

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0019
Bill Number: Z-18-05-01
Council District: 1-Russ Jehl

Introduction Date: May 8, 2018

Plan Commission
Public Hearing Date: May 14, 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 0.66 acres of property from R1-Single Family Residential to C1-Professional Office and Personal Services.

Location: 6221 Maplecrest Road

Reason for Request: To bring the existing office building into compliance with the zoning ordinance and allow additional commercial opportunities.

Applicant: Master's Holdings, LLC (Larry Ice)

Property Owner: Master's Holdings, LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services district which will allow the existing office space to continue as a permitted use, and allow other office/personal service uses.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential. The insurance/financial office use can continue as a Board of Zoning Appeals approval, but other commercial or office uses are not permitted.

#REZ-2018-0019

BILL NO. Z-18-05-01

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. U-38 (Sec. 16 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 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 Southeast Quarter of Section 16, Township 31 North, Range 13 East,
Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of said Section 16, being marked by a Type
"B" Highway monument; thence North 02 degrees 49 minutes West (GPS grid
bearing used as the basis of bearings in this description), on and along the East line
of said Southeast Quarter, a distance of 1064.0 feet to the Southeast corner of a base
tract of real estate described in a deed to Stephanie L. Bass in Document Number
2014018098 in the Office of the Recorder of Allen County, Indiana; thence South 86
degrees 55 minutes West, on and along the South line of said base tract, a distance of
45.0 feet to a point on the West right-of-way line of Maplecrest Road, as described in
Document Number 970001553 in the Office of said Recorder, this being the true
point of beginning; thence South 86 degrees 55 minutes West, continuing on and
along the South line of said base tract, a distance of 285.0 feet to a 0.75 inch
diameter pipe at the Southwest corner thereof; thence North 02 degrees 49 minutes
West, on and along the West line of said base tract, and its Northerly projection, a
distance of 101.4 feet to a #5 rebar on the South line of a 2.00 acre tract of real estate
described in a deed to Joel A. Scheer and Heather M. Scheer in Document Number
207003351 in the Office of said Recorder; thence North 86 degrees 57 minutes East,
on and along said South line, a distance of 285.0 feet to a #5 rebar on the West right-
of-way of said Maplecrest Road; thence South 02 degrees 49 minutes East, on and
along said West right-of-way line, a distance of 101.3 feet to the true point of
beginning, containing 0.66 acres of land, subject to all easements of record. This
description is based on an original survey by Sauer Land Surveying, Inc., Survey No.
119-132, dated June 28, 2016.

and the symbols of the City of Fort Wayne Zoning Map No. U-38 (Sec. 16 of St. Joseph

1 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
2 Wayne, Indiana is hereby changed accordingly.

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

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

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12 _____
Council Member

13 APPROVED AS TO FORM AND LEGALITY:

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16 Carol T. Helton, City Attorney
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Master's Holdings LLC
Address 6221 Maplecrest Rd
City Fort Wayne State IN Zip 46835
Telephone 260-750-0195 E-mail Mastersholdings@Outlook.com

Contact Person
Contact Person Larry Ice
Address 6221 Maplecrest Rd
City Fort Wayne State IN Zip 46835
Telephone 260-484-8572 E-mail larry.ice.qm58@statefarm.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 6221 Maplecrest Rd
Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned .66
Proposed density 3 units units per acre
Township name St. Joe Township section # 15
Purpose of rezoning (attach additional page if necessary) To enable rental unit on property providing small shop, retail or Professional office on premises of existing building.
Willing to limit usage as needed via Written Commitment.
Sewer provider City of Fort Wayne 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.

Larry Ice 04/03/2018
(printed name of applicant) (signature of applicant) (date)
Master Holdings LLC 04/03/2018
(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>4/3/2018</u>	Receipt No. <u>126554</u>	Hearing Date <u>5-14-18</u>	Petition No. <u>REZ-2018-0019</u>
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Sauer Land Surveying, Inc.

John C. Sauer, RPS - Indiana & Ohio Indiana Firm Number 048
Joseph R. Herendeen, RPS - Indiana

14033 Illinois Road, Suite C
Fort Wayne, IN 46814
TEL: 260/469-3300 FAX: 260/469-3301
Toll Free: 877-625-1037
www.sauersurveying.com

CERTIFICATE OF SURVEY

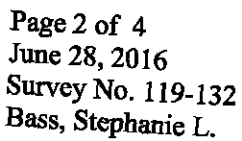
This document is an original survey of real estate prepared under IAC 865 Rule 12 in conformity with established practices of surveying and made in accordance with the records on file in the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from visible encroachments either way across boundary lines unless specifically stated below. Corners were perpetuated as indicated.

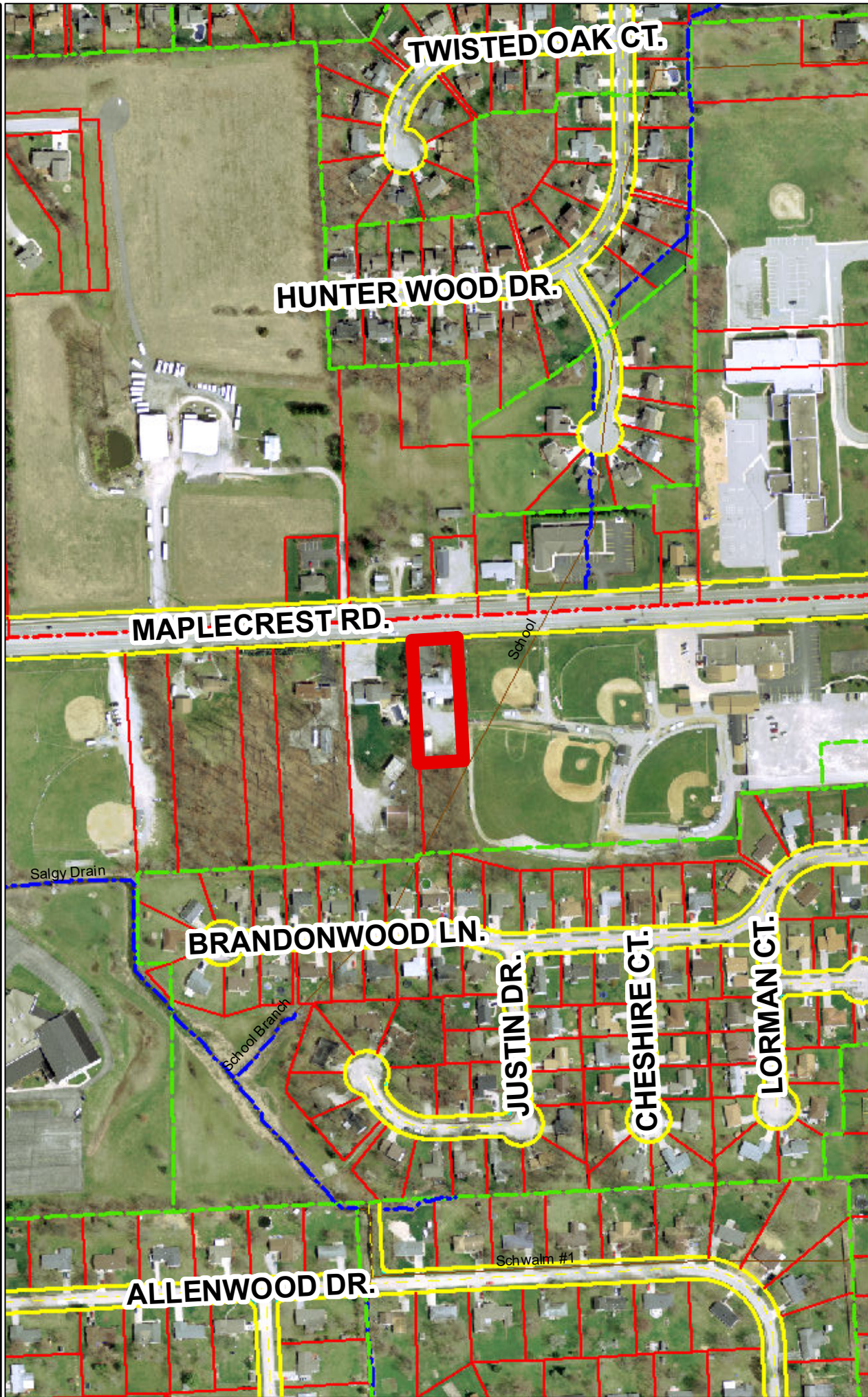
NEW ORIGINAL DESCRIPTION:

Part of the Southeast Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of said Section 16, being marked by a Type "B" Highway monument; thence North 02 degrees 49 minutes West (GPS grid bearing used as the basis of bearings in this description), on and along the East line of said Southeast Quarter, a distance of 1064.0 feet to the Southeast corner of a base tract of real estate described in a deed to Stephanie L. Bass in Document Number 2014018098 in the Office of the Recorder of Allen County, Indiana; thence South 86 degrees 55 minutes West, on and along the South line of said base tract, a distance of 45.0 feet to a point on the West right-of-way line of Maplecrest Road, as described in Document Number 970001553 in the Office of said Recorder, this being the true point of beginning; thence South 86 degrees 55 minutes West, continuing on and along the South line of said base tract, a distance of 285.0 feet to a 0.75 inch diameter pipe at the Southwest corner thereof; thence North 02 degrees 49 minutes West, on and along the West line of said base tract, and its Northerly projection, a distance of 101.4 feet to a #5 rebar on the South line of a 2.00 acre tract of real estate described in a deed to Joel A. Scheer and Heather M. Scheer in Document Number 207003351 in the Office of said Recorder; thence North 86 degrees 57 minutes East, on and along said South line, a distance of 285.0 feet to a #5 rebar on the West right-of-way line of said Maplecrest Road; thence South 02 degrees 49 minutes East, on and along said West right-of-way line, a distance of 101.3 feet to the true point of beginning, containing 0.66 acres of land, subject to all easements of record. This description is based on an original survey by Sauer Land Surveying, Inc., Survey No. 119-132, dated June 28, 2016.

This property appears to lie within Zone X as the description plots by scale on
Flood Insurance Rate Map Number 18003C 0189G, effective August 3, 2009.

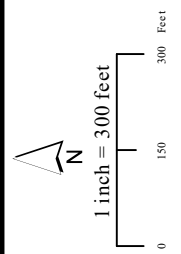
$$1'' = 60'$$


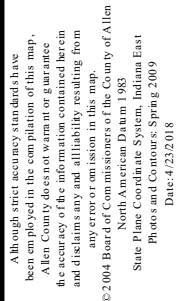


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/23/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only





1 inch = 300 feet