

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2016-0009
Bill Number: G-17-01-01
Council District: 1 – Paul Ensley

Introduction Date: January 10, 2017

Public Hearing Date: January 24, 2017 (to be held by Council)

Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate the alleys east of White Oak Drive within White Oak Park Addition.

Location: Between 3124 and 3500 Lake Avenue.

Reason for Request: To expand the Catholic Cemetery.

Applicant: Diocese of Fort Wayne-South Bend, Inc.

Property Owner: Diocese of Fort Wayne-South Bend, Inc.

Related Petitions: none

Effect of Passage: Vacation of the unimproved alley rights-of-way will allow the Cemetery to expand to the west.

Effect of Non-Passage: The existence of the unimproved alleys will inhibit the expansion of burial plots.

1 **#REZ-2016-0044**

2 **BILL NO. Z-17-01-03**

3 **ZONING MAP ORDINANCE NO. Z-_____**

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. S-42 (Sec. 17 of St. Joseph Township)**

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby designated an R1 (Single
9 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
10 of Fort Wayne, Indiana:

11 Land situated in the county of Allen, State of Indiana, is described as follows:
12 Part of DeRome Reserve in Township 31 North, Range 13 East, Allen County, Indiana,
13 more particularly described as follows, to wit:

14 Commencing at the point of intersection of the centerline of St. Joe Road with centerline of
15 Evard Road; thence South 37 degrees 04 minutes 10 seconds West (County bearing and is
16 used as the basis for the bearings in this description), on and along said St. Joe Road
17 centerline, a distance of 704.0 feet; thence South 70 degrees 55 minutes 50 seconds East, a
18 distance of 71.66 feet to the Northeast corner of a 0.111 acre tract of land conveyed to the
19 City of Fort Wayne for St. Joe Road right-of-way purposes by deed dated August 10, 1987
20 and recorded in Document #87-041173 in the Office of the Recorder of Allen County,
21 Indiana, this point being the true point of beginning; thence Southwesterly, on and along the
22 Easterly line of said 0.111 acre tract, being also the East right-of-way line of St. Joe Road, as
23 defined by the arc of a regular curve to the left, not tangent to the last course, having a radius
24 of 2906.79 feet, an arc distance of 33.56 feet, being subtended by a long chord having a
25 length of 33.56 feet and a bearing of South 36 degrees 38 minutes 11 seconds West; thence
26 South 36 degrees 57 minutes 56 seconds West, continuing along the Easterly line of said
27 0.111 acre tract and said East right-of-way line, a distance of 66.32 feet to the Southeast
28 corner of said 0.111 acre tract; thence South 70 degrees 55 minutes 50 seconds East, a
29 distance of 157.94 feet; thence North 37 degrees 04 minutes 10 seconds East, a distance of
30 100.0 feet; thence North 70 degrees 55 minutes 50 seconds West, a distance of 158.34 feet to
31 the true point of beginning, containing 0.345 acres of land, subject to all easements of
32 record.

33 and the symbols of the City of Fort Wayne Zoning Map No. S-42 (Sec. 17 of St. Joseph
34 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
35 Wayne, Indiana is hereby changed accordingly.

**Department of Planning Services
Rezoning Petition Application**

Applicant	Applicant <u>Roger Dilley</u>
	Address <u>6530 St Joe Rd.</u>
	City <u>Fort Wayne</u> State <u>IN</u> Zip <u>46835</u>
	Telephone <u>260 348 9982</u> Fax <u>—</u> E-mail <u>roger1dilley@yahoo.com</u>
Property Ownership	Property Owner <u>Roger & Vicki Dilley</u>
	Address <u>6530 St Joe Rd.</u>
	City <u>Fort Wayne</u> State <u>IN</u> Zip <u>46835</u>
	Telephone <u>260 348 9982</u> Fax <u>—</u> E-mail <u>roger1dilley@yahoo.com</u> <u>260 441-6189</u>
Contact Person	Contact Person <u>Roger Dilley</u>
	Address <u>6530 St. Joe Rd.</u>
	City <u>Fort Wayne</u> State <u>IN</u> Zip <u>46835</u>
	Telephone <u>260 348 9982</u> Fax <u>—</u> E-mail <u>roger1dilley@yahoo.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>6530 St. Joe Rd.</u>
	Present Zoning <u>L2</u> Proposed Zoning <u>R1</u> Acreage to be rezoned <u>.395 Ac.</u>
	Proposed density _____ units per acre
	Township name <u>*</u> Township section # _____
	Purpose of rezoning (attach additional page if necessary) _____
Sewer provider <u>FW</u> Water provider <u>FW</u>	

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 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>Roger Dilley</u> (printed name of applicant)	<u>Roger Dilley</u> (signature of applicant)	<u>9-29-2016</u> (date)
<u>Roger Dilley</u> (printed name of property owner)	<u>Roger Dilley</u> (signature of property owner)	<u>9-29-2016</u> (date)
<u>Vicki L. Dilley</u> (printed name of property owner)	<u>Vicki L. Dilley</u> (signature of property owner)	<u>9-29-2016</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
10-6-16	122731	10/1/16	

Rez-2016-0044

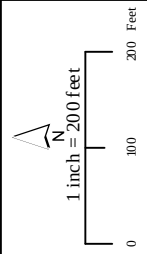


Rezoning Petition REZ-2016-0044 (6530 St Joe Road)



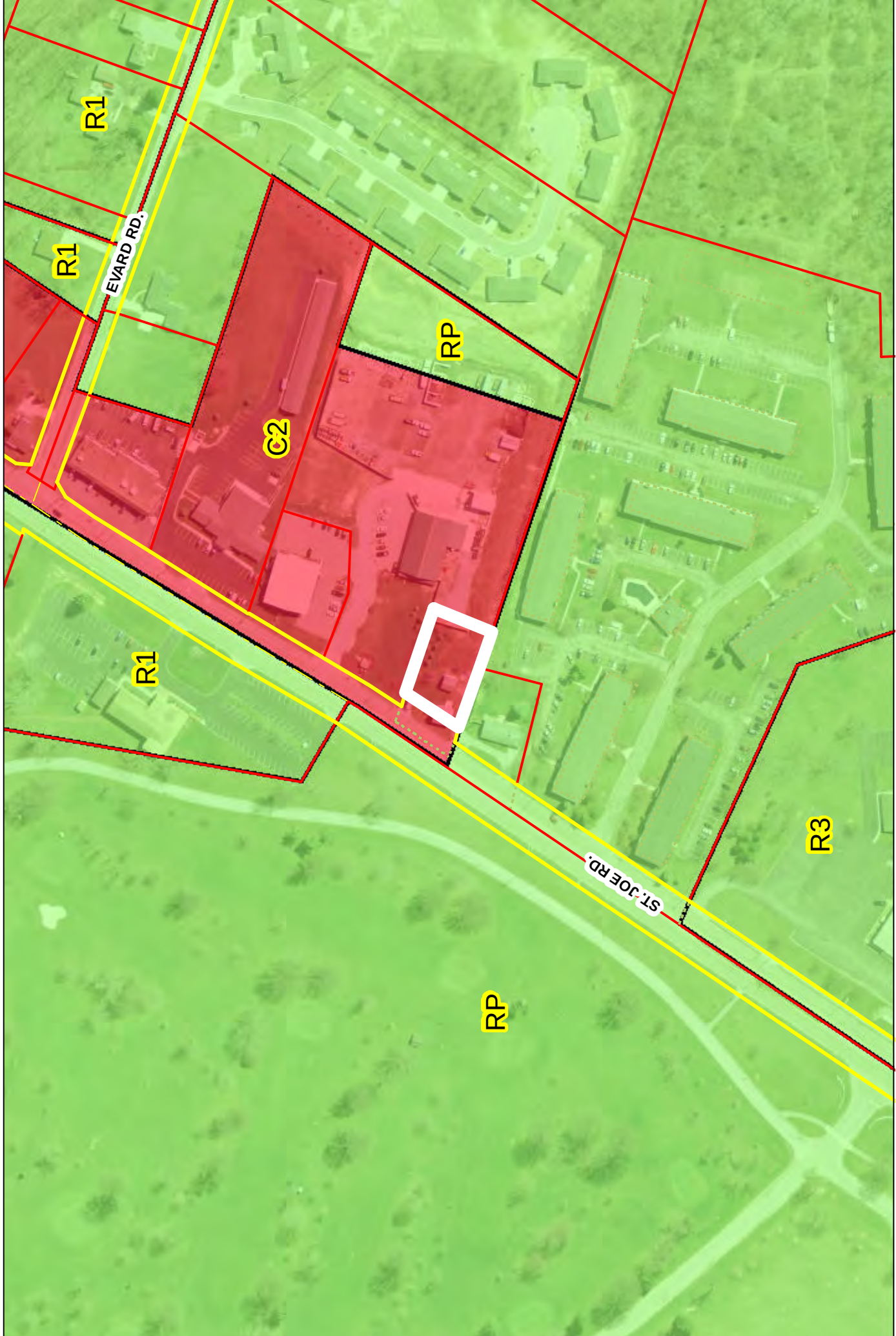
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Photos and Contours: Spring 2009
Date: 12/29/2016





Rezoning Petition REZ-2016-0044 (6530 St Joe Road)



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