

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2016-0044
Bill Number: Z-17-01-03
Council District: 2-Russ Jehl

Introduction Date: January 10, 2017

Plan Commission
Public Hearing Date: January 9, 2017 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.35 acres of property from C2-Limited Commercial to R1-Single Family Residential.

Location: 6530 St. Joe Road

Reason for Request: To allow the existing use as a single family home.

Applicant: Roger Dilley

Property Owner: Roger Dilley

Related Petitions: none

Effect of Passage: Property will be rezoned to the R1-Single Family Residential district, which will bring the existing use into conformance with the zoning ordinance.

Effect of Non-Passage: The property will remain zoned C2-Limited Commercial and the existing single family home will continue to be considered a non-conforming use on the property.

#REZ-2016-0044

BILL NO. Z-17-01-03

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. S-42 (Sec. 17 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 an R1 (Single
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

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

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

and the symbols of the City of Fort Wayne Zoning Map No. S-42 (Sec. 17 of St. Joseph
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. If a written commitment is a condition of the Plan Commission's recommendation for the adoption of the rezoning, or if a written commitment is modified and approved by the Common Council as part of the zone map amendment, that written commitment is hereby approved and is hereby incorporated by reference.

SECTION 3. 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

**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>rogerldilley@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>rogerldilley@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>rogerldilley@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

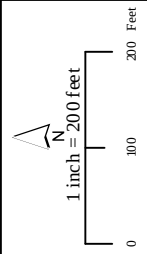


Rezoning Petition REZ-2016-0044 (6530 St Joe Road)



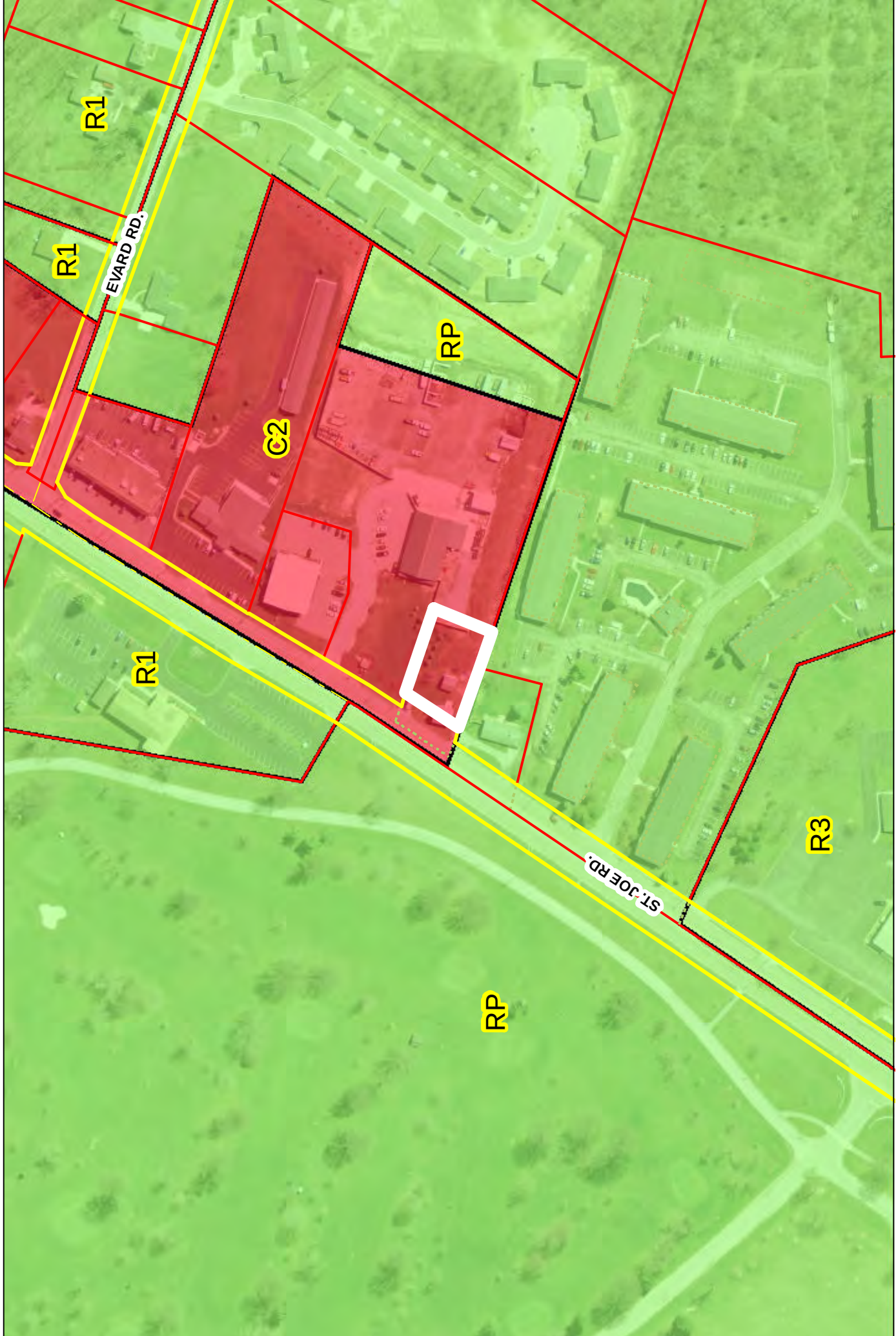
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Saw Plane Coordinate System, Indiana East
Perimeter and Contour: Spring 2009
Date 12/29/2016





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



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