

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0001
Bill Number: Z-18-01-12
Council District: 4-Jason Arp

Introduction Date: January 23, 2018

Plan Commission
Public Hearing Date: February 12, 2018 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 7.75 acres of property from AR-Single Family Residential and R3-Multiple Family Residential to R1-Single Family Residential

Location: 8633 Illinois Road

Reason for Request: To rezone property to allow for a 22 lot single family subdivision.

Applicant: JRM Realty LLC

Property Owner: Jim Mutton, and John and Susan Tite

Related Petitions: Primary Development Plan, Quail Commons

Effect of Passage: Property will be rezoned to the R1-Single Family Residential district which will allow a platted single family subdivision.

Effect of Non-Passage: The site will remain zoned AR and R3. The R3 portion of the site could be used for multiple family residential while the AR could be used for a single house. The AR district does not allow a platted subdivision.

#REZ-2018-0001

BILL NO. Z-18-01-12

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-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 R1 (Single
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, 897.71 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 continuing South 00 degrees 54 minutes 00 seconds West, on the West line of
said Centaur Acres, also being the East line of said 2.00-acre parcel, 134.00 feet; thence
South 79 degrees 22 minutes 47 seconds West, 244.92 feet; thence South 45 degrees 09
minutes 21 seconds West, 85.25 feet to a point on the South line of said 2.00-acre parcel,
said point also being the Northwest corner of Lot 6 of said Centaur Acres; thence South 89
degrees 53 minutes 31 seconds West, on the South line of said 2.00-acre parcel, 65.52 feet to
the Southwest corner of said 2.00-acre parcel; thence North 00 degrees 54 minutes 00
seconds East, on the West line of said 2.00-acre parcel, 238.70 feet to the Northwest corner
thereof, also being the Southwest corner of the aforesaid 6.50-acre parcel also being the
Northwest corner of said 2.0-acre parcel; thence continuing 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

1 the aforementioned 1.5-acre parcel, also being a Northwest corner of said 6.50-acre parcel;
2 thence along the common line between said 1.50-acre and said 6.50-acre parcels by the
3 following two courses: South 89 degrees 47 minutes 00 seconds East, 150.00 feet; thence
4 North 00 degrees 54 minutes 00 seconds East, 372.60 feet to the Point of Beginning,
5 containing 7.751 acres, more or less, and subject to easements and rights of way of record.

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

9 SECTION 2. If a written commitment is a condition of the Plan Commission's
10 recommendation for the adoption of the rezoning, or if a written commitment is modified and
11 approved by the Common Council as part of the zone map amendment, that written
12 commitment is hereby approved and is hereby incorporated by reference.

13
14 SECTION 3. That this Ordinance shall be in full force and effect from and after its
15 passage and approval by the Mayor.

16
17 _____
18 Council Member

19 APPROVED AS TO FORM AND LEGALITY:

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21 _____
22 Carol T. Helton, City Attorney
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Department of Planning Services
Rezoning Petition Application

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

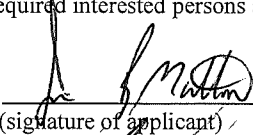
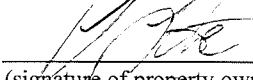
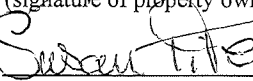
Contact Person	Contact Person	Kevin McDermit - Lougheed & Associates		
	Address	1017 S HAdley Road		
	City	Fort Wayne	State	IN Zip 46804
	Telephone	260-432-3665	E-mail	krmcdermit@comcast.net

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 8633 Illinois Road	
	Present Zoning R3/AR	Proposed Zoning R1 Acreage to be rezoned 6.246+1.505=7.751
	Proposed density 2.84 units / acre units per acre	
	Township name Aboite	Township section # 11
	Purpose of rezoning (attach additional page if necessary) For the development of a single family residential villa-minium subdivision	
Sewer provider Aqua Indiana		Water provider 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	

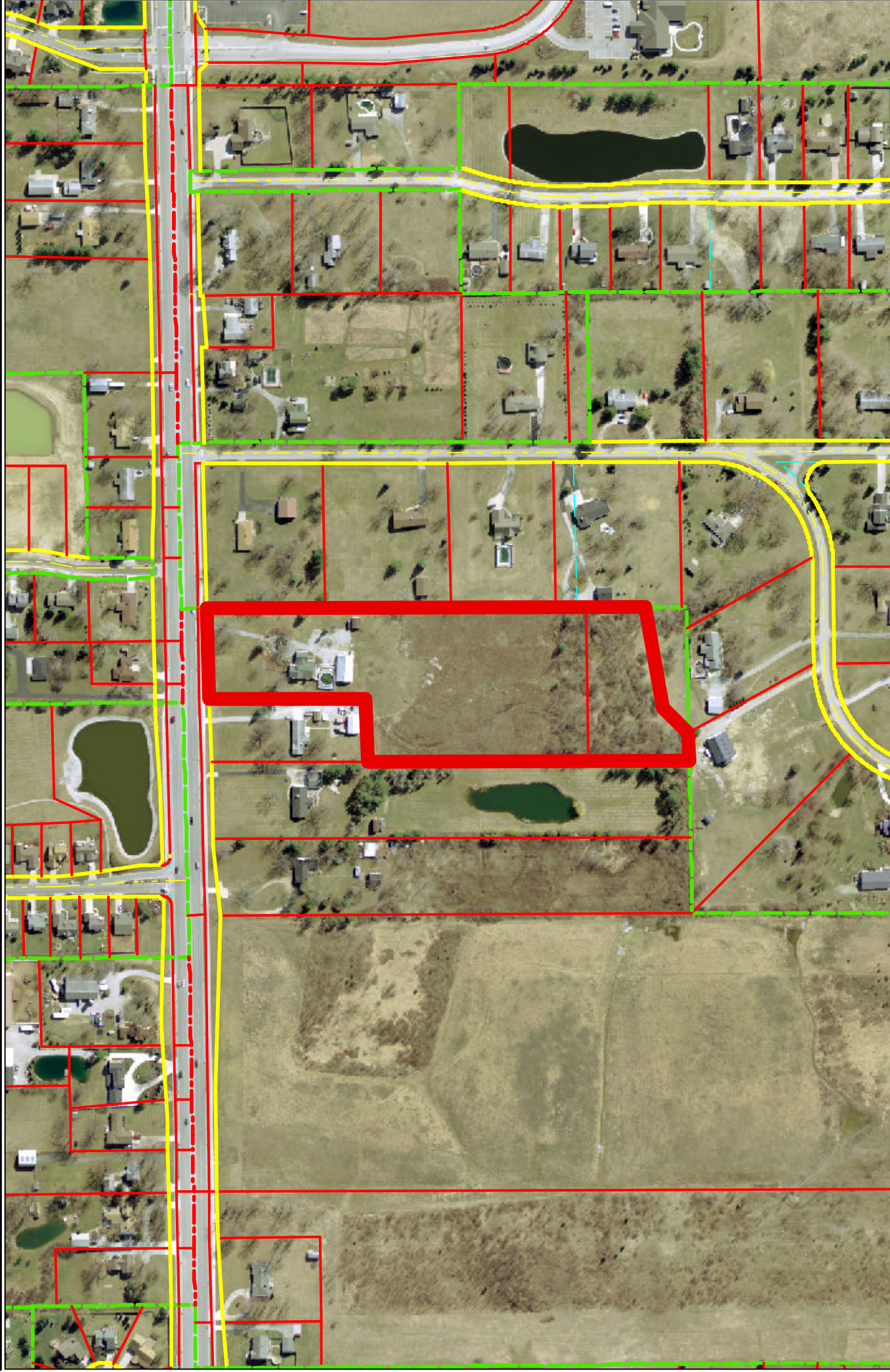
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

Jim Mutton		12.26.17
(printed name of applicant)	(signature of applicant)	(date)
John Tite		12.29.17
(printed name of property owner)	(signature of property owner)	(date)
Susan Tite		12.29.17
(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.
11/2/2018	125911	2/12/18	REZ-2018-0001



Rezoning Petition REZ-2018-0001 and Primary Plat PP-2018-0001 - Quail Commons

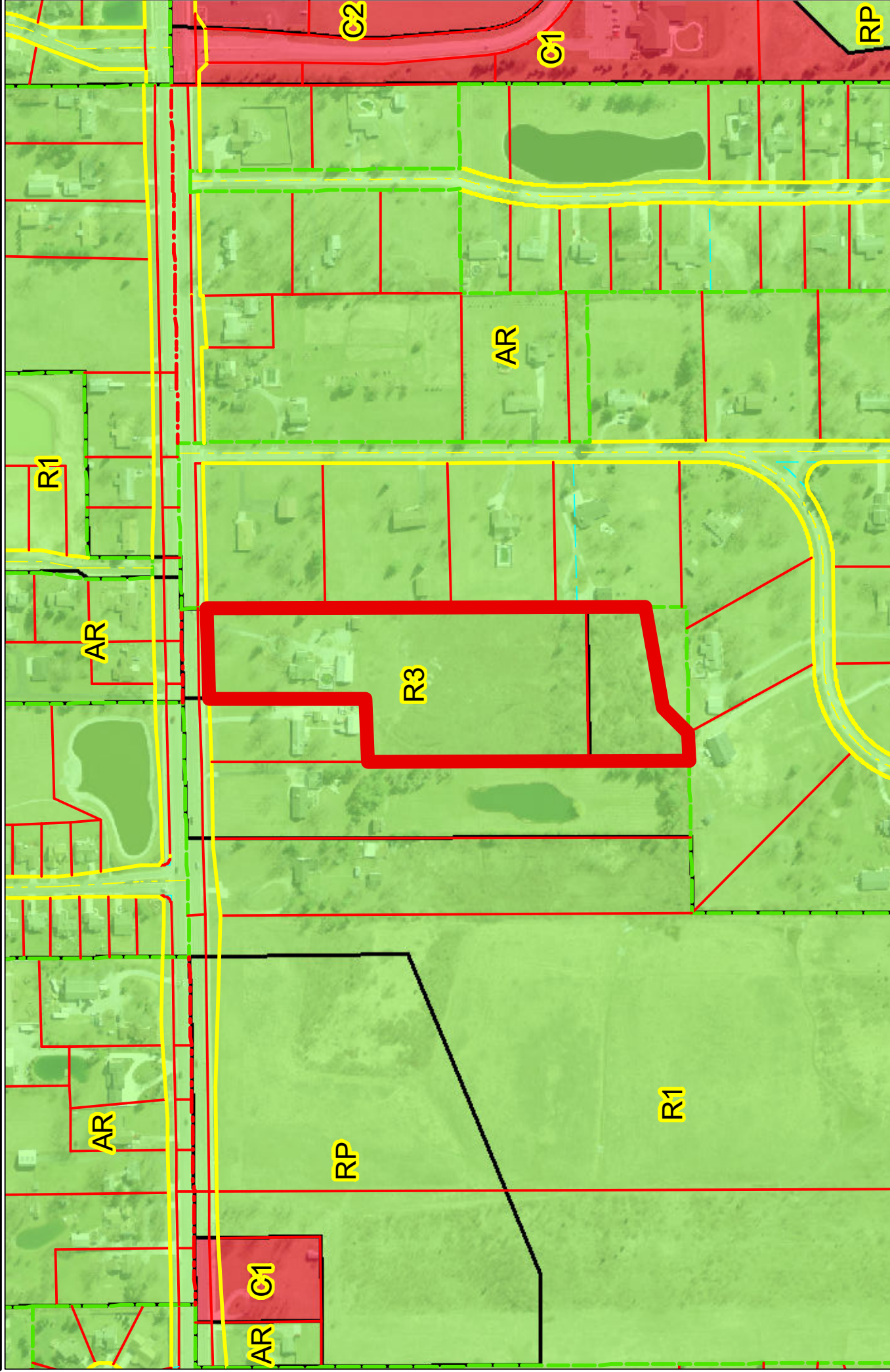


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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 1/16/2018



Rezoning Petition REZ-2018-0001 and Primary Plat PP-2018-0001 - Quail Commons



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