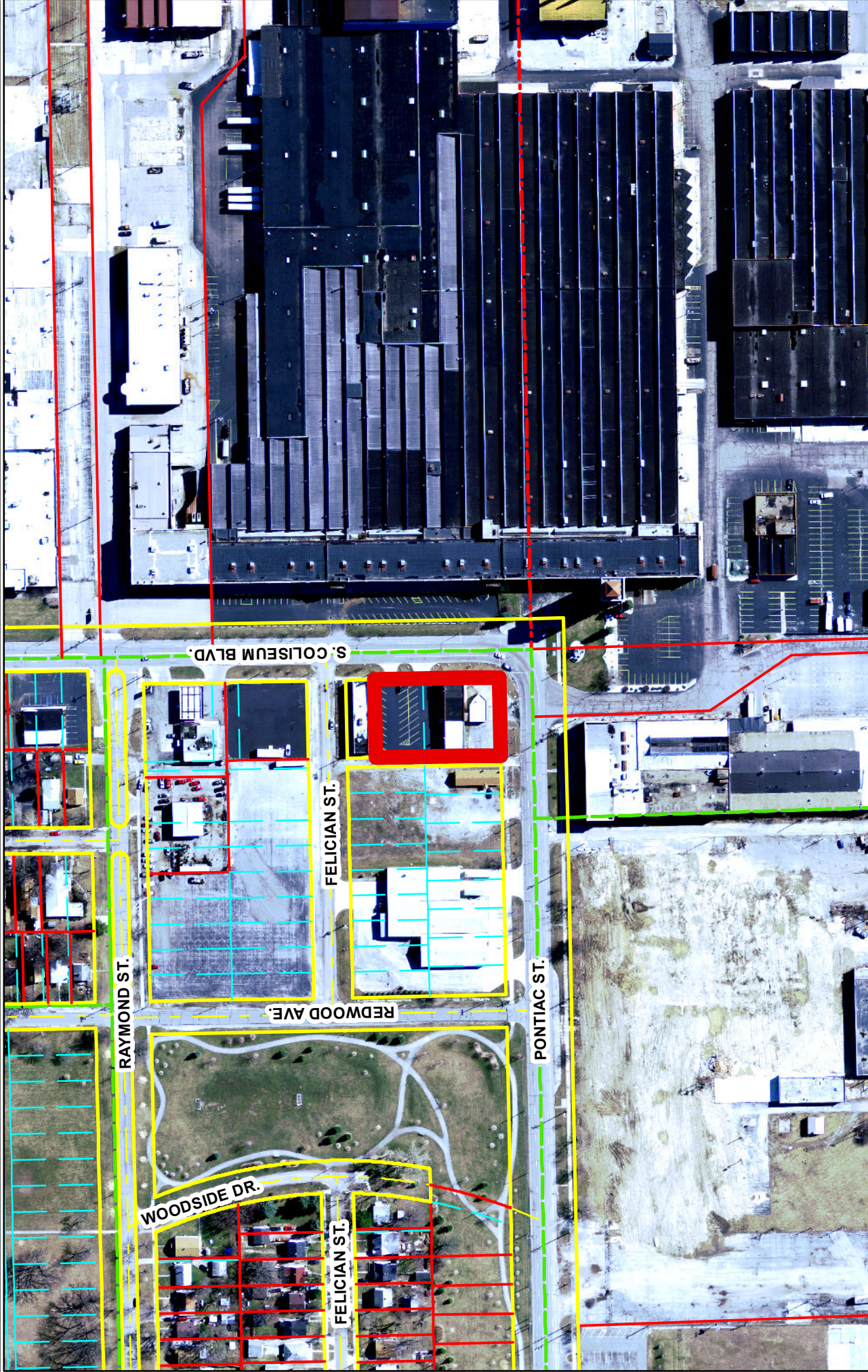
Fieldwork completed on the 30TH day of June, 2014**Certified this 30TH day of June, 2014****Prepared for: Pinnacle Property Investments Group, LLC / Garcia****Survey Number: 12-06-118****ANDERSON SURVEYING, INC.**

1324 Henry Avenue
Fort Wayne, Indiana 46808
www.AndersonSurveying.com

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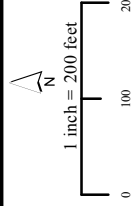


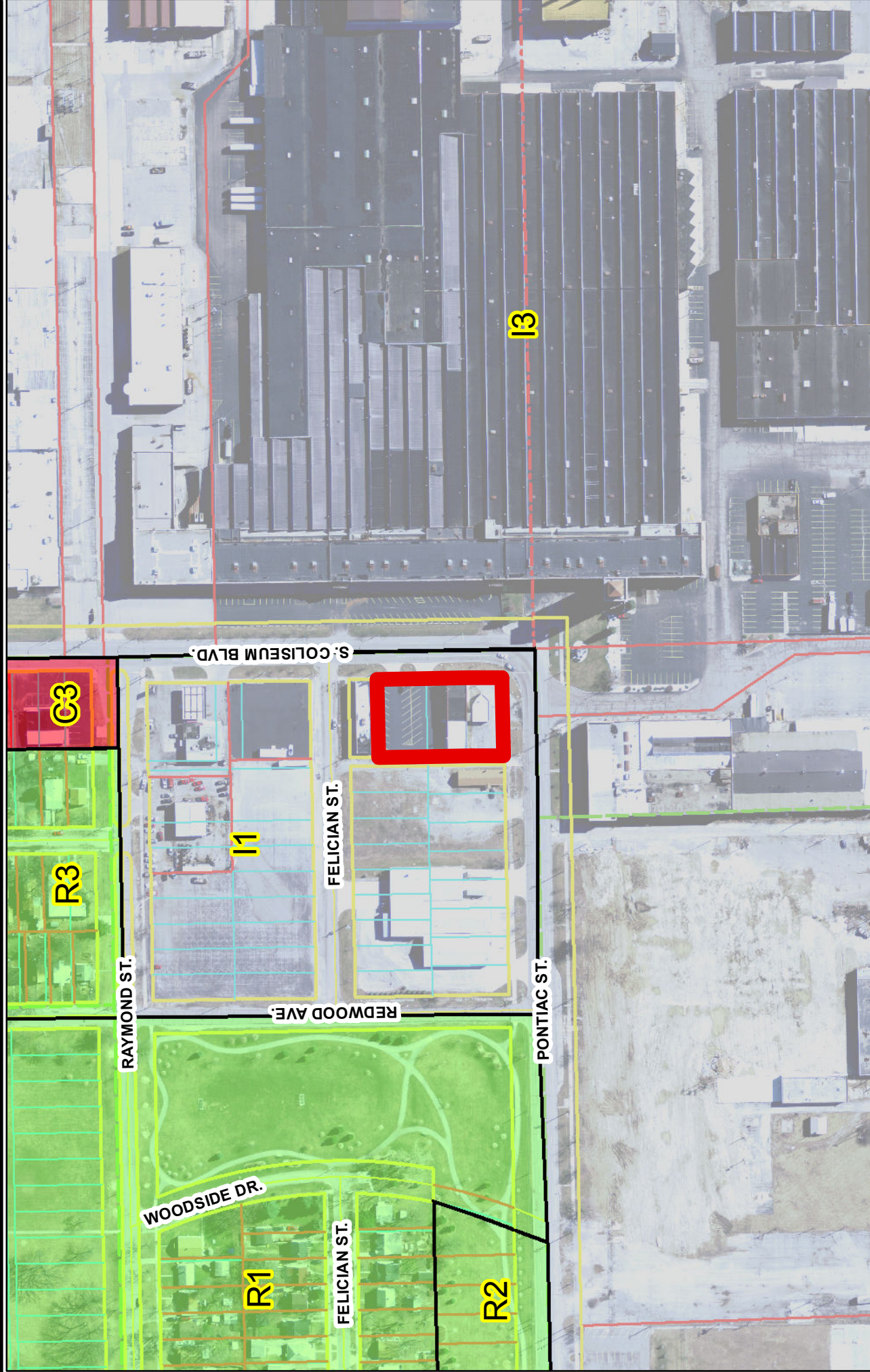
Project boundaries represented by bold colored lines are for representational purposes only.

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: 7/16/2014





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