

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0057
Bill Number: Z-17-12-13
Council District: 4-Jason Arp

Introduction Date: December 19, 2017

Plan Commission
Public Hearing Date: January 8, 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 2.66 acres of property from R1-Single Family Residential to C1-Professional Office and Personal Services

Location: 9336 Illinois Road

Reason for Request: To rezone property to allow for a 10,000 square foot childcare center.

Applicant: Oakmont Development, LLC

Property Owner: Charles H. Willen

Related Petitions: Primary Development Plan, Kiddie Academy-Illinois Road

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services district which will allow a variety of office type uses.

Effect of Non-Passage: The site will remain zoned R1-Single Family Residential and may redevelop with residential uses.

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REZ-2017-0057
BILL NO. Z-17-12-13

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA-06 (Sec. 2 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 a C1
(Professional Office and Personal Services) 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 Section 2 together with part of the Southeast quarter
of Section 3, Township 30 North Range 11 East, Allen County, Indiana, more
particularly described as follows: Beginning at the Southwest corner of Section 2,
Township 30 North Range 11 East; thence North 88 degrees 59 minutes 14 seconds
West along the South line of Section 3, said line also being center line of State Road
14, 92.34 feet to the West line of the East five acres of the Southeast quarter of said
Section 3; thence North 00 degrees 40 minutes 19 seconds east along said West line,
55.03 feet to the Southerly line of Shorewood Section I; thence following said
Southerly line by the following courses: North 57 degrees 27 minutes 54 seconds
east, 93.94 feet; thence North 47 degrees 26 minutes 12 seconds east 105.66 feet;
thence North 29 degrees 40 minutes 41 seconds East, 118.11 feet; thence North 12
degrees 01 minutes 03 seconds East, 109.07 feet; thence South 89 degrees 10
minutes 00 seconds East, 200.63 feet; thence South 00 degrees 50 minutes 00
seconds West, 390.00 feet to the South line of said section 2 said line also being the
center line of State Road 14; thence leaving said southerly line of Shorewood Section
I, North 89 degrees 10 minutes 00 seconds West along said center line, 351.50 feet to
the point of beginning containing 2.66 acres of land more or less being subject to all
easements of record.

LESS AND EXCEPT:

A part of the West Half of the Southwest Quarter of Section 2, and a part of the
southeast Quarter of Section 3, all in Township 30 North, Range 11 East, Allen
County, Indiana, and being that part of the grantors' land lying within the right-of-
way lines depicted on the attached Right-of-Way parcel Plat marked as Exhibit "B",
described as follows: Beginning at a point on the south line of said Section 3 North
89 degrees 01 minutes 02 seconds West 82.34 feet (25.097 meters) from the
southeast corner of said Section 3, thence continuing North 89 degrees 01 minutes 02
seconds West 20.97 feet (6.393 meters) along said south line; thence 00 degrees 58
minutes 58 seconds East 40.00 feet (12.192 meters) to the south corner of Lot 71 in
Shorewood, Section I, an addition to the City of Fort Wayne, Indiana, the plat of

1 which is recorded in Plat Cabinet A, page 143, in the Office of the Recorder of Allen
2 County, Indiana; thence North 57 degrees 26 minutes 06 seconds East 44.32 feet
3 (13.509 meters) along the southeastern line of said lot; thence South 88 degrees 59
4 minutes 00 seconds East 66.65 feet (20.315 meters) to point "1436" designated on
5 said parcel plat; thence South 89 degrees 13 minutes 27 seconds East 309.70 feet
6 (94.397 meters) to point "1438" designated on said parcel plat; thence South 83
7 degrees 30 minutes 49 seconds East 43.60 feet (13.289 meters) to the east line of the
8 grantors' land; thence South 00 degrees 49 minutes 32 seconds West 20.43 feet
9 (6.227 meters) along said east line to the north boundary of S.R. 14; thence North 89
10 degrees 10 minutes 28 seconds West 353.48 feet (107.740 meters) along the
11 boundary of said S.R. 14; thence North 89 degrees 01 minutes 02 seconds West
12 82.48 feet (25.140 meters) along said boundary; thence South 00 degrees 42 minutes
13 18 seconds West 40.00 feet (12.192 meters) to the point of beginning and containing
14 0.197 acres (0.0797 hectares), more or less, inclusive of the presently existing right-
15 of-way which contains 0.000 acres (0.0000 hectares), more or less, for a net
16 additional taking of 0.197 acres (0.0797 hectares), more or less, in said Section 2,
17 and 0.067 acres (0.0271 hectares), more or less, inclusive of the presently existing
18 right-of-way which contains 0.019 acres (0.0078 hectares), more or less, for a net
19 additional taking of .048 acres (0.0193 hectares), more or less, in said Section 3, and
20 containing in all 0.264 acres (0.1070 hectares), more or less, inclusive of the
21 presently existing right-of-way which contains 0.019 acres (0.0078 hectares), for a
22 net additional taking of 0.245 acres (0.0992 hectares), more or less.

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24 and the symbols of the City of Fort Wayne Zoning Map No. AA-06 (Sec. 2 of Aboite
25 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
26 Wayne, Indiana is hereby changed accordingly.
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29 SECTION 2. If a written commitment is a condition of the Plan Commission's
30 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 Oakmont Development Company, LLC
Address 9601 Coldwater Road
City Fort Wayne State Indiana Zip 46825
Telephone (260) 489-2000 E-mail jmthomas@mikethomasrealtor.com

Contact Person
Contact Person Jeff Thomas
Address 9601 Coldwater Road
City Fort Wayne State Indiana Zip 46825
Telephone (260) 489-2000 E-mail jmthomas@mikethomasrealtor.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 9336 Illinois Road
Present Zoning AR & R1 Proposed Zoning C1 Acreage to be rezoned 2.66
Proposed density _____ units per acre
Township name Aboite Township section # 2
Purpose of rezoning (attach additional page if necessary) See attached rezoning questionnaire.

Sewer provider Aqua Indiana 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 Rezoning Only

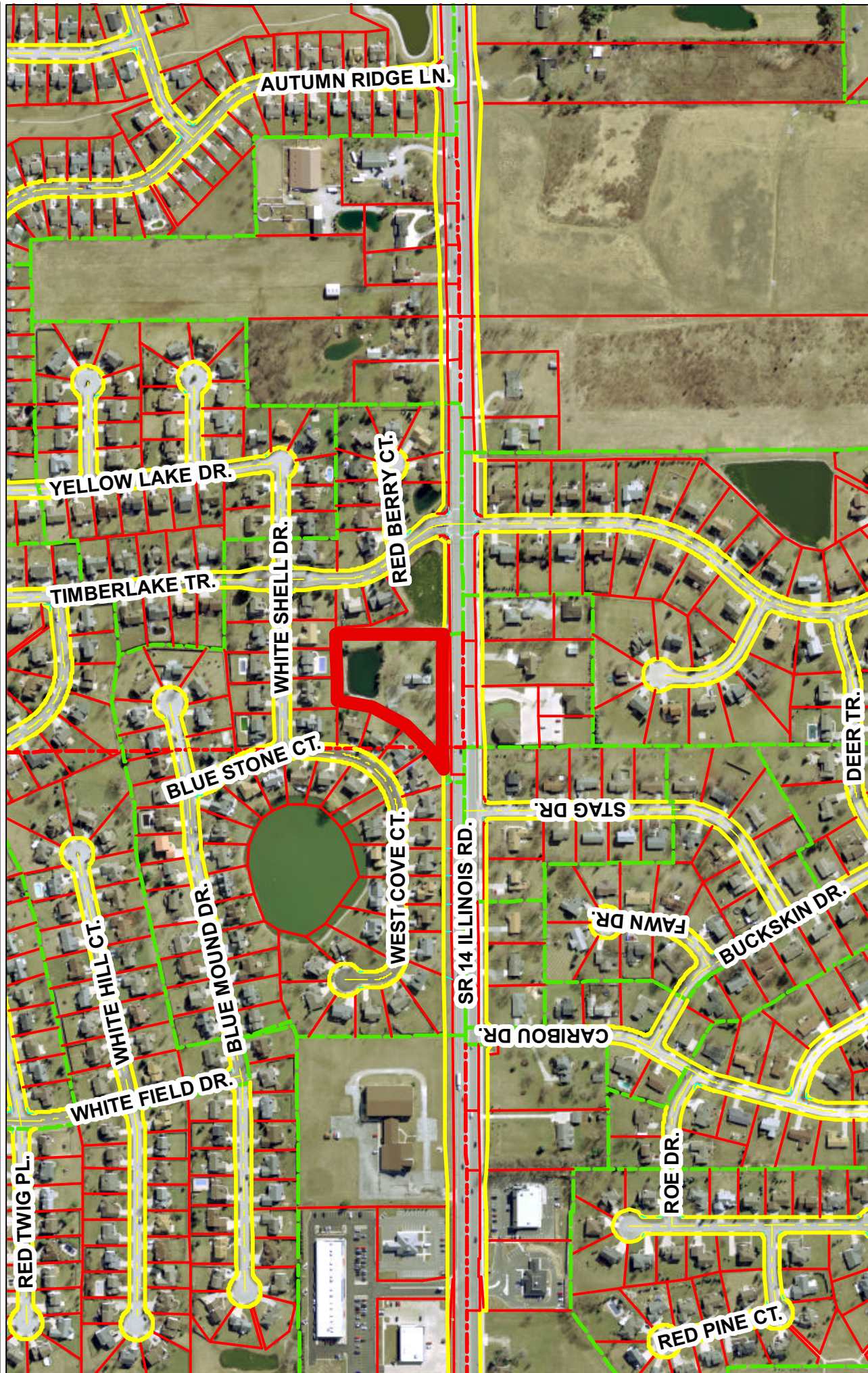
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

Jeff Thomas [Signature] 11/3/17
(printed name of applicant) (signature of applicant) (date)
Charles H. Willen [Signature] 12-5-17
(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 <u>12-5-17</u>	Receipt No. <u>125788</u>	Hearing Date <u>1-8-18</u>	Petition No. <u>REZ-2017-0051</u>
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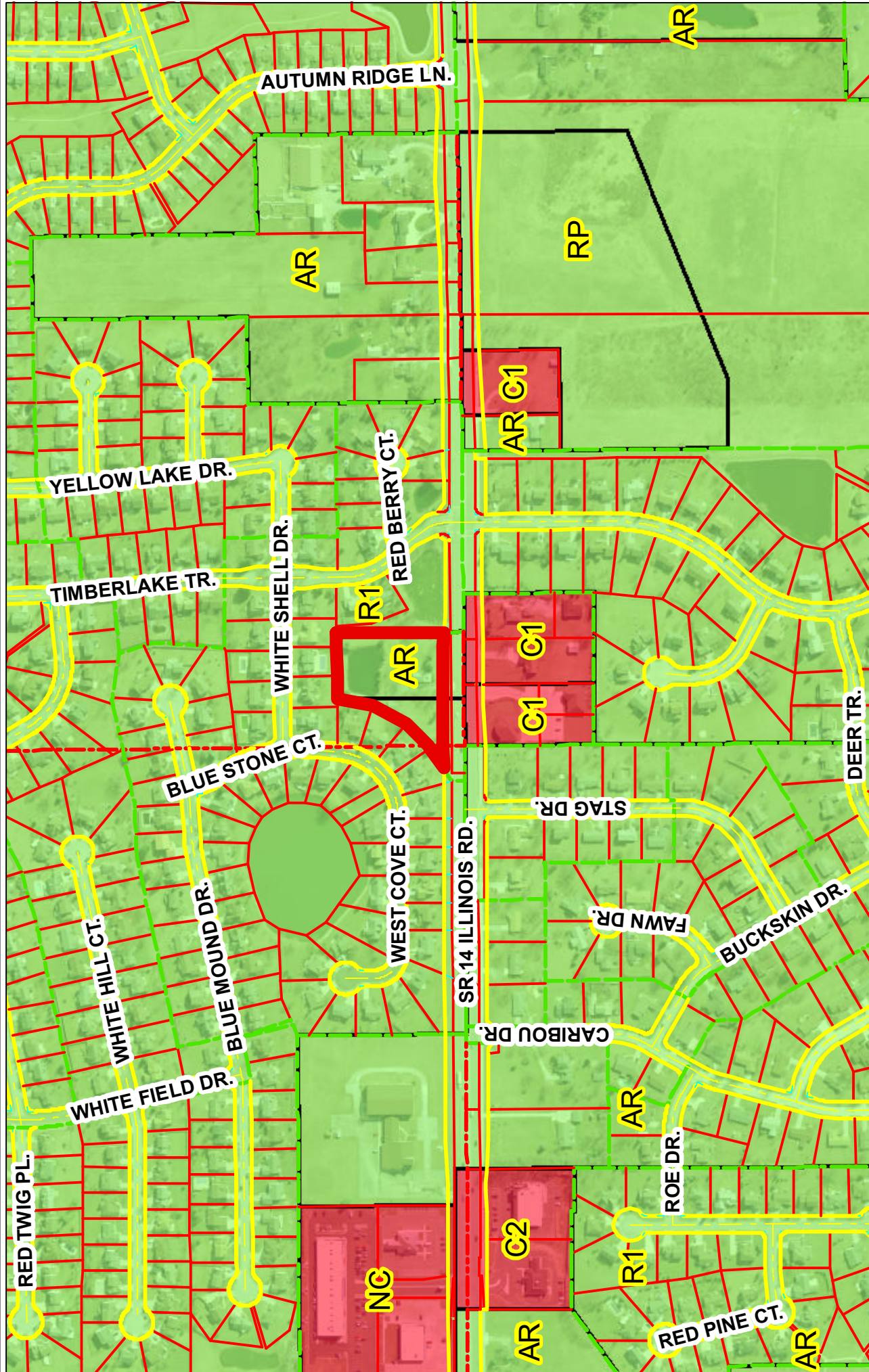
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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/1/2017

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1 inch = 400 feet





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