

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2016-0014
Bill Number: Z-16-04-19
Council District: 1-Paul Ensley

Introduction Date: April 16, 2016

Plan Commission
Public Hearing Date: May 9, 2016

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

Synopsis of Ordinance: To rezone approximately 2.6 acres of property from R1-Single Family
Residential to C2-Limited Commercial

Location: 6250 Maplecrest Road

Reason for Request: To construct a new 5,000 square foot Shigs In Pit restaurant

Applicant: Mad Anthony Brewing Investments

Property Owner: Constance Eby

Related Petitions: Primary Development Plan, Shigs In Pit - Maplecrest

Effect of Passage: Property will be rezoned to the C2-Limited Commercial zoning district
which allow the development of the site for a new restaurant or other
retail uses.

Effect of Non-Passage: The property will remain zoned for single-family residential development.

#REZ-2016-0014

BILL NO. Z-16-04-19

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. V-38 (Sec. 15 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 C2 (Limited
Retail) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 31 North,
Range 13 East, Allen County, Indiana, being more particularly described as follows, to-wit:
Commencing at the Southwest corner of said Section 15, being marked by a survey nail;
thence North 00 degrees 00 minutes 00 seconds East (assumed bearing and the basis of all
bearings in this description), on and along the West line of said Southwest Quarter, a
distance of 1305.87 feet to the Northwest corner of a 0.303 acre tract of real estate described
in a deed to the County of Allen, State of Indiana, in Document Number 970001553 in the
office of the Recorder of Allen County, Indiana; thence North 89 degrees 45 minutes 22
seconds East, on and along the North line of said 0.303 acre tract, a distance of 45.00 feet to
a survey nail at the Northeast corner thereof, also being a Southwest corner of a 19.60 acre
tract of real estate described in a deed to Reta L. Borchelt and Edwin D. Borchelt, or their
successors, as co-trustees of the Wallace C. Borchelt Revocable Trust Agreement, in
Document Number 2012033110 in the office of said Recorder, this being the true point of
beginning; thence South 89 degrees 59 minutes 54 seconds East, on and along the South line
of said 19.60 acre tract, a distance of 531.00 feet to the point of intersection of said South
line with the West line of Jonathon Oaks, Section II, as recorded in Plat Cabinet A, page
184, in the office of said Recorder; thence South 00 degrees 09 minutes 41 seconds East, on
and along said West line, a distance of 294.95 feet to a #5 rebar at a Westerly corner thereof;
thence south 89 degrees 50 minutes 35 seconds West, on and along a North line of said
Jonathon Oaks, Section II, a distance of 152.40 feet to a #5 rebar at a Westerly corner
thereof, also being the Northeast corner of Jonathon Oaks, Section V, as recorded in Plat
Cabinet E, page 2, in the office of said Recorder; thence North 89 degrees 30 minutes
09 seconds West, on and along the North line of said Jonathon Oaks, Section V, and its
Westerly projection, a distance of 245.94 feet to a #5 rebar; thence North 00 degrees 00
minutes 00 seconds East and parallel with the West line of said Southwest Quarter,
a distance of 101.31 feet to a #5 rebar; thence North 89 degrees 55 minutes 20 seconds West,
a distance of 133.50 feet to a #5 rebar on the East line of said 0.303 acre tract; thence North
00 degrees 00 minutes 00 seconds East, on and along said East line, a distance of 165.06 feet
to a point; thence North 14 degrees 02 minutes 10 seconds East, continuing on and along
said East line, a distance of 20.62 feet to a point; thence North 00 degrees 00 minutes 00
seconds East, continuing on and along said East line, a distance of 5.00 feet to a point;
thence South 90 degrees 00 minutes 00 seconds West, continuing on and along said East
line, a distance of 5.00 feet to a point; thence North 00 degrees 00 minutes 00 seconds East,
continuing on and along said East line, a distance of 1.69 feet to the true point of beginning,

1 containing 3.278 acres of land, subject to all easements of record. This description is based
2 on an original survey by Sauer Land Surveying, Inc., Survey No. 057-138, dated June 30,
2014.

3 Except therefrom:

4 Part of the southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen
5 County, Indiana more particularly described as follows:
6 Beginning at the Northwest corner of Lot 63 in Jonathon Oaks, Section "II" as recorded in
7 Cabinet "A", page 184, in the Office of the Recorder of Allen County, Indiana; thence South
8 along the West line of Lot Number 63 and Lot Number 62 a distance of 156.0 feet; thence
9 West with a deflection angle to right of 90 degrees 00 minutes 30 seconds along the North
10 Line of Lot Number 61, Lot number 154 and Lot Number 155 in Jonathon Oaks, Section
11 "III" a distance of 189.4 feet; thence North with a deflection angle to the right of 89 degrees
12 59 minutes 30 seconds a distance of 156.0 feet; thence East with a deflection angle to the
13 right of 90 degrees 00 minutes 30 seconds a distance of 189.4 feet to the point of beginning,
14 containing 0.678 acres.

11 and the symbols of the City of Fort Wayne Zoning Map No. V-38 (Sec. 15 of St. Joseph
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:

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Carol T. Helton, City Attorney
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Mad Anthony Brewing Investments - Jeff Neels
Address 2002 Broadway
City Fort Wayne State Indiana Zip 46802
Telephone 260-704-6221 E-mail jeffmneels@hotmail.com

Contact Person
Contact Person MLS Engineering - Brett Miller
Address 221 Tower Drive
City Monroe State Indiana Zip 46772
Telephone 260-692-6166 E-mail brett@mlswebsite.us

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 6250 Maplecrest Road
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 2.599 Ac
Proposed density N/A units per acre
Township name Saint Joseph Township section # 15
Purpose of rezoning (attach additional page if necessary) Construction of a new restaurant

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 refer to checklist 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.

Mad Anthony Brewing Investments - Jeff Neels

(printed name of applicant)

(signature of applicant)

(date)

Constance Eby

(printed name of property owner)

(signature of property owner)

(date)

MAD ANTHONY INVESTMENTS JEFF NEELS

(printed name of property owner)

(signature of property owner)

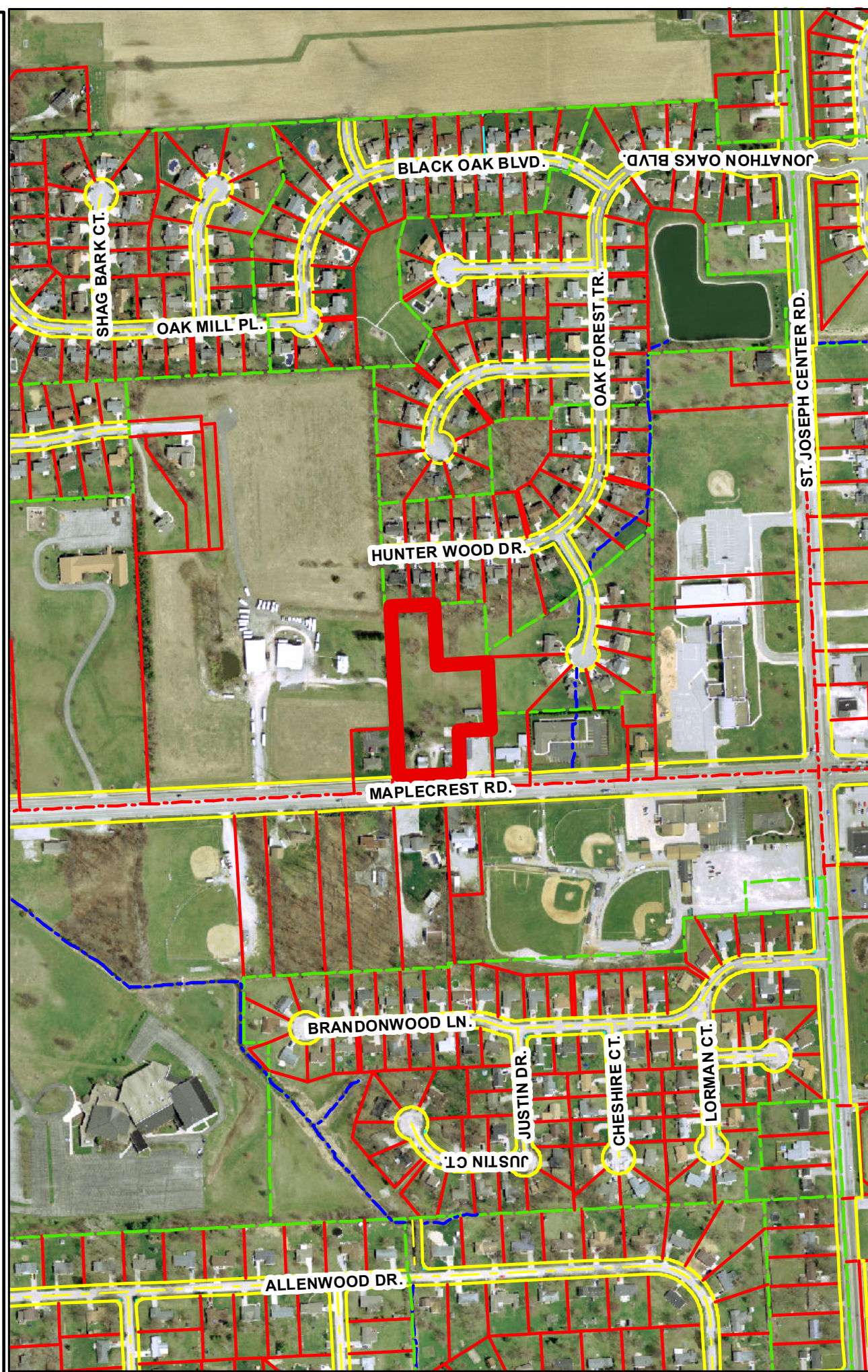
(date)

(printed name of property owner)

(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>4/5/16</u>	<u>120437</u>	<u>5/9/16</u>	<u>REZ-2016-0014</u>

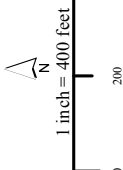


Project boundaries represented by bold colored lines are for representational purposes only.

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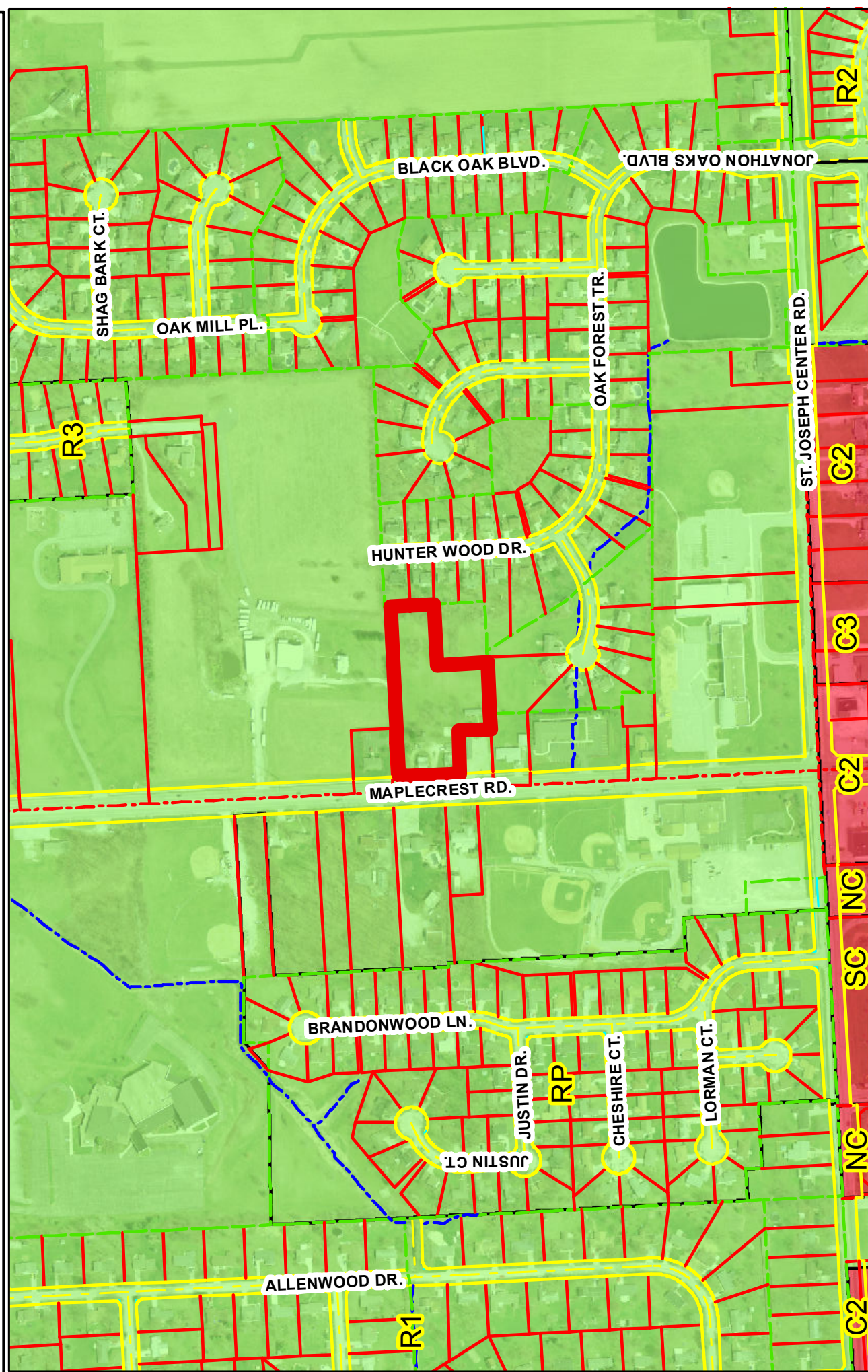
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 4/19/2016





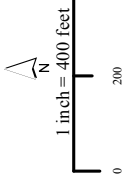
Rezoning Petition REZ-2016-0014 and Primary Development Plan - Shigs N Pit



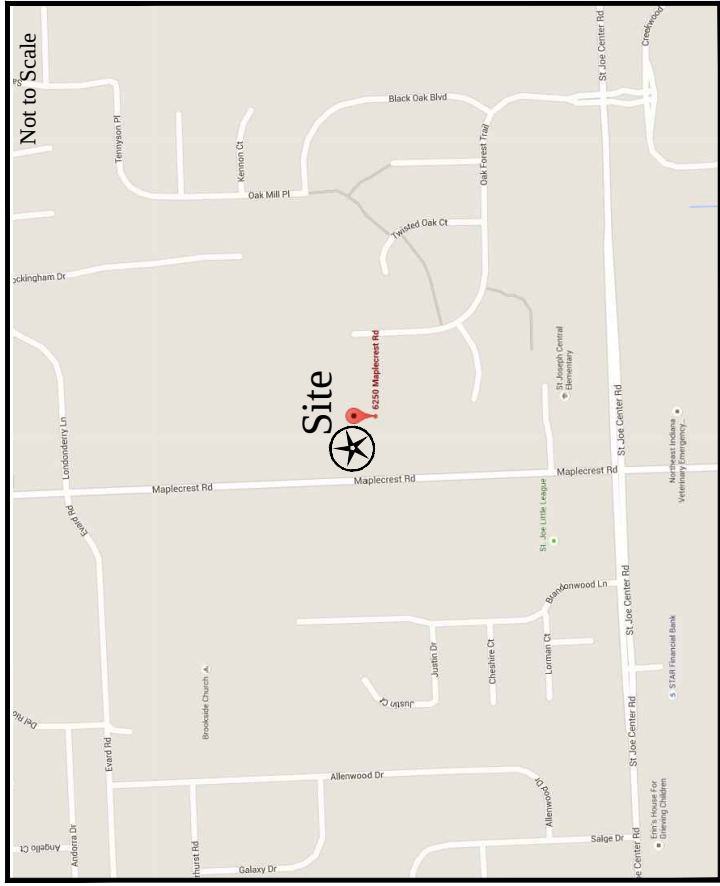
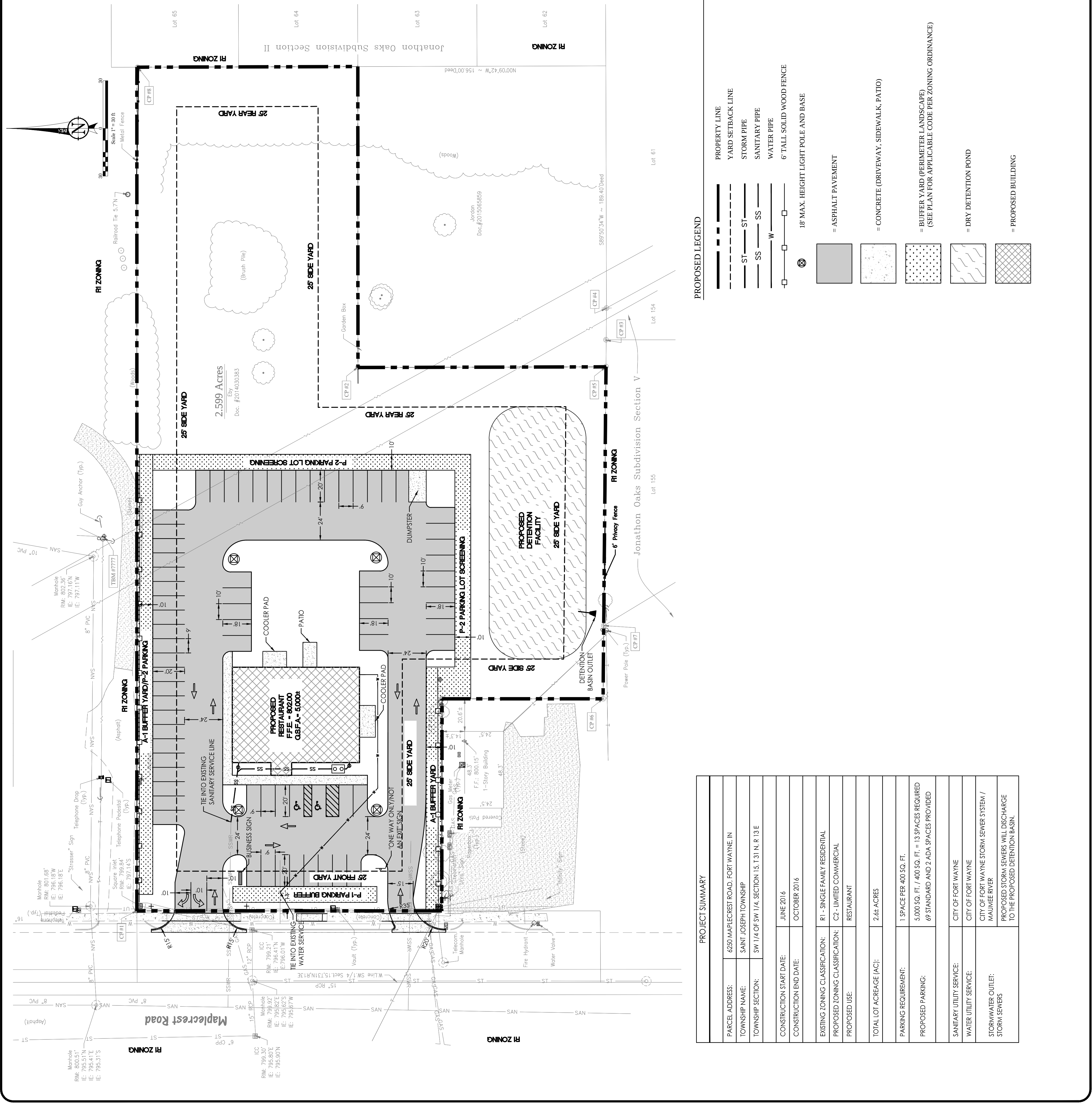
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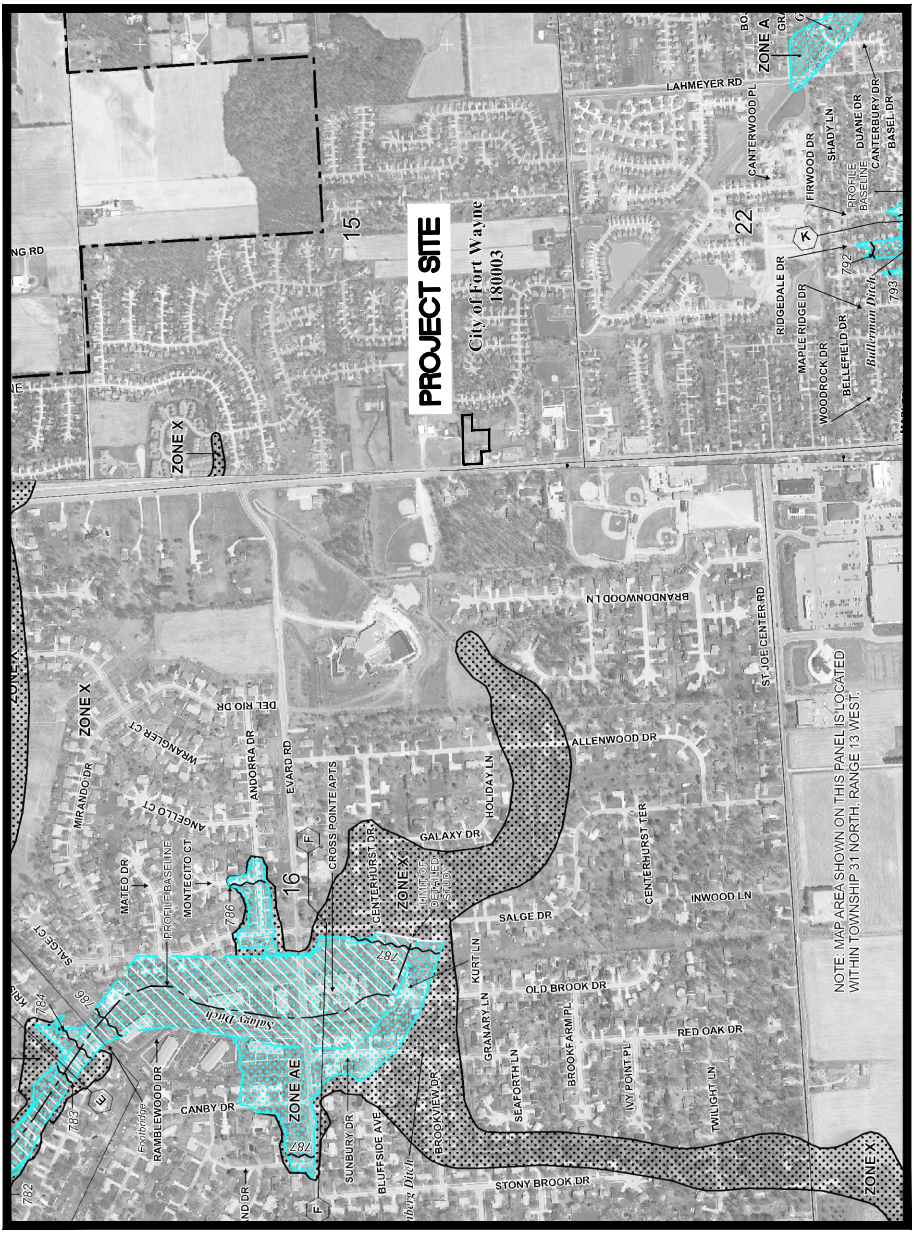
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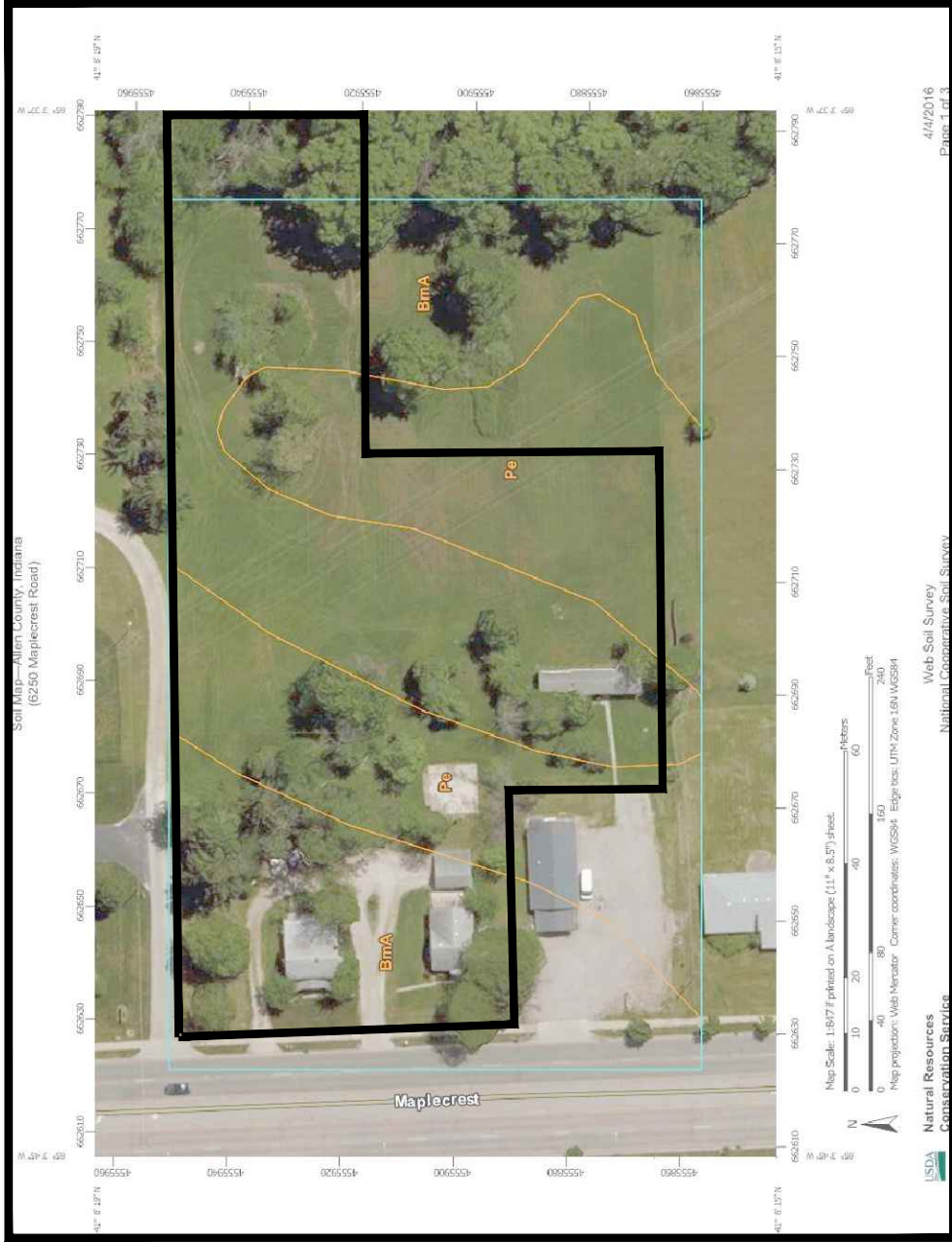
Date: 4/19/2016



★ - PROJECT SITE
PROJECT SITE VICINITY MAP
NOT TO SCALE



FLOOD INSURANCE RATE MAP (FIRM)
AUGUST 3, 2007 / MAP# 18060C0305G
NOT TO SCALE



USDA WEB SOIL SURVEY MAP
NOT TO SCALE

STATE OF INDIANA
REGISTERED PROFESSIONAL ENGINEER
ERIC L. WOODMANSEE, P.E.
PE11100043

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Shigs n Pit
6250 Maplecrest Road
Fort Wayne, IN 46835

PRIMARY DEVELOPMENT PLAN

Primary Development Plan

DATE: 4-5-2016
DRAWN BY: ELW
CHK'D BY: BRM
PROJECT NO.: 16033463
SHEET NUMBER

PDP-1