

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0044
Bill Number: Z-18-08-28
Council District: 4-Jason Arp

Introduction Date: August 28, 2018

Plan Commission
Public Hearing Date: September 10, 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 acre of property from R1-Single Family Residential to C2-Limited Commercial

Location: 1907 Getz Road

Reason for Request: To rezone property to allow for a 2,700 square foot retail building.

Applicant: Peter Bobeck

Property Owner: Peter Bobeck

Related Petitions: Primary Development Plan, Getz Road Development (2018)

Effect of Passage: Property will be rezoned to the C2-Limited Commercial district which will allow a variety of retail uses.

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

#REZ-2018-0044

BILL NO. Z-18-08-28

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. E-03 (Sec. 7 of Wayne 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 C2 (Limited
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Tract 1:

Part of Lot Number One (1) in Poplar Ridge Subdivision recorded in Plat Book 48,
Page 124 in the Office of the Recorder of Allen County, Indiana, being part of the
Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second
Principal Meridian, Wayne Township in Allen County, Indiana, more particularly
described as follows:

Commencing at a Railroad Spike marking the Southwest corner of said Northeast
Quarter; thence North 00 degrees 03 minutes 32 seconds West (GPS grid bearing and
basis of bearings to follow), a distance of 212.75 feet (Deed) along the West line of
said Northeast Quarter and within the right-of-way of Getz Road; thence South 88
degrees 44 minutes 45 seconds East, a distance of 40.0 feet (Deed) to the Southwest
corner of an existing 0.850 acre tract as described in Document Number 2017025486
in the Office of the Recorder of Allen County, Indiana, said point also being the
Point of Beginning of the herein described tract. Thence South 88 degrees 44
minutes 45 seconds East, a distance of 227.60 feet (Deed) along said South line to
the East line of said 0.850 acre tract; thence South 00 degrees 03 minutes 32 seconds
East, a distance of 22.00 feet along the Southerly extension of said East line; thence
North 88 degrees 58 minutes 07 seconds West, a distance of 70.00 feet; thence South
01 degrees 01 minutes 53 seconds West, a distance of 16.87 feet; thence North 88
degrees 58 minutes 07 seconds West, a distance of 93.17 feet; thence North 72
degrees 37 minutes 45 seconds West, a distance of 67.16 feet to the Easterly right-of-
way line of said Getz Road; thence North 00 degrees 03 minutes 32 seconds West, a
distance of 20.87 feet along said Easterly right-of-way line to the Point of Beginning.
Containing 0.164 Acres, more or less. Subject to easement of record.

Part of the Northwest Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, Indiana more particularly described as follows, to-wit:

and the symbols of the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne 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 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Carol T. Helton, City Attorney

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Peter Bobeck
Address 3333 W. Hamilton Rd.
City Fort Wayne State IN Zip 46814
Telephone 260-348-1204 E-mail Peter.bobeck@gmail.com

Contact Person
Contact Person see Above
Address _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

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 1907 Getz Road
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 0.9 acres
Proposed density up to 2500 square feet units per acre
Township name Wayne Township section # _____
Purpose of rezoning (attach additional page if necessary) Please see Attached
Sewer provider _____ Water provider _____

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.

Peter Bobeck Peter Bobeck 7-24-18
(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.
7/24/18	127827	9-10-18	REZ-2018-0044

I am seeking rezoning of this parcel from a residential use to commercial to develop a use that is more consistent with the increased traffic along Getz Road.

This same parcel was submitted for rezoning in December of 2017. I am submitting the same survey as well as the same Primary Development Plan

The reasons for a "Do not Pass" recommendation were as follows:

Concern: Lack of specificity with respect to intended use

Developer Solution: Developer will limit prospective uses to the following:

1. Retail food and beverage uses such as small restaurant, café, or dessert / ice cream store
2. Quick serve restaurant
3. Stand alone professional office for uses such as insurance, financial services, banking, legal services

Concern: Southbound traffic on Getz Road might still try to turn left into existing Poplar Ridge entrance and cars leaving existing Poplar Ridge entrance will try to turn left to go Southbound on Getz

Developer Solution: Developer has come to an agreement with Poplar Ridge owner (Tom Chronister) whereby access road shown in Primary Development Plan would tie into Poplar Ridge and existing Poplar Ridge entrance would be limited to "Right In / Right Out" traffic. This limitation would be called out by both a "pork chop" at the entrance as well as signage on the property. Traffic Engineering has approved this solution.



PROJECT NO.	DATE
5984	11-13-17
REV.	DATE

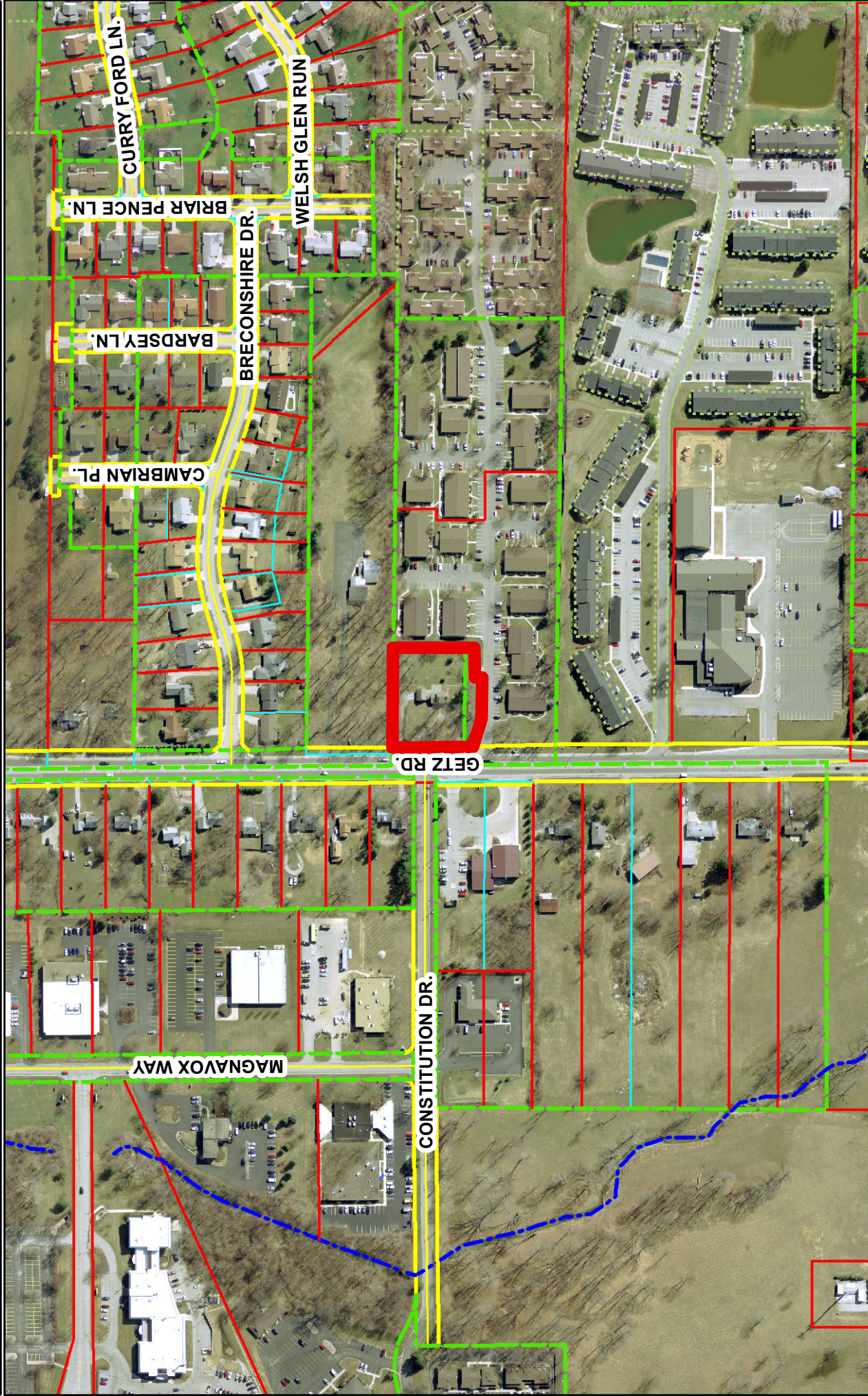
C4-1

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Primary Development Plan

0.01-1

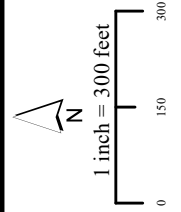
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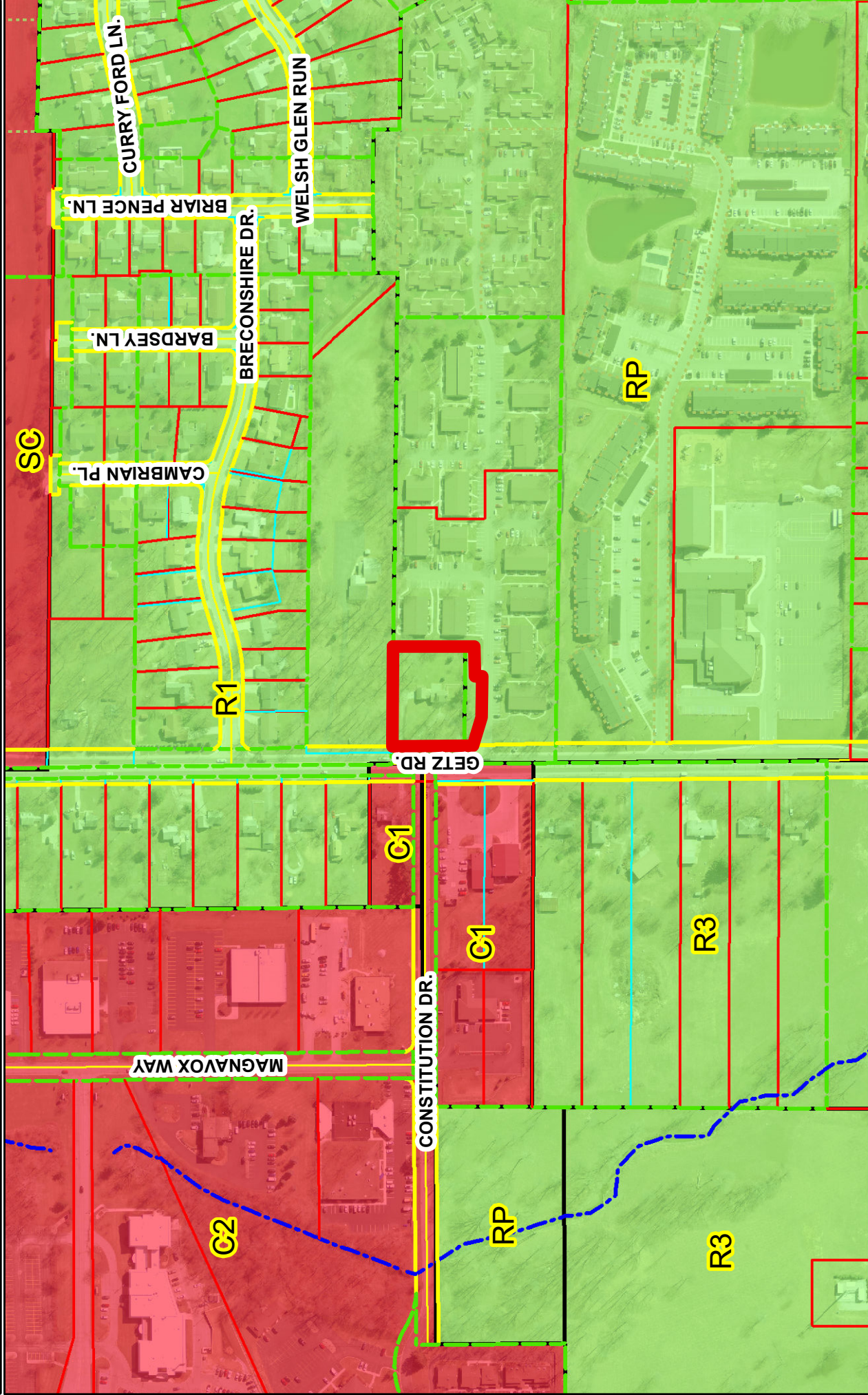


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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/20/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only





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