

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0063
Bill Number: Z-19-09-12
Council District: 2-Russ Jehl

Introduction Date: September 24, 2019

Plan Commission
Public Hearing Date: October 7, 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 1.0 acre from R3/Multiple Family Residential to C2/Limited Retail

Location: 6255 Topsfield Lane

Reason for Request: To allow for a multi-tenant retail development

Applicant: Matthew Heiman

Property Owner: Donald E. Cole, Jr.

Related Petitions: Primary Development Plan, Heiman Multi-tenant Development

Effect of Passage: Property will be rezoned to the C2/Limited Retail district to allow for the construction of a multi-tenant retail building.

Effect of Non-Passage: The property will remain zoned R3/Multiple Family Residential and my develop with residential uses.

#REZ-2019-0063

BILL NO. Z-19-09-12

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. U-46 (Sec. 9 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 C2 (Limited
Retail) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Part of the lands of Show-Me-Properties, LLC, as described in Recorder's Document
#205056654 being situated in the Southeast Quarter of Section 9, Township 31 North,
Range 13 East, Second Principal Meridian, Saint Joseph Township, Allen County, Indiana,
this new description was prepared by Micheal C. Vodde, Indiana Professional Surveyor
#20100011, as part of Anderson Surveying, Inc. Survey #19-08-120, dated September 18,
2019, more particularly described as follows:

Beginning at a 5/8-inch rebar monumenting the southeast corner of Concord Place, Section
3, as recorded in Plat Cabinet "B", page 146 (Recorder's Document #93-32199); thence
North 12 degrees 34 minutes 41 seconds East (all bearings in this description are based on
the Indiana East State Plane Coordinate System) on the easterly line of said Concord Place,
Section 3, as defined by found monuments, a distance of 179.47 feet to a 5/8" rebar with a
Firm #0027 identification cap monumenting a southerly corner of said Concord Place,
Section 3; thence North 86 degrees 37 minutes 16 seconds East on a southerly line of said
Concord Place, Section 3, as defined by found monuments, a distance of 179.88 feet to a 1/2-
inch rebar on the west right-of-way line of Maplecrest Road as recorded in Document
#990061690; thence South 03 degrees 05 minutes 23 seconds East on said west right-of-
way line, a distance of 209.68 feet to a 5/8" rebar with a Firm #0027 identification cap
monumenting the northeast corner of Topsfield Lane as described in a Street Dedication
Deed as recorded in Document #990081464; thence South 86 degrees 41 minutes 36
seconds West on the north line of said Document #990081464, a distance of 117.05 feet to
a 5/8" rebar with a Firm #0027 identification cap monumenting the Point of Curvature of a
curve to the right having a radius of 175.00 feet; thence northwesterly continuing on the
north line of said Document #990081464 on said curve, with an arc length of 90.21 feet, and
being subtended by a chord bearing North 78 degrees 32 minutes 22 seconds West, a chord
length of 89.21 feet to a 5/8" rebar with a Firm #0027 identification cap monumenting the
Point of Tangency of said curve; thence North 63 degrees 46 minutes 40 seconds West
continuing on said north line, a distance of 28.61 feet to the Point of Beginning, **containing
0.971 acres of land, more or less**, subject to all legal rights-of-way, subject to all Regulated
Drain Easements for any Regulated Drains or Tiles being on or within 75 feet of the above
described parcel, subject to all other easements, restrictions and rights affecting the above-
described parcel.

1 and the symbols of the City of Fort Wayne Zoning Map No. U-46 (Sec. 9 of St. Joseph
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
11
12
13
14

15 SECTION 3. That this Ordinance shall be in full force and effect from and after its
16 passage and approval by the Mayor.
17
18

19 _____
Council Member

20 APPROVED AS TO FORM AND LEGALITY:
21

22 _____
Carol T. Helton, City Attorney
23
24
25
26
27
28
29
30

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Matthew Heiman
 Address 1165 N. Santerini Dr.
 City MURKIN State IN Zip 46580
 Telephone (574) 376-0160 E-mail mattheuman720@gmail.com

Contact Person
 Contact Person Phillip A Troyer Inc - Architect
 Address 1510 W Ludwig Rd
 City Fort Wayne State IN Zip 46825
 Telephone 260-489-2810 E-mail phil@patroyer.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 _____
 Present Zoning R3 Proposed Zoning C2 Acreage to be rezoned 1.0
 Proposed density One building - 6500 sf units per acre
 Township name _____ Township section # _____
 Purpose of rezoning (attach additional page if necessary) See development plan
 Sewer provider Fort Wayne Water provider 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 sealed)
☒ Legal Description of parcel to be rezoned
☒ Rezoning Questionnaire (original and 10 copies) County Recordings Only

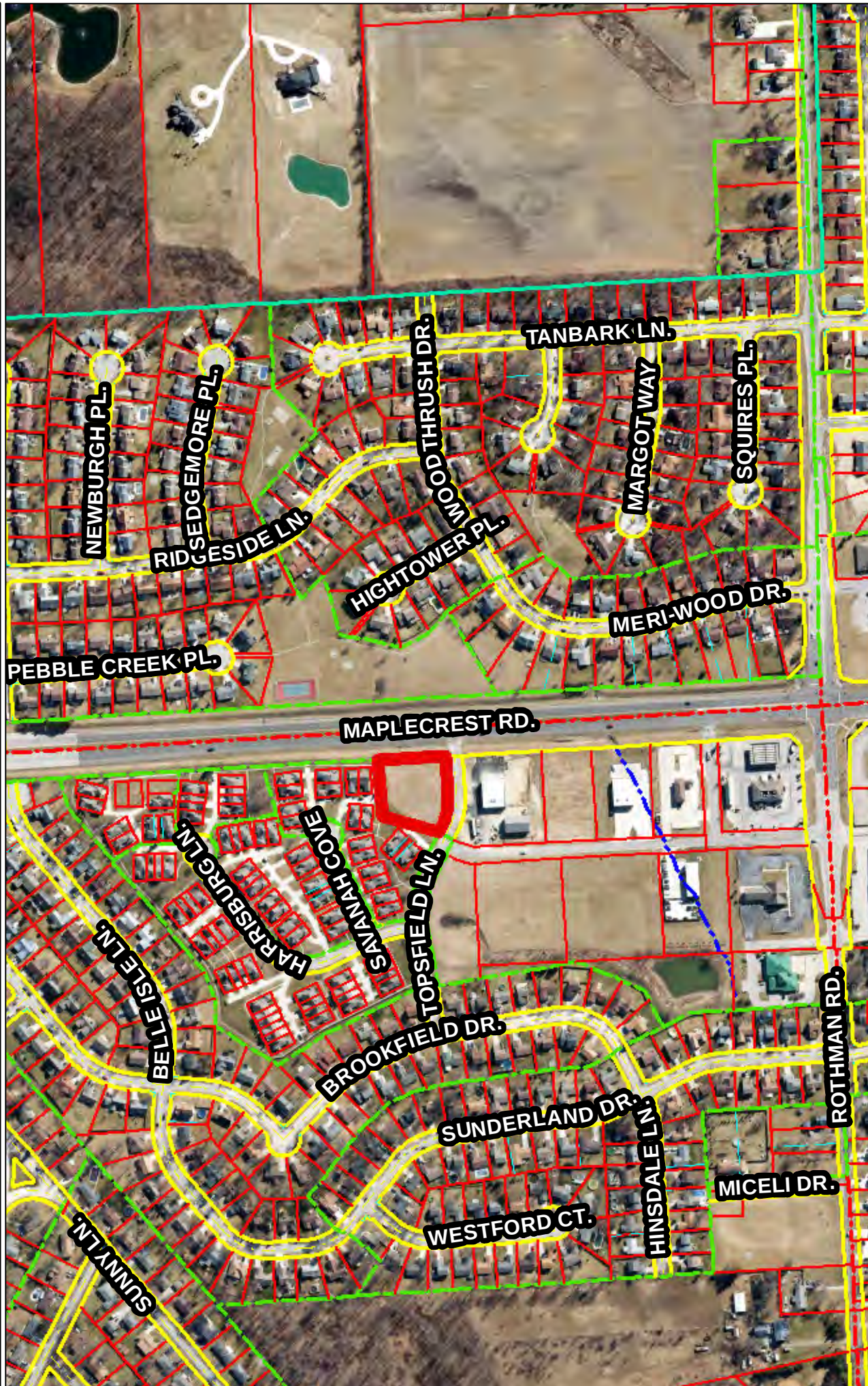
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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 \$0.35 per notice and a public notice fee of \$50.00 per notice.

Matthew Heiman Matthew Heiman 8/27/19
 (printed name of applicant) (signature of applicant) (date)
Donald E. Cline, Jr. [Signature] 08/27/19
 (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.
<u>8-3-19</u>	<u>131826</u>	<u>10-7-19</u>	<u>REZ-2019-0063</u>

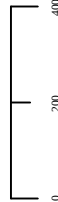


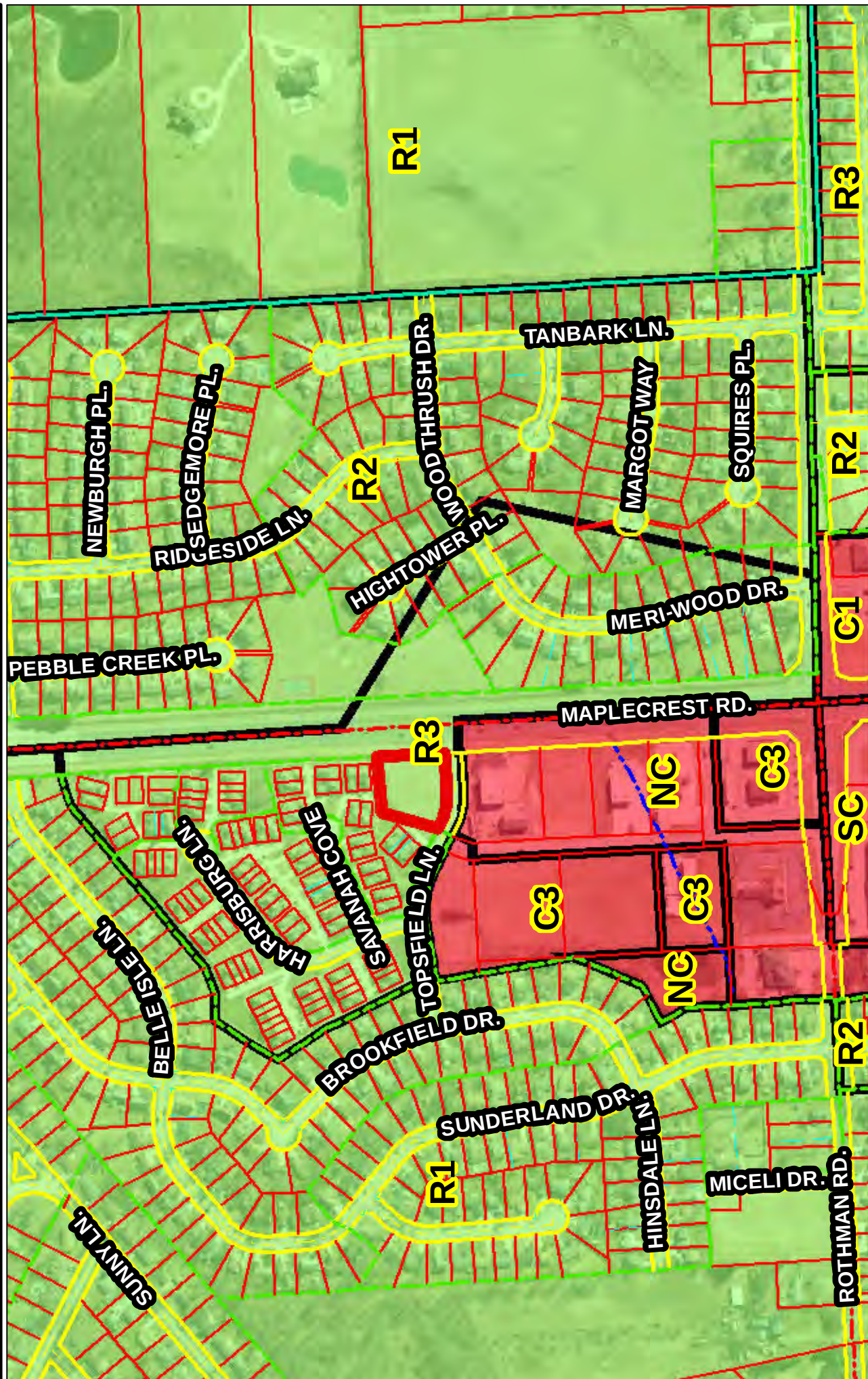
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/10/2019



1 inch = 400 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
Date: 9/10/2019



1 inch = 400 feet

