

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0033
Bill Number: Z-18-07-01
Council District: 4-Jason Arp

Introduction Date: July 10, 2018

Plan Commission
Public Hearing Date: July 9, 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 1.0 acre of property from AR/Low Intensity Residential to C2/Limited Commercial

Location: 7621 Illinois Road

Reason for Request: To construct a 3,500 square foot Sherwin Williams store.

Applicant: MEV Illinois LLC

Property Owner: The Wilson Homestead, LLC

Related Petitions: Primary Development Plan, Sherwin Williams

Effect of Passage: Property will be rezoned to the C2/Limited Commercial district which will allow the redevelopment of the property for a retail use.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may be used for single family uses.

#REZ-2018-0033

BILL NO. Z-18-07-01

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B-02 (Sec. 12 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:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30
NORTH, RANGE 11 EAST OF THE 2ND PRINCIPAL MERIDIAN, ALLEN COUNTY,
INDIANA, BEING ALSO A PART OF THE PARCELS PER THE CORRECTIVE QUIT
CLAIM DEED RECORDED NOVEMBER 30, 2015 IN THE ALLEN COUNTY
RECORDER'S OFFICE PER INSTRUMENT NUMBER 2015060910, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER
OF SAID SECTION 12; THENCE ALONG THE NORTH LINE OF THE NORTHWEST
QUARTER OF SAID SECTION 12, SOUTH 88 DEGREES 42 MINUTES 47 SECONDS
WEST, A DISTANCE OF 1346.79 FEET TO THE NORTHEAST CORNER OF TRACT 1
2ND PARCEL PER THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910;
THENCE ALONG THE EAST LINE OF SAID TRACT 1 2ND PARCEL, SOUTH 00
DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 65.63 FEET TO THE
SOUTHEAST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA
PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF
SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO
(2) COURSES: 1) SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A
DISTANCE OF 261.99 FEET; 2) NORTH 88 DEGREES 25 MINUTES 28 SECONDS
WEST, A DISTANCE OF 9.49 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF
229.07 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 14 SECONDS WEST, A
DISTANCE OF 135.00 FEET TO A POINT ON THE SOUTHERLY PROLONGATION
OF THE EAST LINE OF THE 1ST EXCEPTION PARCEL PER THE
AFOREMENTIONED INSTRUMENT NUMBER 2015060910; THENCE ALONG SAID
PROLONGATION, NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A
DISTANCE OF 13.14 FEET TO THE SOUTHEAST CORNER OF SAID 1ST
EXCEPTION PARCEL; THENCE ALONG THE EAST LINE OF SAID 1ST EXCEPTION
PARCEL, NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A DISTANCE OF
218.92 FEET TO THE SOUTHWEST CORNER OF THE PARCEL DEDICATED TO
THE STATE OF INDIANA PER INSTRUMENT NUMBER 207025399; THENCE

1 ALONG THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF
2 INDIANA PER INSTRUMENT NUMBER 207025399 THE FOLLOWING TWO
3 COURSES; 1) NORTH 88 DEGREES 42 MINUTES 47 SECONDS EAST, A DISTANCE
4 OF 13.17 FEET; 2) SOUTH 88 DEGREES 25 MINUTES 28 SECONDS EAST, A
5 DISTANCE OF 89.07 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL
6 DEDICATED TO THE STATE OF INDIANA PER INSTRUMENT NUMBER 207025399,
7 ALSO BEING THE SOUTHWEST CORNER OF THE PARCEL DEDICATED TO THE
8 STATE OF INDIANA PER INSTRUMENT NUMBER 207019601; THENCE ALONG
9 THE SOUTH LINE OF SAID PARCEL DEDICATED TO THE STATE OF INDIANA
10 PER INSTRUMENT NUMBER 207019601, SOUTH 88 DEGREES 25 MINUTES 28
11 SECONDS EAST, A DISTANCE OF 32.82 FEET TO THE TRUE POINT OF
12 BEGINNING, CONTAINING 0.715 ACRES MORE OR LESS; THE BEARINGS FOR
13 THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE
14 COORDINATE SYSTEM EAST ZONE (NAD83).

15 TOGETHER WITH:

16 THAT PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30
17 NORTH, RANGE 11 EAST OF THE 2ND PRINCIPAL MERIDIAN, ALLEN COUNTY,
18 INDIANA, BEING ALSO A PART OF THE PARCELS PER THE CORRECTIVE QUIT
19 CLAIM DEED RECORDED NOVEMBER 30, 2015 IN THE ALLEN COUNTY
20 RECORDER'S OFFICE PER INSTRUMENT NUMBER 2015060910, MORE
21 PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE
22 NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12;
23 THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID
24 SECTION 12, SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A DISTANCE
25 OF 1346.79 FEET TO THE NORTHEAST CORNER OF TRACT 1 2ND PARCEL PER
26 THE AFOREMENTIONED INSTRUMENT NUMBER 2015060910;
27 THENCE ALONG THE EAST LINE OF SAID TRACT 1 2ND PARCEL, SOUTH 00
28 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 65.63 FEET TO THE
29 SOUTHEAST CORNER OF THE PARCEL DEDICATED TO THE STATE OF INDIANA
30 PER INSTRUMENT NUMBER 207019601; THENCE ALONG THE SOUTH LINE OF
SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO
(2) COURSES: 1) SOUTH 88 DEGREES 42 MINUTES 47 SECONDS WEST, A
DISTANCE OF 261.99 FEET; 2) NORTH 88 DEGREES 25 MINUTES 28 SECONDS
WEST, A DISTANCE OF 9.49 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 11
SECONDS EAST, A DISTANCE OF 229.07 FEET TO THE **TRUE POINT OF
BEGINNING**; THENCE NORTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A
DISTANCE OF 229.07 FEET TO THE SOUTH LINE OF AFORESAID PARCEL
DEDICATED TO THE STATE OF INDIANA; THENCE ALONG THE SOUTH LINE OF
SAID PARCEL DEDICATED TO THE STATE OF INDIANA THE FOLLOWING TWO
(2) COURSES: 1) SOUTH 88 DEGREES 25 MINUTES 28 SECONDS EAST, A
DISTANCE OF 9.49 FEET; 2) NORTH 88 DEGREES 42 MINUTES 47 SECONDS EAST,
A DISTANCE OF 30.52 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 11
SECONDS EAST, A DISTANCE OF 229.51 FEET; THENCE NORTH 89 DEGREES 58
MINUTES 14 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE TRUE POINT
OF BEGINNING; CONTAINING 0.210 ACRES MORE OR LESS; THE BEARINGS FOR
THIS DESCRIPTION ARE BASED UPON THE INDIANA STATE PLANE
COORDINATE SYSTEM EAST ZONE (NAD83).

1 and the symbols of the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
3 Wayne, Indiana is hereby changed accordingly.
4

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

10 SECTION 3. That this Ordinance shall be in full force and effect from and after its
11 passage and approval by the Mayor.
12

13 _____
Council Member

14 APPROVED AS TO FORM AND LEGALITY:
15

16 _____
17 Carol T. Helton, City Attorney
18
19
20
21
22
23
24
25
26
27
28
29
30

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant MEV Illinois LLC c/o Kevin Vernick
Address 350 West Hubbard St. Suite 250
City Chicago State IL Zip 60654
Telephone 773.327.0620 E-mail kvernick@vernickassociates.com

Contact Person
Contact Person Kevin Vernick
Address 350 West Hubbard St. Suite 250
City Chicago State IL Zip 60654
Telephone 773.327.0620 E-mail kvernick@vernickassociates.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 7621 Illinois Road
Present Zoning AG Proposed Zoning B2 Acreage to be rezoned 0.72
Proposed density 1 units per acre
Township name Aboite Township section # 30N
Purpose of rezoning (attach additional page if necessary) Reasoning to allow for construction of a 3,500 SF Sherwin Williams Store.
Sewer provider Adam Indiana 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.

Kevin Vernick Kevin Vernick 6/4/18
(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)

(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
6.5-18	127261	7-9-18	REZ-2018-0033

THE HOMESTEAD WILSON, LLC

6435 West Jefferson Blvd., Fort Wayne, IN 46804

05/31/2018

To Whom It May Concern,

I am James J. Wilson, Managing Member of The Homestead Wilson, LLC, owner of the property located at 7600 Illinois Road, Fort Wayne, IN 46804.

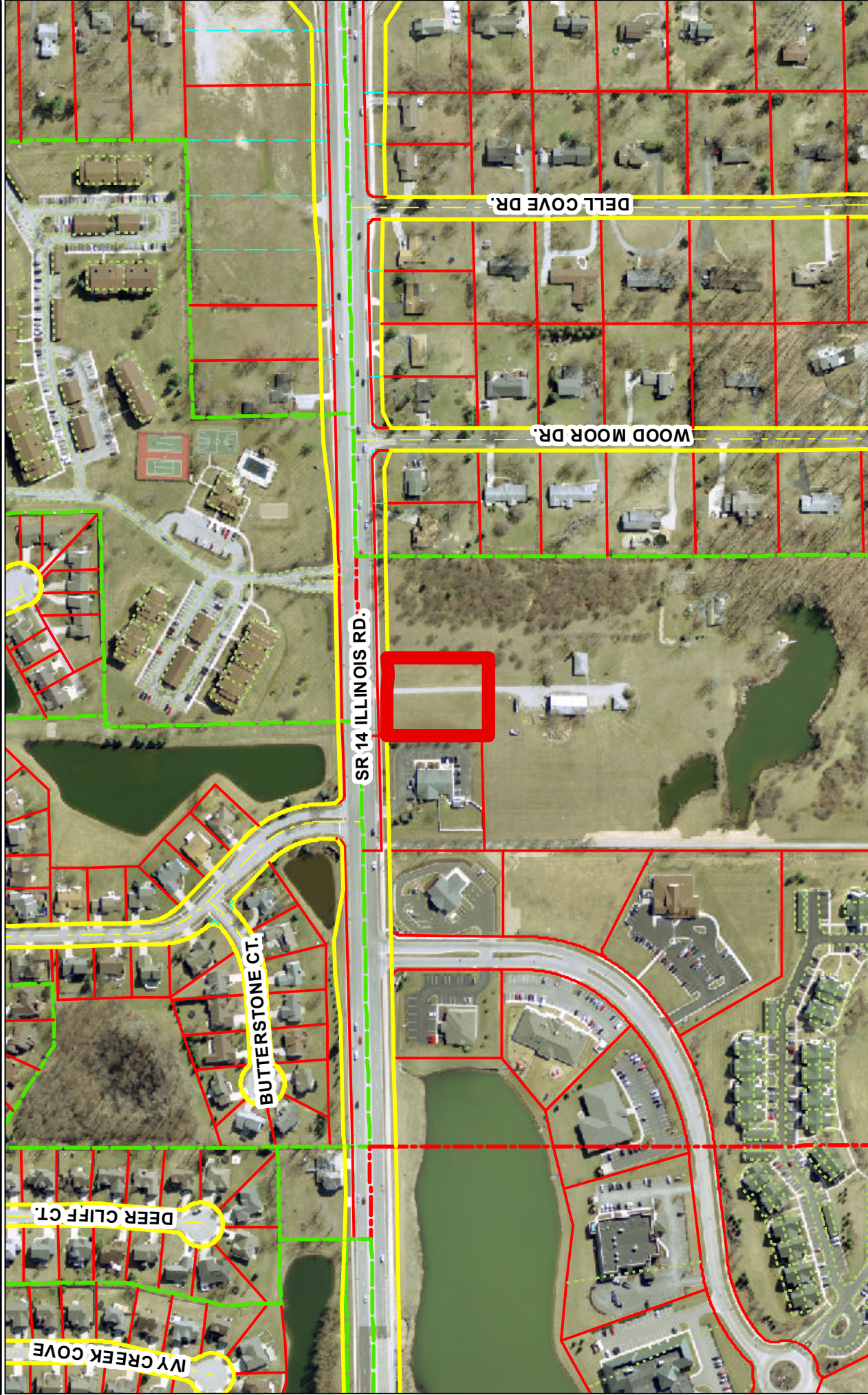
This letter is written to support the application, made by Kevin Vernick, to change the zoning of the property at issue.

Please treat Mr. Vernick as an agent of The Homestead Wilson for the purposes of all zoning and other applications made regarding the property.

Thank You,



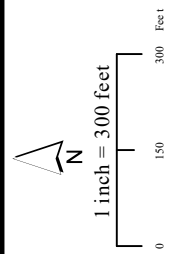
James J Wilson

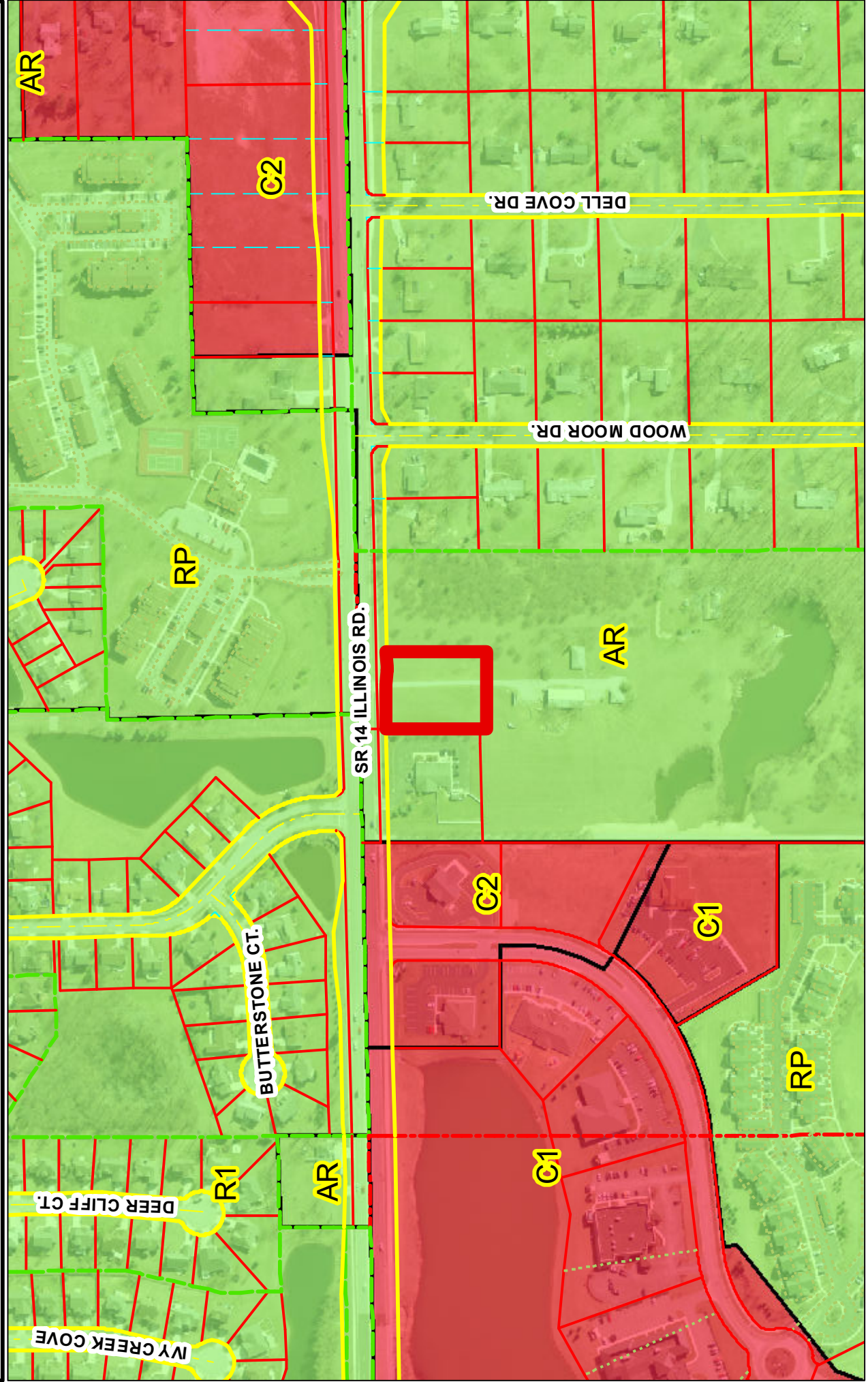


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 7/2/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only

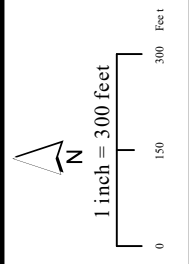




Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 7/2/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only





Eclipse

Quiver
Tan

Universal Khaki

Aluminum
Storefront

Galvanized
Canopy

