

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0021
Bill Number: Z-19-04-17
Council District: 6-Glynn Hines

Introduction Date: April 23, 2019

Plan Commission
Public Hearing Date: May 6, 2019 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 4.22 acres of property from I1-Limited Industrial and I2-General Industrial to I3-Intensive Industrial.

Location: 3600 East Washington Boulevard

Reason for Request: To permit auto auction services for vehicles that are primarily inoperable or wrecked.

Applicant: Copart of Connecticut, Inc.

Property Owner: Auction Real Estate, LLC

Related Petitions: Primary Development Plan, Copart

Effect of Passage: Property will be rezoned to the I3-Intensive Industrial which will allow the existing auto auction site to be used to the sale of inoperable and wrecked vehicles. The zoning ordinance defines this as a junkyard, which is an I3 use.

Effect of Non-Passage: The property will remain zoned I1-Limited Industrial, I2-General Industrial, and I3-Intensive Industrial. A junkyard is not permitted in I1 and I2.

#REZ-2019-0021

BILL NO. Z-19-04-17

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-02 (Sec. 8 of Adams 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 an I3
(Intensive Industrial) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Part of the Northwest Quarter of Section 8, Township 30 North, Range 13 East, Allen
County, Indiana, in particular described as follows, to-wit:

Commencing on the North line of the right-of-way of the Wabash Railroad at a point
situated 272.5 feet East of the West line of said quarter section; thence North and
parallel to said quarter section line, 514.5 feet to the centerline of Pennsylvania Street as
recorded in the plat of Harvester View Addition in Plat Book 10, page 29, in the Office
of the Recorder of said county; thence Southeasterly by a deflection right of 100 degrees
42 minutes, 229.0 feet; thence South and parallel to the West line of said quarter section,
471.8 feet to the North right-of-way line 225.0 feet to the Point of Beginning.

AND

Part of the Northwest Quarter of Section 8, Township 30 North, Range 13 East, Allen
County, Indiana, lying North of the Wabash Railroad and South of U.S. Highway No. 24
and 30, as presently established, in particular described as follows, to-wit:

Commencing at a point within said quarter section situated 272.5 feet East of the West
line of said quarter section and 514.5 feet North of the North right-of-way line of the
Wabash Railroad (now the Norfolk and Western Railway CO.); thence North parallel to
the West line of said quarter section a distance of 324 feet; thence Southeastwardly
making an interior angle of the tract herein being described of 78 degrees 52 minutes, a
distance of 229.3 feet to a point situated 497.5 feet East of the West line of said Quarter
section; thence South parallel to the West line of said quarter section a distance of 322.2
feet to a point set 471.8 feet North of the North right-of-way line of said Wabash
Railroad; thence Northwestwardly 229 feet to the Point of Beginning.

and the symbols of the City of Fort Wayne Zoning Map No. R-02 (Sec. 8 of Adams

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 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 Copart of Connecticut, Inc., a Connecticut Corporation

Address 14185 Dallas Parkway

City Dallas State Texas Zip 75254

Telephone 972-391-5036 E-mail hilary.negron@copart.com

**Contact
Person**

Contact Person Thomas M. Niezer

Address 215 East Berry Street

City Fort Wayne State IN Zip 46802

Telephone 260-423-8898 E-mail tmn@barrettllaw.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 3600 East Washington Boulevard

Present Zoning I-1; I-2 Proposed Zoning I-3 Acreage to be rezoned 4.22 acres

Proposed density N/A units per acre

Township name Adams Township Township section # 5

Purpose of rezoning (attach additional page if necessary) See Exhibit "A"

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

REZ-2019-0021

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.

Copart of Connecticut, Inc.

(printed name of applicant)


(signature of applicant)

April 2, 2019

(date)

Mason Laycock, Mng. of Property & Development

(printed name of property owner)

(signature of property owner)

(date)

Auction Real Estate, LLC

April 2, 2019

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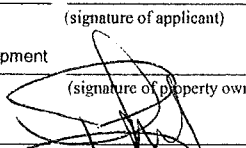
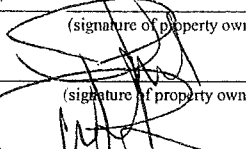
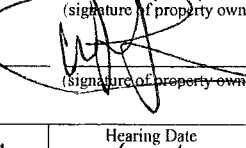
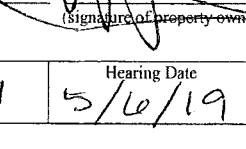
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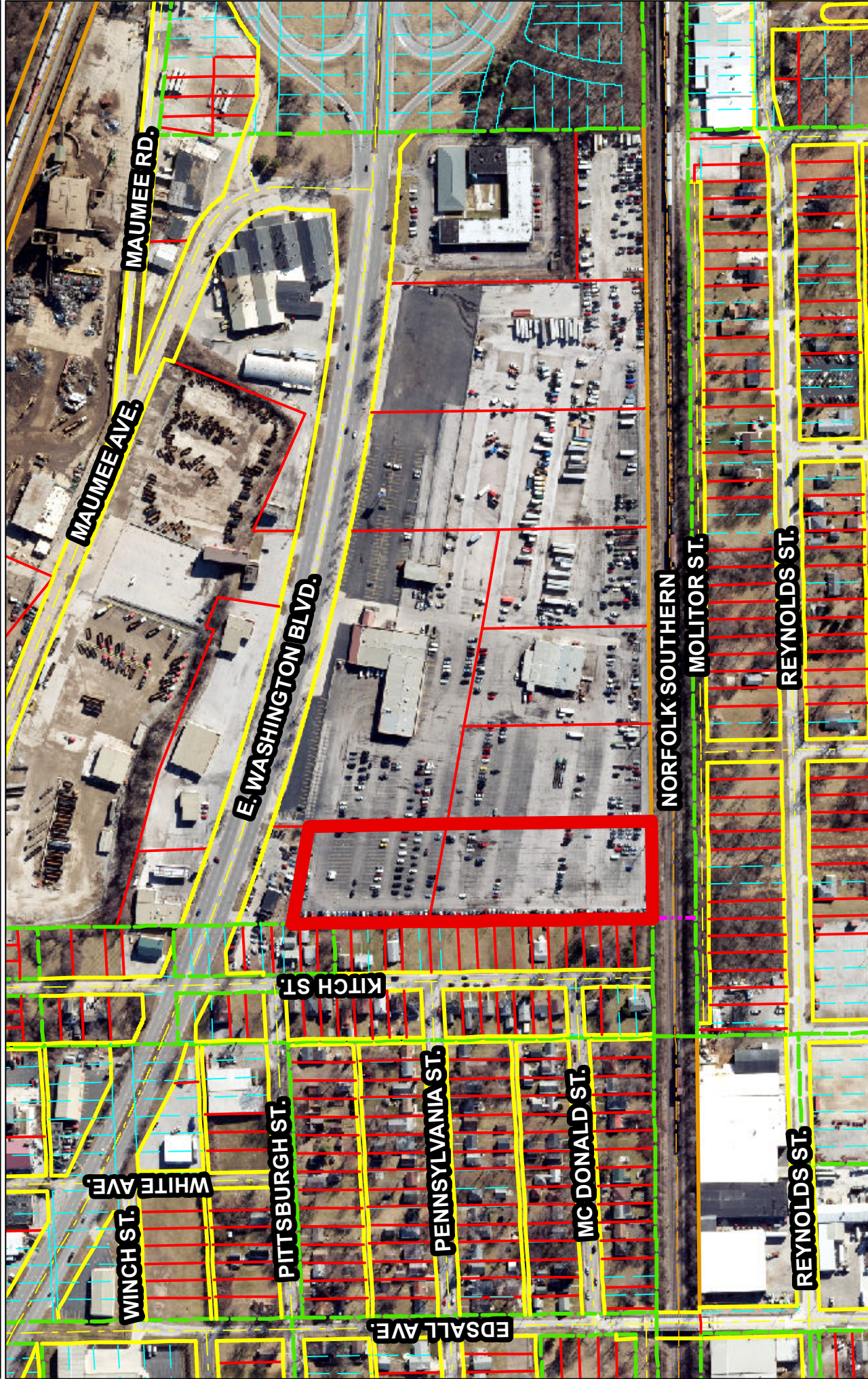
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<u>Copart of Connecticut, Inc.</u> (printed name of applicant)	 (signature of applicant)	<u>April 2, 2019</u> (date)
<u>Mason Laycock, Mng. of Property & Development</u> (printed name of property owner)	 (signature of property owner)	<u>April 2, 2019</u> (date)
<u>Auction Real Estate, LLC</u> (printed name of property owner)	 (signature of property owner)	<u>4-1-19.</u> (date)
<u>Carl Miskotten, President</u> (printed name of property owner)	 (signature of property owner)	<u>4-1-19.</u> (date)

Received <u>4/2/19</u>	Receipt No. <u>129907</u>	Hearing Date <u>5/6/19</u>	Petition No. <u>REZ-2019-0021</u>
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Rezoning Petition REZ-2019-0021 - 3600 E Washington Blvd



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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/17/2019

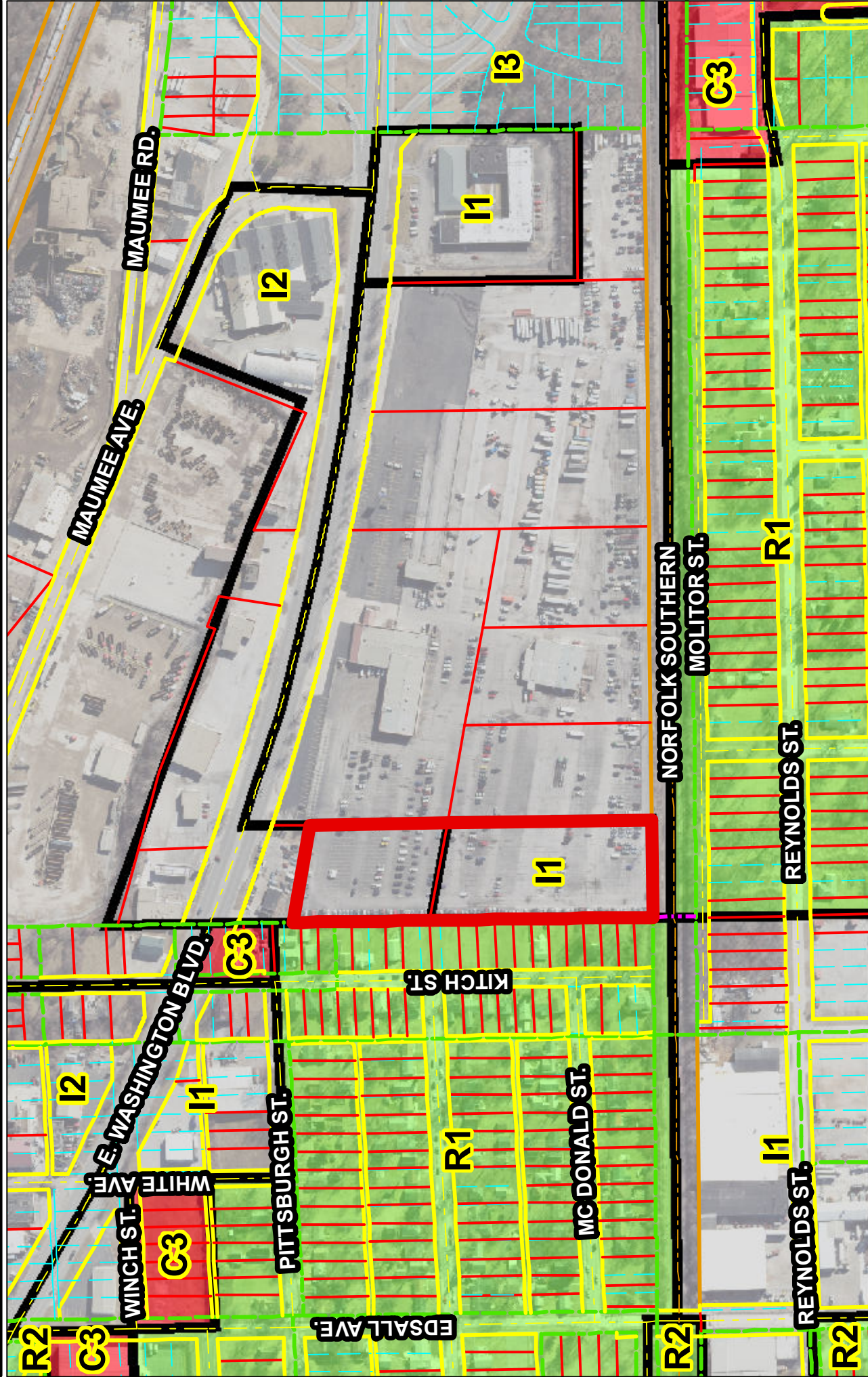


1 inch = 300 feet





Rezoning Petition REZ-2019-0021 - 3600 E Washington Blvd



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