

#REZ-2014-0097

BILL NO. Z-14-09-16

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA-02 (Sec. 11 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 R3
(Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
the City of Fort Wayne, Indiana:

Part of the Northwest and Northeast Quarters of Section 11, Township 30 North, Range 11
East, Allen County, Indiana, described as follows:

Commencing at an Allen County Surveyor referenced Harrison Monument at the Northeast corner of the Northwest Quarter of said Section 11; thence North 89 degrees 32 minutes 24 seconds West, on the North line of said Northwest Quarter, 139.84 feet to the Northwest corner of a 6.50-acre parcel described in Document #2012026919 as found in the Office of the Recorder of Allen County, Indiana, said corner also being the Northeast corner of a 1.50-acre parcel described in Document #93-035665; thence South 00 degrees 54 minutes 00 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 63.69 feet to the **Point of Beginning** on the South right-of-way line of Illinois Road (Indiana State Road #14) as described in Document #207001066; thence South 89 degrees 53 minutes 34 seconds East, on said South right-of-way line, 140.50 feet; thence continuing on said South right-of-way line, South 89 degrees 49 minutes 46 seconds East, 74.51 feet to a point on the West line of Centaur Acres, as recorded in Plat Book 24, page 101; thence South 00 degrees 54 minutes 00 seconds West, on said West line, also being the East line of the aforementioned 6.50-acre parcel, 891.71 feet to the Southeast corner of said 6.50-acre parcel, also being the Northeast corner of a 2.0-acre parcel described in Document #73-14411; thence South 89 degrees 53 minutes 31 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 365.04 feet to the Southwest corner of said 6.50-acre parcel, also being the Northwest corner of said 2.0-acre parcel; thence North 00 degrees 54 minutes 00 seconds East, on the West line of said 6.5-acre parcel, 526.85 feet to the Southwest corner of the aforementioned 1.5-acre parcel, also being a Northwest corner of said 6.50-acre parcel; thence along the common line between said 1.50-acre and said 6.50-acre parcels by the following two courses: South 89 degrees 47 minutes 00 seconds East, 150.00 feet; thence North 00 degrees 54 minutes 00 seconds East, 372.60 feet to the Point of Beginning, containing **6.246 acres**, more or less, and subject to easements and rights of way of record.

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2 and the symbols of the City of Fort Wayne Zoning Map No. AA-02 (Sec. 11 of Aboite
3 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
4 Wayne, Indiana is hereby changed accordingly.

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

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8 _____
9 Council Member

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11 APPROVED AS TO FORM AND LEGALITY:

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13 _____
14 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-2014-0097
Bill Number: Z-14-09-16
Council District: 4 – Mitch Harper

Introduction Date: September 23, 2014

Plan Commission
Public Hearing Date: October 6, 2014

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

Synopsis of Ordinance: To rezone approximately 6.25 acres of property from AR-Low Intensity
Residential to R3-Multiple Family Residential

Location: 8633 West SR 14

Reason for Request: To develop the property with 12 duplex buildings.

Applicant: JRM Realty, LLC – Jim Mutton

Property Owner: JRM Realty, LLC

Related Petitions: Primary Development Plan, Blue Stone Towne Homes

Effect of Passage: Property will be rezoned to R3-Multiple Family Residential, which will allow
the construction of a duplex development, as well as other permitted uses
within the R3 district.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and may
develop with single-family residential and limited agricultural uses.

Department of Planning Services
 Rezoning Petition Application

Applicant	Applicant <u>Jim Mutton - JRM Realty LLC</u>		
	Address <u>5612 Illinois Road</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46804</u>
	Telephone <u>260-432-9438</u>	E-mail <u>jim@muttonpower.com</u>	

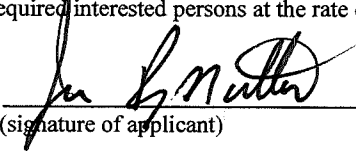
Contact Person	Contact Person <u>Kevin McDermit - Lougheed & Associates</u>		
	Address <u>1017 S Hadley Road</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46804</u>
	Telephone <u>260-432-3665</u>	E-mail <u>krmcdermit@comcast.net</u>	

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>8633 Illinois Road</u>	
	Present Zoning <u>AR</u>	Proposed Zoning <u>R3</u> Acreage to be rezoned <u>6.25</u>
	Proposed density <u>3.84 units / acre</u> units per acre	
	Township name <u>Aboite</u>	Township section # <u>11</u>
	Purpose of rezoning (attach additional page if necessary) <u>For the development of 24 apartment units in 12 duplex buildings</u>	
Sewer provider <u>Aqua Indiana</u>		Water provider <u>Aqua Indiana / FW</u>

Filing Requirements	<i>Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.</i>	
	☒ 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.

<u>Jim Mutton</u>		<u>9.2.14</u>
(printed name of applicant)	(signature of applicant)	(date)
_____	_____	_____
(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.
9-3-14	116078	Oct. 6, 2014	Rez-2014-0097

UTILITY SERVICE PROVIDERS

NATURAL GAS:
CITY OF FORT WAYNE
1501 HALE AVENUE
FORT WAYNE, IN 46802
JOSEPH FULCHER
(260) 442-7319

WATER:
CITY OF FORT WAYNE
200 EAST BERRY STREET
FORT WAYNE, IN 46802
AMY HEITZMANN
(260) 461-2268

TELE-COMMUNICATIONS:
CITY OF FORT WAYNE
200 EAST BERRY STREET
FORT WAYNE, IN 46802
JOSEPH FULCHER
(260) 442-7319

ELECTRIC:
JON T MANGES, TECH SPECIALIST
INDIANA MICHIGAN POWER
3514 LANDIN RD
NEW HAVEN, IN 46774
JOHN GAYDAY
260-749-3073 OFFICE
260-625-4700

CABLE TELEVISION:
COMCAST CABLEVISION
720 TAYLOR
FORT WAYNE, IN 46802
JOHN GAYDAY
260-625-4700

SANITARY SEWER:
1111 WEST HAMILTON ROAD
FORT WAYNE, IN 46818
JOHN GAYDAY
260-625-4700



GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

BONEFF
8735 ILLINOIS ROAD
DOC #03-062604

SPATT
8717 ILLINOIS ROAD
DOC #03-035665

BROWNE
1114 GOLDSBUR DR E

PRATT
1224 GOLDSBUR DR E

KELLER
1310 GOLDSBUR DR E

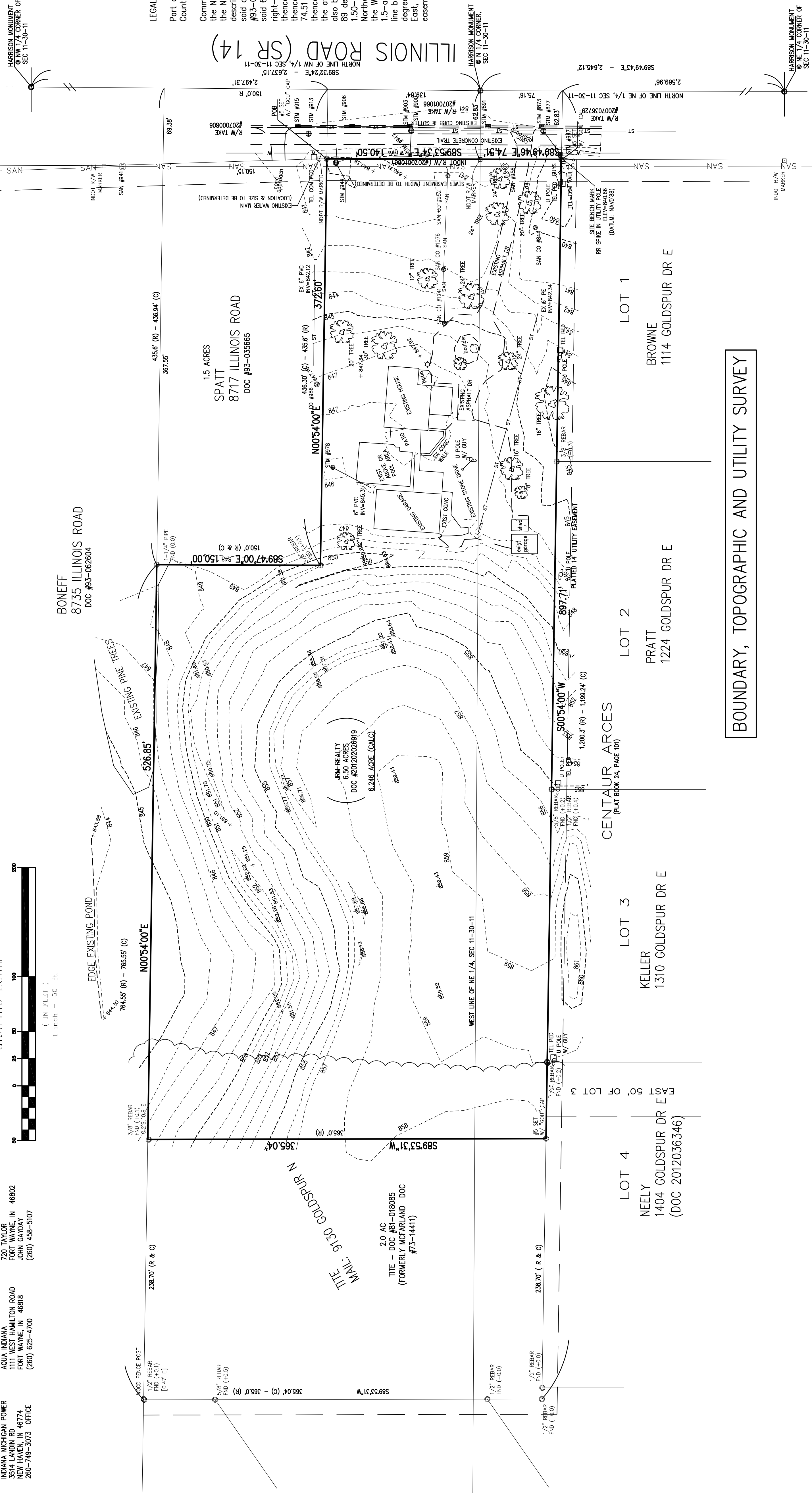
NEELY
1404 GOLDSBUR DR E
(DOC 2012036346)

LEGAL DESCRIPTION

Part of the Northwest and Northeast Quarters of Section 11, Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

Commencing at an Allen County Surveyor referenced Harrison Monument at the Northeast corner of the Northwest Quarter of said Section 11; thence North 89 degrees 32 minutes 24 seconds West, on the North line of said Northwest Quarter, 139.84 feet to the Northwest corner of a 6.30-acre parcel described in Document #202028919 as found in the Office of the Recorder of Allen County, Indiana, and also being the Northeast corner of a 1.50-acre parcel described in Document #03-035665; thence South 100 degrees 00 seconds East, 63.09 feet to the Point of Beginning on the South line of said 6.30-acre and said 1.50-acre parcels, 63.09 feet to the Point of Beginning on the South right-of-way line of Illinois Road (Indiana State Road #14) as described in Document #202001066; thence South 89 degrees 33 minutes 34 seconds East, on said South right-of-way line, 140.50 feet; thence continuing on said South right-of-way line, South 89 degrees 49 minutes 49 seconds East, 74.51 feet to a point on the West line of Centaur Acres, as recorded in Plat Book 24, page 101, of the Allen County Recorder's Office, 2.00-acre parcel described in Document #73-14411; thence South along the West line of said 2.00-acre parcel, 2.00-acre parcel described in Document #73-14411; thence South 89 degrees 53 minutes 31 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 365.04 feet to the Southwest corner of said 6.50-acre parcel, also being the Northwest corner of said 2.0-acre parcel; thence North 00 degrees 54 minutes 00 seconds East, on the West line of said 6.5-acre parcel; 526.85 feet to the Southwest corner of the aforementioned 1.5-acre parcel, also being a Northwest corner of said 6.50-acre parcel; thence along the common line between said 1.50-acre and said 6.50-acre parcels by the following two courses: South 89 degrees 47 minutes 00 seconds East, 150.00 feet; thence North 00 degrees 54 minutes 00 seconds East, 372.60 feet to the Point of Beginning, containing 6.246 acres, more or less, and subject to easements and rights of way of record.

ILLINOIS ROAD (SR 14)



BOUNDARY, TOPOGRAPHIC AND UTILITY SURVEY

EXISTING STRUCTURE TABLE	TOP ELEV	RM OR GUTTER	INVERT	PIPE SIZE	MATERIAL	NOTES
STORM						
915	840.96	GUTTER		12"	HDPE	
916	840.96	GUTTER		12"	HDPE	
917	840.96	GUTTER		12"	HDPE	
944	839.23	RM	838.30	8"	HDPE	12" YARD INLET
903	840.60	GUTTER		12"	HDPE	
900	841.20	RM	831.80	42" E-W	HDPE	
947	839.71	NW CORNER	835.11	12" N	ROP	
891	840.78	GUTTER	835.28	12" E	HDPE	
873	841.00	GUTTER	835.28	12" N	HDPE	
877	841.63	RM	831.50	42" E-W	HDPE	
978	845.67	RM	842.12	BOTTOM	HDPE	
			843.48	6" NW/SE		
			844.44	4" W PVC		
852	839.00	NW CORNER	837.50	12" NW	ROP	
			837.78	6" E	HDPE	
SANITARY						
952	841.73	RM			CLEAN OUT	
936	841.95	SW CORNER			LIFT STATION	
841	841.89	RM			MANHOLE	
844	841.74	RM	832.35	8" E-W	HDPE	
1076	843.01	RM			CLEAN OUT	
					CLEAN OUT	
966	846.91	RM			CLEAN OUT	

LINE & SYMBOL LEGEND

- RIGHT OF WAY AND/OR PROPERTY LINE
- EXISTING EDGE OF PAVEMENT OR BACK OF CURB
- CENTERLINE ROAD
- CENTERLINE DITCH OR SWALE
- EXISTING WATER MAIN W/ VALVE & FIRE HYDRANT ASSEMBLY
- SANITARY SEWER W/ MANHOLE
- STORM SEWER W/ MANHOLE AND/OR INLET
- GAS MAIN (UTILITY LOCATE SHOWN WITH BOX)
- BURIED ELECTRIC LINE
- BURIED TELECOMMUNICATIONS
- OVERHEAD UTILITY ON UTILITY POLE
- FENCE - WOOD
- FENCE - FARM FIELD WELDED WIRE
- WATER CURB STOP & SERVICE LINE
- SKIN
- UTILITY BOX OR MANHOLE AS NOTED
- PROPERTY MONUMENT AS NOTED
- MANHOLE
- SURVEYOR'S CONTROL POINT
- EXTERIOR LIGHT POLE
- EVERGREEN / PINE TREE
- DECIDUOUS TREE

SURVEYOR:

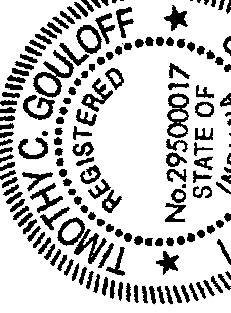


GOULOFF – JORDAN
SURVEYING AND DESIGN, INC.
1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Field work completed: ~2013, ~2014
This survey was performed wholly by me or under my direct supervision and to the best of my knowledge and belief it was executed according to survey requirements in Title 865 IAC 1-12

For the exclusive use of:

JRM REALTY, LLC
Date: SEPT 2, 2014
Job No. 20130004



Note: This survey reflects above ground indications of utilities and information thereon. The surveyor does not warrant the accuracy of the information shown on this plat, nor does he or she warrant that the underground utilities shown are in the exact location indicated, nor does he or she warrant that the information shown is complete or that the surveyor has not physically located underground utilities.

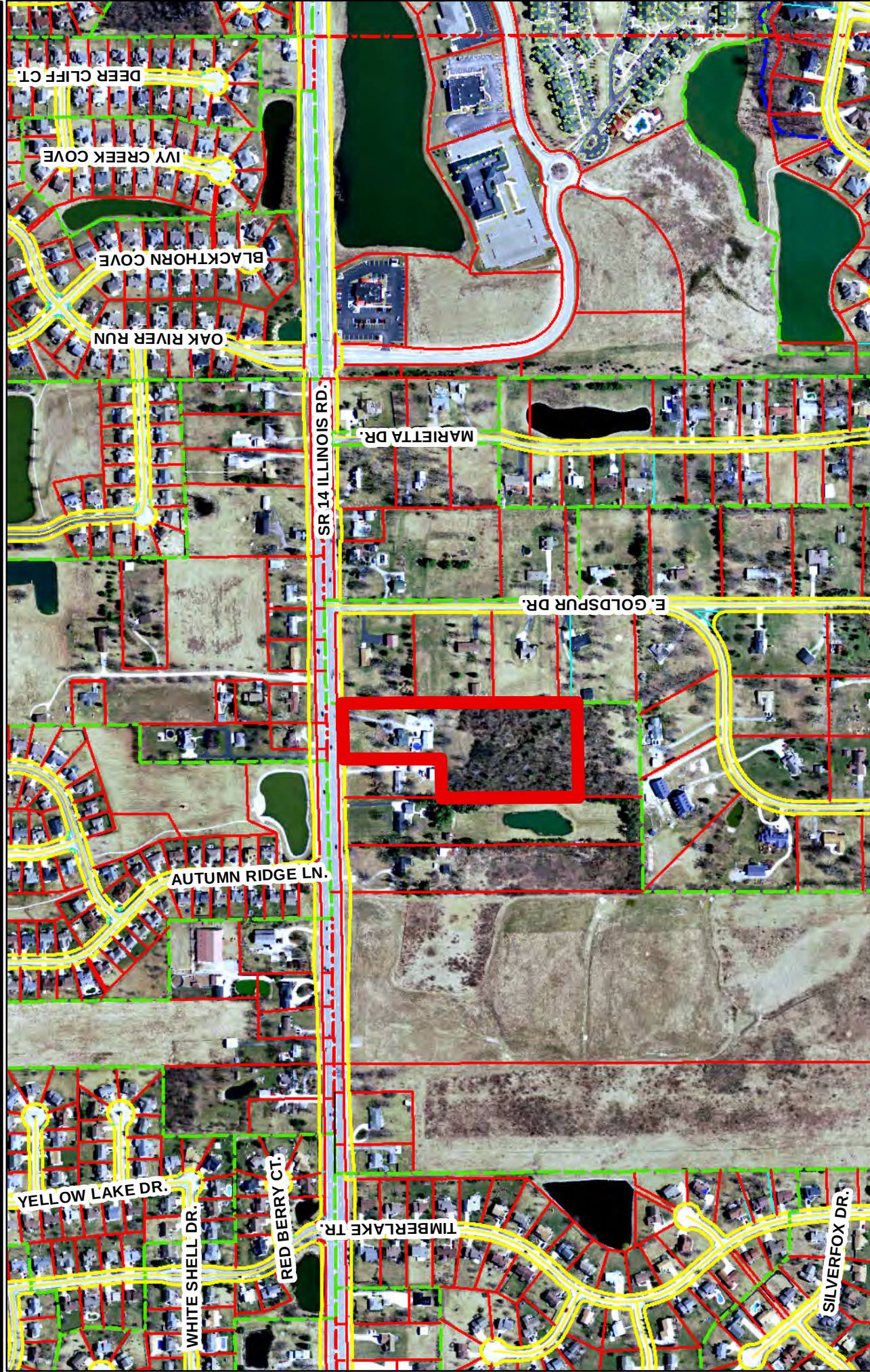
PROPERTY DIMENSION LEGEND
M MEASURED
R RECORDED
C CALCULATED
P PLATTED INFORMATION

LEGAL DESCRIPTION
OF JRM REALTY LLC PROPERTY @ 8633 ILLINOIS ROAD

Part of the Northwest and Northeast Quarters of Section 11, Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

Commencing at an Allen County Surveyor referenced Harrison Monument at the Northeast corner of the Northwest Quarter of said Section 11; thence North 89 degrees 32 minutes 24 seconds West, on the North line of said Northwest Quarter, 139.84 feet to the Northwest corner of a 6.50-acre parcel described in Document #2012026919 as found in the Office of the Recorder of Allen County, Indiana, said corner also being the Northeast corner of a 1.50-acre parcel described in Document #93-035665; thence South 00 degrees 54 minutes 00 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 63.69 feet to the **Point of Beginning** on the South right-of-way line of Illinois Road (Indiana State Road #14) as described in Document #207001066; thence South 89 degrees 53 minutes 34 seconds East, on said South right-of-way line, 140.50 feet; thence continuing on said South right-of-way line, South 89 degrees 49 minutes 46 seconds East, 74.51 feet to a point on the West line of Centaur Acres, as recorded in Plat Book 24, page 101; thence South 00 degrees 54 minutes 00 seconds West, on said West line, also being the East line of the aforementioned 6.50-acre parcel, 891.71 feet to the Southeast corner of said 6.50-acre parcel, also being the Northeast corner of a 2.0-acre parcel described in Document #73-14411; thence South 89 degrees 53 minutes 31 seconds West, on the common line between said 6.50-acre and said 1.50-acre parcels, 365.04 feet to the Southwest corner of said 6.50-acre parcel, also being the Northwest corner of said 2.0-acre parcel; thence North 00 degrees 54 minutes 00 seconds East, on the West line of said 6.5-acre parcel, 526.85 feet to the Southwest corner of the aforementioned 1.5-acre parcel, also being a Northwest corner of said 6.50-acre parcel; thence along the common line between said 1.50-acre and said 6.50-acre parcels by the following two courses: South 89 degrees 47 minutes 00 seconds East, 150.00 feet; thence North 00 degrees 54 minutes 00 seconds East, 372.60 feet to the Point of Beginning, containing **6.246 ares**, more or less, and subject to easements and rights of way of record.

Rezoning Petition REZ-2014-0097 and Primary Development Plan - Blue Stone Towne Homes



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.

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

Date: 9/17/2014

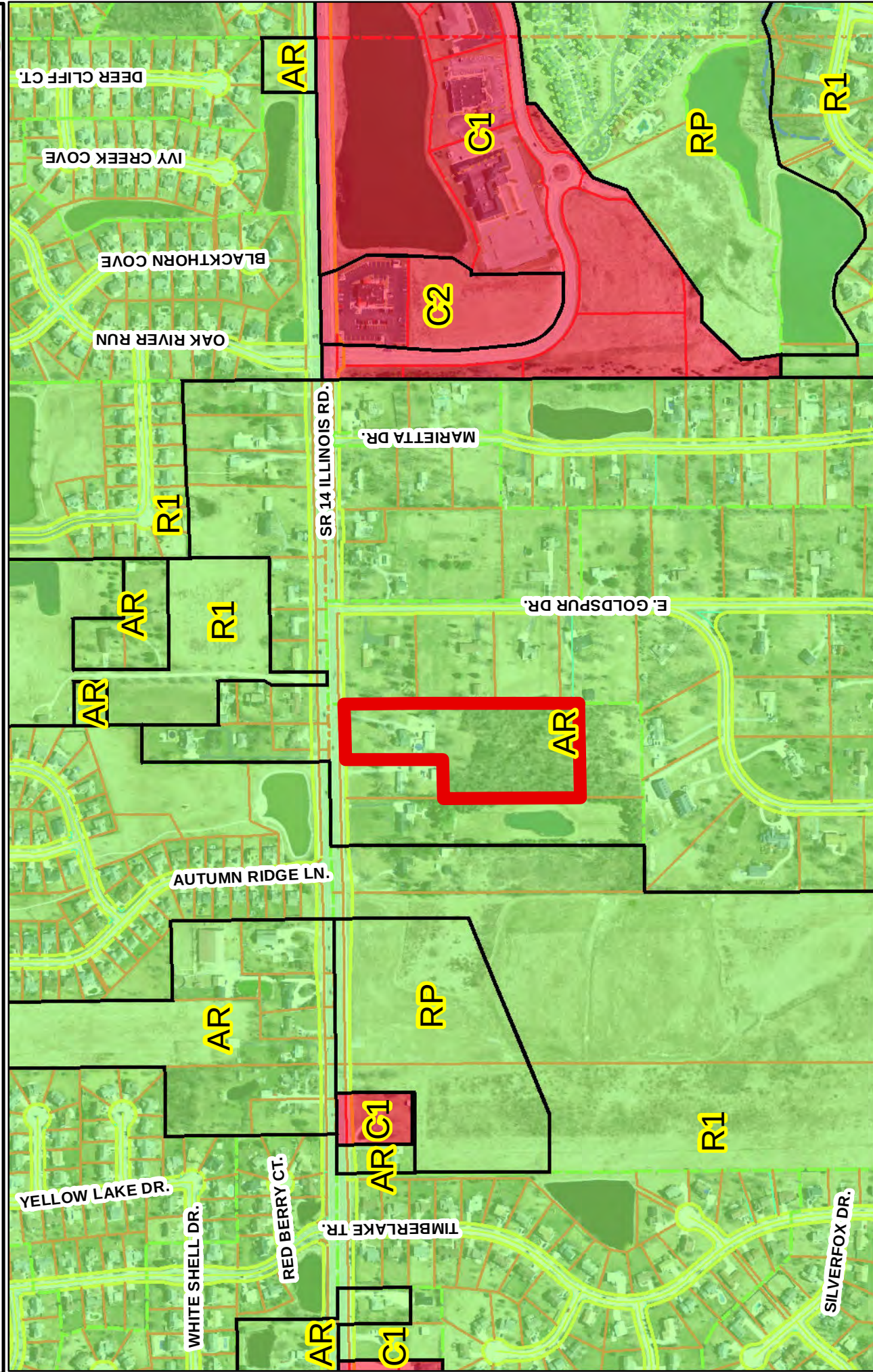


1 inch = 500 feet

0 250 500 Feet



Rezoning Petition REZ-2014-0097 and Primary Development Plan - Blue Stone Towne Homes



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Photos and Contours: Spring 2009

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