

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0036
Bill Number: Z-17-08-21
Council District: 1-Paul Ensley

Introduction Date: August 22, 2017

Plan Commission
Public Hearing Date: September 11, 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 3.2 acres of property from R2-Two Family Residential to C2-Limited Commercial

Location: 5928 Trier Road

Reason for Request: To allow the existing commercial building to be utilized as an audio-visual equipment sales and showroom.

Applicant: Bradley Spitnale

Property Owners: Bradley Spitnale

Related Petitions: none

Effect of Passage: Property will be rezoned to the C2-Limited Commercial district which will allow the sales and showroom uses for an audio-visual business. The proposed zoning will then match the existing zoning of the remainder of the parcel, and the adjacent parcels to the east.

Effect of Non-Passage: The site will remain zoned residential and the existing commercial building may be difficult to sell or redevelop with the current zoning. Summit City Fitness had been operating under a variance for recreational uses.

1 **REZ-2017-0036**
2 **BILL NO. Z-17-08-21**

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

4 **AN ORDINANCE amending the City of Fort Wayne**
5 **Zoning Map No. U-22 (Sec. 28 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 a C2 (Limited
9 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 **PARCEL I:**

12 Part of the Southeast Quarter of Section 28, Township 31 North, Range 13 East, Allen
13 County, Indiana, more particularly described as follows:

14 Commencing at the Northeast corner of the Southeast Quarter of Section 28, Township 31
15 North, Range 13 East; thence along the North line of the Southeast Quarter of Section 28,
16 North 89 degrees 03 minutes West a distance of 1025.0 feet to the Point of Beginning;
17 thence South 0 degrees 57 minutes West a distance of 330.0 feet; thence North 89 degrees 03
18 minutes West a distance of 295 feet; thence North 0 degrees 57 minutes East a distance of
19 330.0 feet to a point on the North line of the Southeast Quarter of Section 28; thence along
20 said North line South 89 degrees 03 minutes East a distance of 295 feet to the Point of
21 Beginning, containing 2.23 acres, more or less.

22 **PARCEL II:**

23 Part of the Southeast Quarter of Section 28, Township 31 North, Range 13 East, Allen
24 County, Indiana, more particularly described as follows:

25 Commencing at the Northeast corner of the Southeast Quarter of Section 28, Township 31
26 North, Range 13 East; thence along the North line of the Southeast Quarter of said Section
27 28, North 89 degrees 03 minutes West a distance of 893.0 feet to the Point of Beginning;
28 thence South 0 degrees 57 minutes West a distance of 330.0 feet; thence North 89 degrees 03
29 minutes West a distance of 132.0 feet; thence North 0 degrees 57 minutes East a distance of
30 330.0 feet to a point on the North line of the Southeast Quarter of Section 28; thence along
 said North line South 89 degrees 03 minutes East a distance of 132.0 feet to the Point of
 Beginning, containing 1.00 acres of land.

 and the symbols of the City of Fort Wayne Zoning Map No. U-22 (Sec. 28 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

1 recommendation for the adoption of the rezoning, or if a written commitment is modified and
2 approved by the Common Council as part of the zone map amendment, that written
3 commitment is hereby approved and is hereby incorporated by reference.

4
5 SECTION 3. That this Ordinance shall be in full force and effect from and after its
6 passage and approval by the Mayor.

7 _____
Council Member

8 APPROVED AS TO FORM AND LEGALITY:

9
10 _____
Carol T. Helton, City Attorney

Department of Planning Services

Rezoning Petition Application

Applicant

Applicant Bradley D. Spitnale
 Address 273 Oak Ridge Ln
 City Defiance State OH Zip 43512
 Telephone 260-579-7777 E-mail bradspitnale@gmail.com

Contact Person

Contact Person Stephanie Sowers
 Address 1236 Westwind Pl
 City Fort Wayne State IN Zip 46845
 Telephone 419-439-0885 E-mail stephsowers@gmail.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 5928 Trier Rd
 Present Zoning R2 Proposed Zoning C2 Acreage to be rezoned 3.23
 Proposed density N/A units per acre
 Township name St Joseph Township section # 28
 Purpose of rezoning (attach additional page if necessary) Please see attached

Sewer provider City of Ft. Wayne Water provider City of Ft. 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.

(printed name of applicant)

(signature of applicant)

(date)

(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

(signature of property owner)

(date)

REC.

124675

7-26-17

Purpose of Rezoning:

We are looking at selling our building on 5928 Trier Rd Fort Wayne, IN 46815. This building currently is being used for Summit City Fitness, but is zoned R2.

We have a potential buyer that would like to use the space for their audio visual business. They specialize in installing audio visual systems in churches around the nation. The building would house their offices, showroom, and warehouse.

We believe that for their use, this lot would need to be zoned C2.

cz?

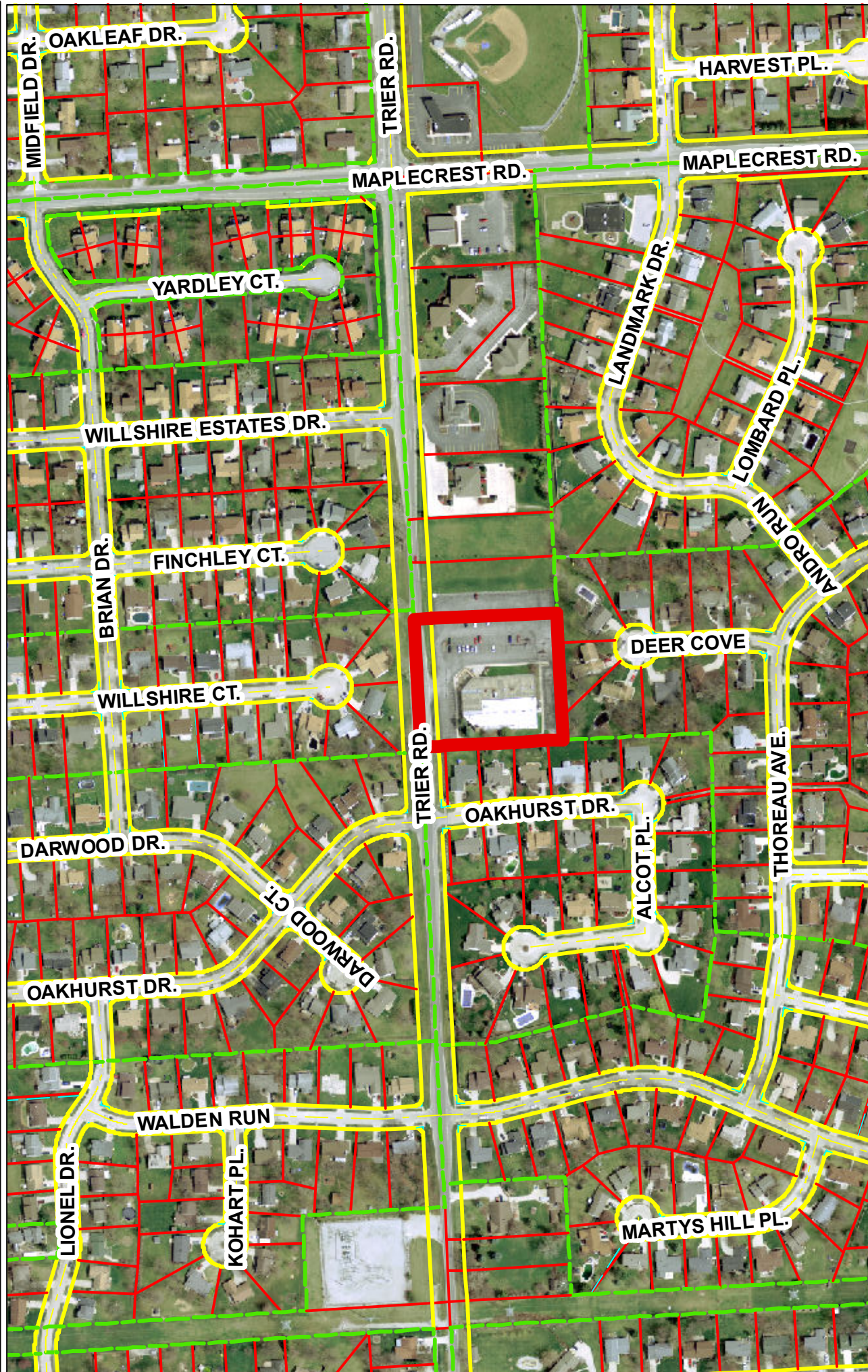
JOHN R. DONOVAN PE 9173 PLS 9921 IN
FRANCIS X. MUELLER PLS S0193 IN



2000 2001 2002

GREGORY L ROBERTS
 REGISTERED
 NO.
 50542
 STATE OF
 IOWA
 LAND SURVEYOR

SHT. #1 OF 2



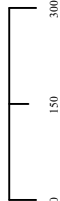
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

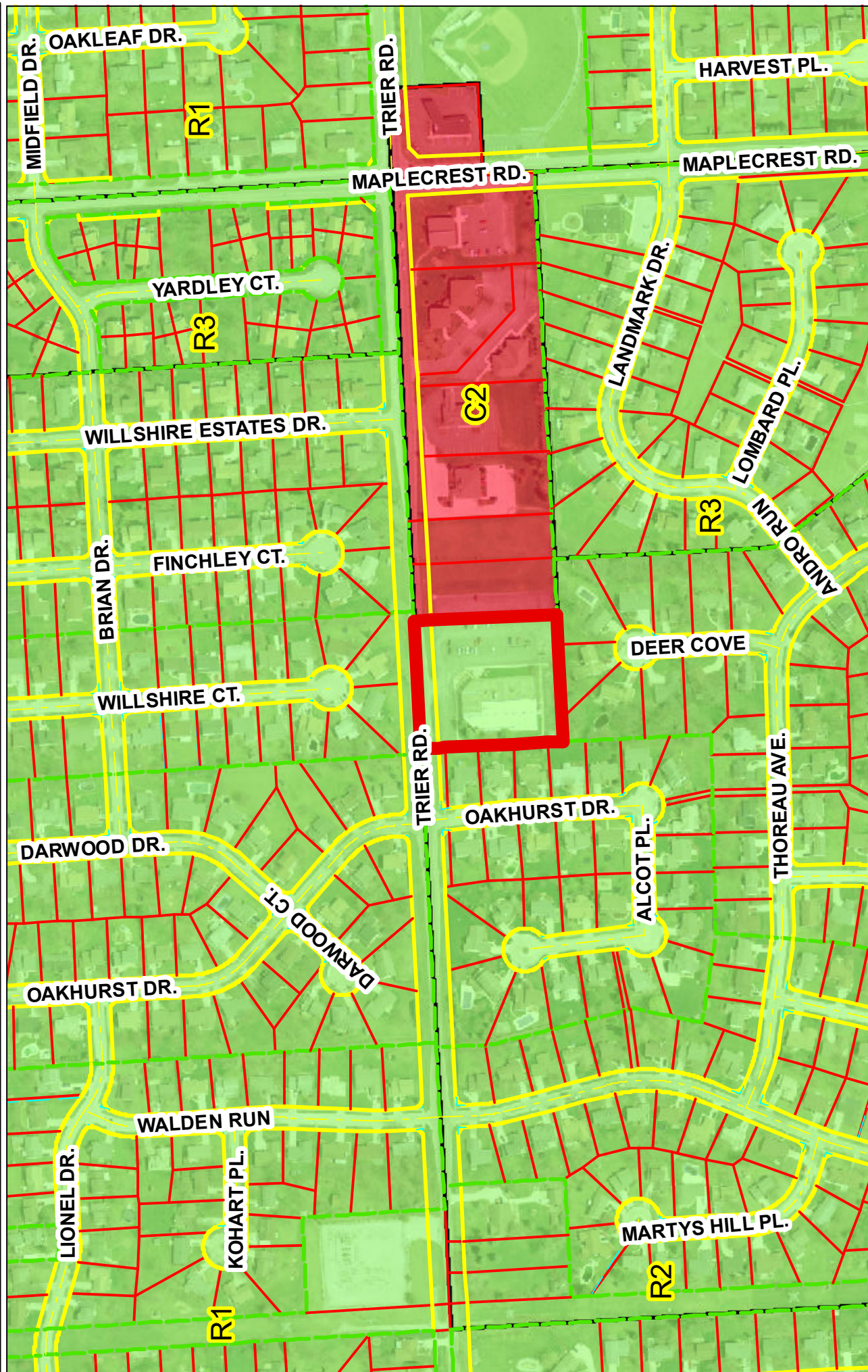
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours, Spring 2009
Page 4 of 4

Areas depicted with bold lines are for representational purposes only.



1 inch = 300 feet





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.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours, Spring 2009
Page 4 of 4

Areas depicted with bold lines are for representational purposes only.

