

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0030
Bill Number: Z-17-08-01
Council District: 6-Glynn Hines

Introduction Date: August 8, 2017

Plan Commission
Public Hearing Date: August 14, 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 0.80 acres of property from R2-Two Family Residential and R3-Multiple Family Residential to C1-Professional Office and Personal Services

Location: 305 and 309 East Leith and portions of 2700 South Lafayette

Reason for Request: To bring the property into appropriate zoning district and allow for parking expansion.

Applicant: F & L Property Group, LLC

Property Owner: F & L Property Group, LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services zoning district for the purpose of expanding existing parking lots for the Lafayette Medical Clinic.

Effect of Non-Passage: Portions of the site are zoned residential and the existing clinic is permitted by a Board of Zoning Appeals approval. The clinic will not be permitted to expand or improve without proper zoning or a new BZA approval.

1 **REZ-2017-0030**
2 **BILL NO. Z-17-08-01**

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

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. M-07 (Sec. 14 of Wayne 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 a C1
9 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
10 of the Code of the City of Fort Wayne, Indiana:

11 Tract 1 – 0.741 Acres

12 The East 30 feet of Lot Number 20 in Colerick's Addition to Mechanicsburg, according to
13 the plat thereof, as recorded in Deed Record 42, page 118 and in Plat Record 0, page 80, in
14 the Office of the Recorder of Allen County, Indiana.

15 ALSO:

16 Lot Number 21 in Colerick's Addition to Mechanicsburg, according to the plat thereof, as
17 recorded in Deed Record 42, page 118 and Plat Record 0, page 80, in the Office of the
18 Recorder of Allen County, Indiana.

19 ALSO:

20 Lots Numbered 22, 23, and 24, except the East 12.5 feet of Lots Numbered 23 and 24 in
21 Colerick's Addition to Mechanicsburg, according to the plat thereof, recorded in Deed
22 Record 42, page 118 and in Plat Record 0, page 80, in the Office of the Recorder of Allen
23 County, Indiana, together with one-half vacated alley adjoining Lots Numbered 22 and 23 on
24 the North and one-half vacated alley adjoining Lot Number 22 on the East and one-half
25 vacated alley adjoining Lots Numbered 23 and 24 on the West, vacated by General
26 Ordinance No. G-49-92, except the East one-half of said vacated alley adjoining Lot 25 on
27 the West.

28 TOGETHER WITH:

29 Tract 2 – 0.062 Acres

30 The East 20 feet of Lot Number 5, except the North 15 feet in the Plat of Tresselt's Addition
 to Mechanicsburg, according to the plat thereof, recorded in Deed Record 42, Page 200, in
 the Office of the Recorder of Allen County, Indiana.

 CONTAINING IN TOTAL: 0.803 Acres

 and the symbols of the City of Fort Wayne Zoning Map No. M-07 (Sec. 14 of Wayne
 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 F & L PROPERTY GROUP, LLC
Address 4980 WEST 350 SOUTH
City BERNE State INDIANA Zip 46711
Telephone 419-203-9097 E-mail dlaukhuf@essential-solutions.net

Contact Person
Contact Person PETER G. MALLERS OF BEERS MALLERS BACKS & SALIN, LLP
Address 110 WEST BERRY STREET, SUITE 1100
City FORT WAYNE State INDIANA Zip 46802
Telephone 260-426-9706 E-mail pgmallers@beersmallers.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 305 AND 309 EAST LEITH AND PORTIONS OF 2700 SOUTH LAFAYETTE
Present Zoning R2 and R3 Proposed Zoning C1 Acreage to be rezoned 0.8 ACRES
Proposed density N/A units per acre
Township name WAYNE Township section # 14
Purpose of rezoning (attach additional page if necessary) TO ALLOW A PAVED EXPANSION OF THE EXISTING PARKING LOT TO SERVE THE EXISTING BUILDING LOCATED AT 2700 SOUTH LAFAYETTE
Sewer provider CITY UTILITIES Water provider CITY UTILITIES

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 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.

F & L PROPERTY GROUP, LLC BY: Dan L. Laff - President 6-22-17
(printed name of applicant) (signature of applicant) (date)

F & L PROPERTY GROUP, LLC BY: Dan L. Laff - President 6-22-17
(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.
6/29/17	124403	8/14/17	REZ-2017-0030

Corporate Office
221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166
Fax: (260) 692-6242

Brett R. Miller, P.S. No.LS20300059
Robert J. Marucci, P.S. No.LS20400028

www.mlswebsite.us

Miller Land Surveying, Inc.

REZONING SKETCH

Precision and Professionalism is where we draw the line.

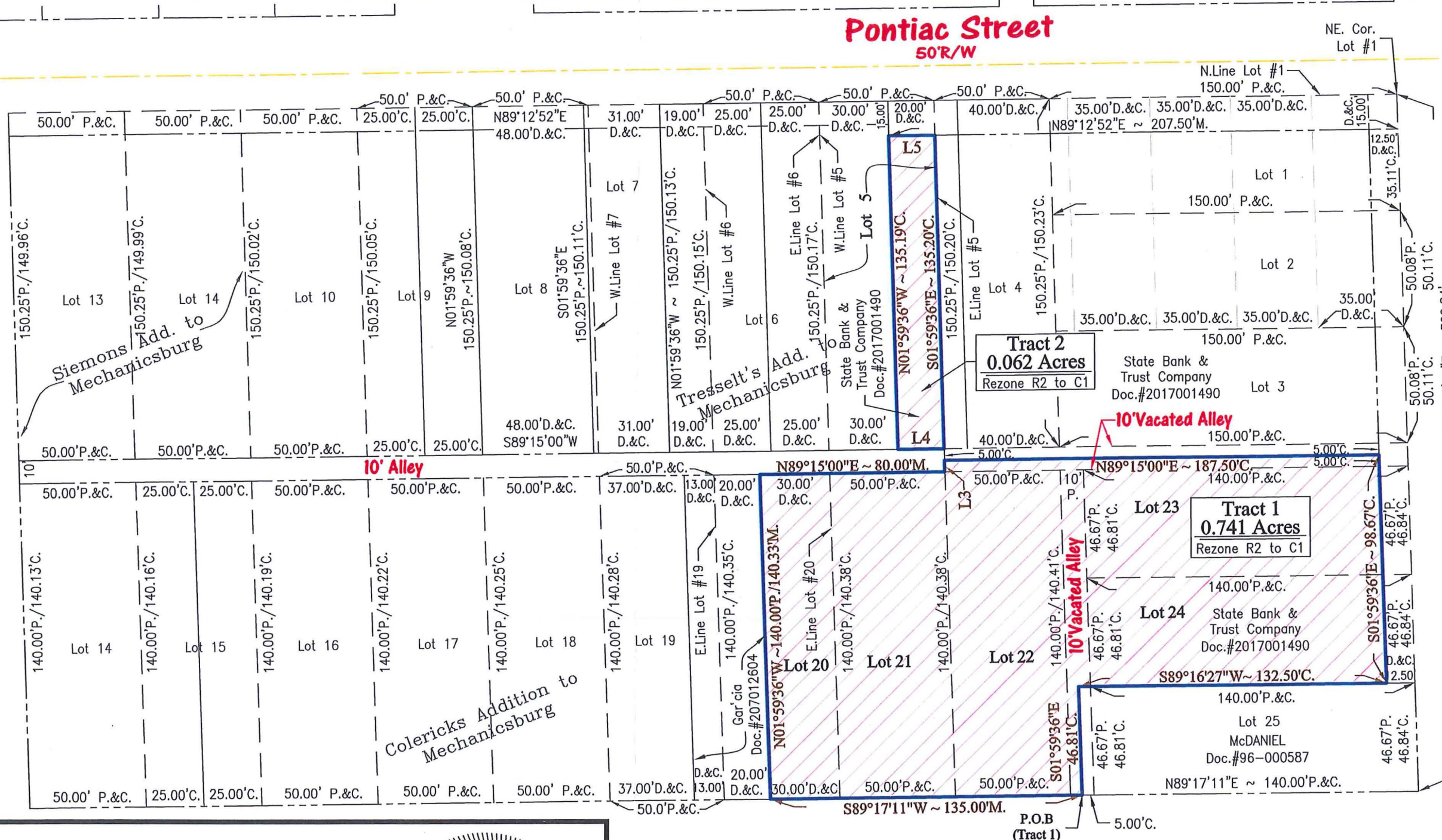
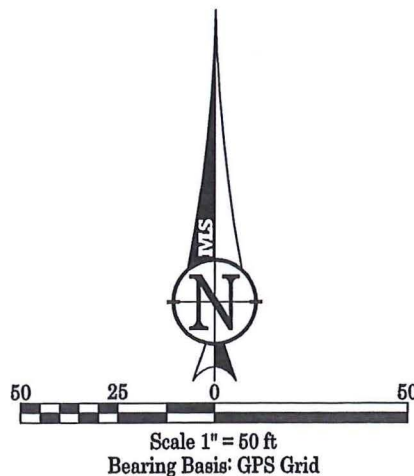
MLS

Fort Wayne Office

217 Airport North Office Park
Fort Wayne, IN 46825
Phone: (260) 489-8571
Fax: (260) 489-8570

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Line Table		
Line #	Length	Direction
L5	20.00'	S89°12'52"W
L4	20.00'	N89°15'00"E
L3	5.00'	S01°59'36"E



Survey No. 17033898

County: Allen Subdivision: Tresselts Add. to Mechanicsburg & Colericks Add. to Mechaniscburg

For: State Bank and Trust Company

Fieldwork Completed: March 10, 2017

IN WITNESS WHEREOF, I hereunto place my hand and
seal this 29th day of June, 2017.

Revised:

Brett R. Miller
Brett R. Miller, P.S. NO. 20300059



(Drawing Name:17033898_rezoning.dwg)

LEGAL DESCRIPTIONS

See Attached.

Legend

- POB - Point of Beginning
- M. - Measured
- R. - Record
- C. - Calculated
- D. - Deed
- Right of Way (R/W)
- Building Setback Line
- Center Line

Lafayette Avenue 55'R/W
(Former Plank Rd.)

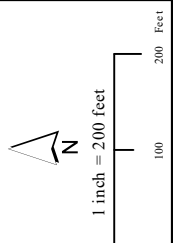
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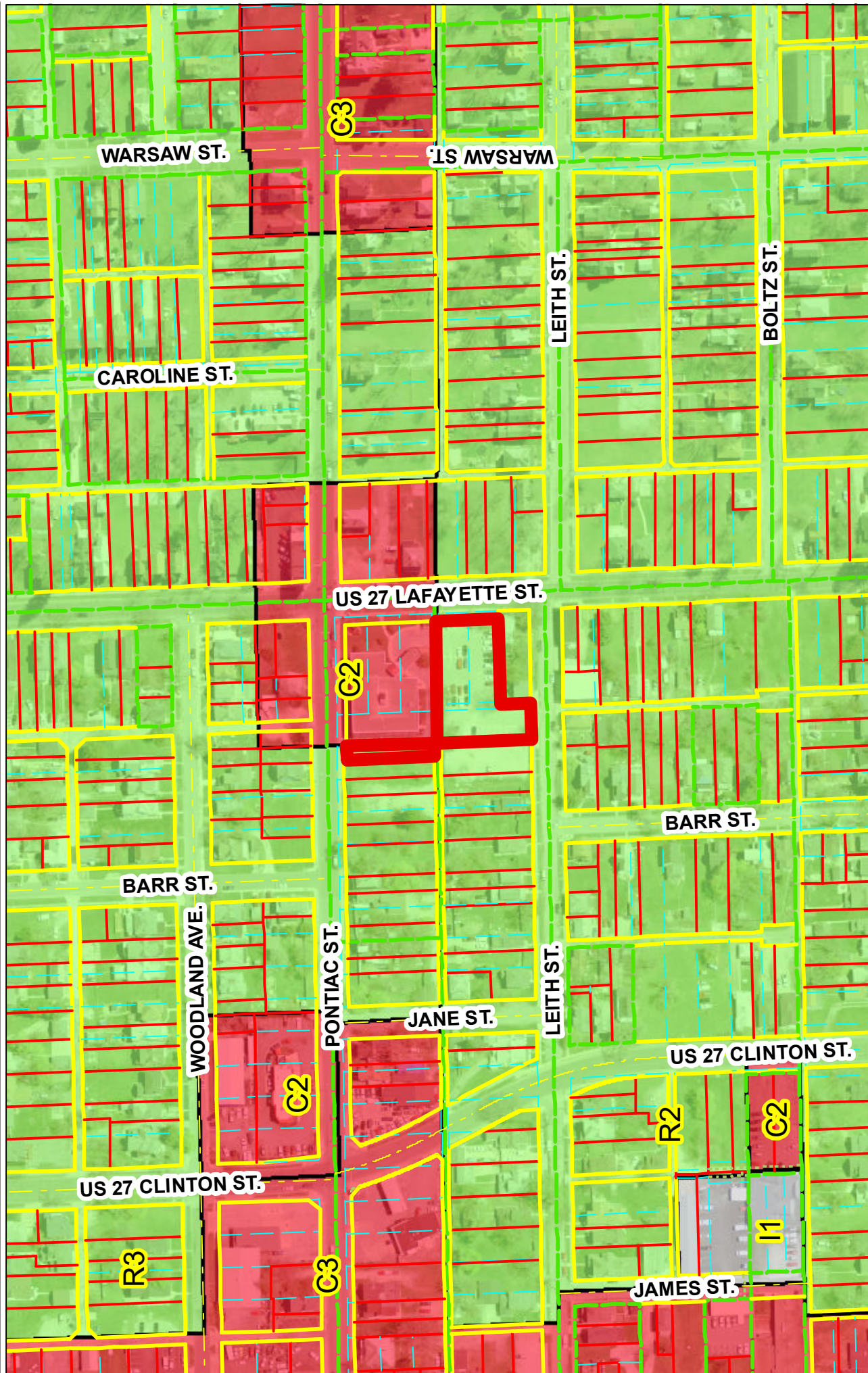
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Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours, Spring 2009
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1 inch = 200 feet

