

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0073
Bill Number: Z-19-11-17
Council District: 4-Jason Arp

Introduction Date: November 26, 2019

Plan Commission
Public Hearing Date: December 9, 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 3.2 acres from AR/Low Intensity Residential to C1/Professional Office and Personal Services.

Location: 7621 Illinois Road

Reason for Request: To allow for three commercial office lots as part of a larger mixed-use development.

Applicant: The Homestead Wilson, LLC

Property Owner: The Homestead Wilson, LLC

Related Petitions: Primary Development Plan, Inverness Park

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services district which will allow a variety of office uses.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may develop with agricultural or single family uses.

#REZ-2019-0073

BILL NO. Z-19-11-17

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:

PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30 NORTH,
RANGE 11 EAST, ALLEN COUNTY, INDIANA AND BEING FURTHER A PART OF THE
LANDS OF THE HOMESTEAD WILSON, LLC AS DESCRIBED IN DOCUMENT NUMBER
2015060910 IN THE RECORDS OF THE RECORDER OF ALLEN COUNTY, INDIANA AND
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

TO ARRIVE AT THE POINT OF BEGINNING, COMMENCE AT THE NORTHEAST
CORNER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 30 NORTH,
RANGE 11 EAST, ALLEN COUNTY, INDIANA; THENCE SOUTH 88 DEGREES 43
MINUTES 06 SECONDS WEST (BASIS OF BEARINGS IS INDIANA STATE PLANE
COORDINATE SYSTEM, EAST ZONE, GRID) ALONG THE NORTH LINE OF SAID
NORTHWEST QUARTER, A DISTANCE OF 1346.67 FEET (1346.3 FEET, 1346.43 FEET,
1346.79 FEET RECORDED) TO THE NORTHEAST CORNER OF THE WEST HALF OF
SAID NORTHWEST QUARTER; THENCE SOUTH 0 DEGREES 04 MINUTES 23
SECONDS EAST ALONG THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST
QUARTER, A DISTANCE OF 65.63 TO THE SOUTH RIGHT OF WAY OF A PUBLIC ROAD
KNOWN AS ILLINOIS ROAD (STATE ROAD NO. 14) AS DESCRIBED IN DOCUMENT
NUMBER 207019601 TO THE POINT OF BEGINNING INITIALLY REFERRED TO;
THENCE CONTINUING SOUTH 0 DEGREES 04 MINUTES 23 SECONDS EAST ALONG
THE LINE AFORESAID AS COINCIDENT WITH THE WEST LINE OF THE PLAT OF
COVINGTON DELLS ADDITION AS RECORDED IN PLAT BOOK 20, PAGE 38, A
DISTANCE OF 520.23 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 37 SECONDS
WEST, A DISTANCE OF 321.31 FEET; THENCE NORTH 42 DEGREES 23 MINUTES 28
SECONDS EAST, A DISTANCE OF 32.27 FEET; THENCE NORTHEASTERLY ALONG A
CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 212.0 FEET, A DISTANCE OF
140.61 FEET, THE CHORD OF WHICH BEARS NORTH 19 DEGREES 03 MINUTES 18
SECONDS EAST, 138.05 FEET; THENCE NORTH 0 DEGREES 03 MINUTES 14
SECONDS EAST, A DISTANCE OF 131.64 FEET; THENCE NORTH 89 DEGREES 57
MINUTES 55 SECONDS WEST, A DISTANCE OF 17.33 FEET TO THE SOUTHEAST
CORNER OF THE LANDS OF MEV ILLINOIS LLC AS DESCRIBED IN DOCUMENT
NUMBER 2019013205; THENCE NORTH 0 DEGREES 05 MINUTES 52 SECONDS WEST
ALONG THE EAST LINE OF THE LANDS OF MEV ILLINOIS LLC, A DISTANCE OF 229.08
FEET TO THE NORTHEAST CORNER THEREOF AS SITUATED ON THE SOUTHERLY
RIGHT OF WAY OF A PUBLIC ROAD KNOWN AS ILLINOIS ROAD (STATE ROAD NO.

1 14) AS DESCRIBED IN DOCUMENT NUMBER 207019601; THENCE SOUTH 88
2 DEGREES 25 MINUTES 09 SECONDS EAST ALONG SAID RIGHT OF WAY, A
3 DISTANCE OF 9.54 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY,
4 NORTH 88 DEGREES 43 MINUTES 06 SECONDS EAST, A DISTANCE OF 261.94 FEET
5 TO THE POINT OF BEGINNING, CONTAINING 3.18 ACRES OF LAND, MORE OR LESS.

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

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

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

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16 _____
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY:

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20 _____
21 Carol T. Helton, City Attorney
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Department of Planning Services
Rezoning Petition Application

Applicant
Applicant THE HOMESTEAD WILSON, LLC
Address 6435 WEST JEFFERSON BOULEVARD #136
City FORT WAYNE State INDIANA Zip 46804
Telephone 941-928-9440 E-mail apreality@live.com

Contact Person
Contact Person PETER G. MALLERS, ESQ. OF BEERS MALLERS BACKS & SALIN, LLP
Address 110 WEST BERRY STREET, SUITE 1100
City FORT WAYNE State INDIANA Zip 46802
Telephone 260-426-9706 E-mail pgmallers@beersmallers.com

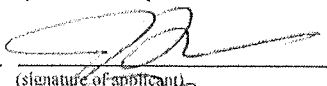
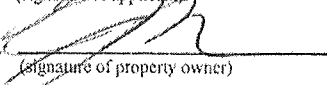
All staff correspondence will be sent only to the designated contact person.

Request
☐ Allen County Planning Jurisdiction ☐ City of Fort Wayne Planning Jurisdiction
Address of the property 7621 ILLINOIS ROAD, FORT WAYNE, INDIANA
Present Zoning AR Proposed Zoning C1 Acreage to be rezoned APPROX 3.18 AS SET FORTH ON
Proposed density ATTACHED EXHIBIT "A" units per acre
Township name ABOITE Township section # 30
Purpose of rezoning (attach additional page if necessary) TO DEVELOP THIS 3.18 ACRE
SITE FOR LOW INTENSITY COMMERCIAL
Sewer provider CITY Water provider CITY

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

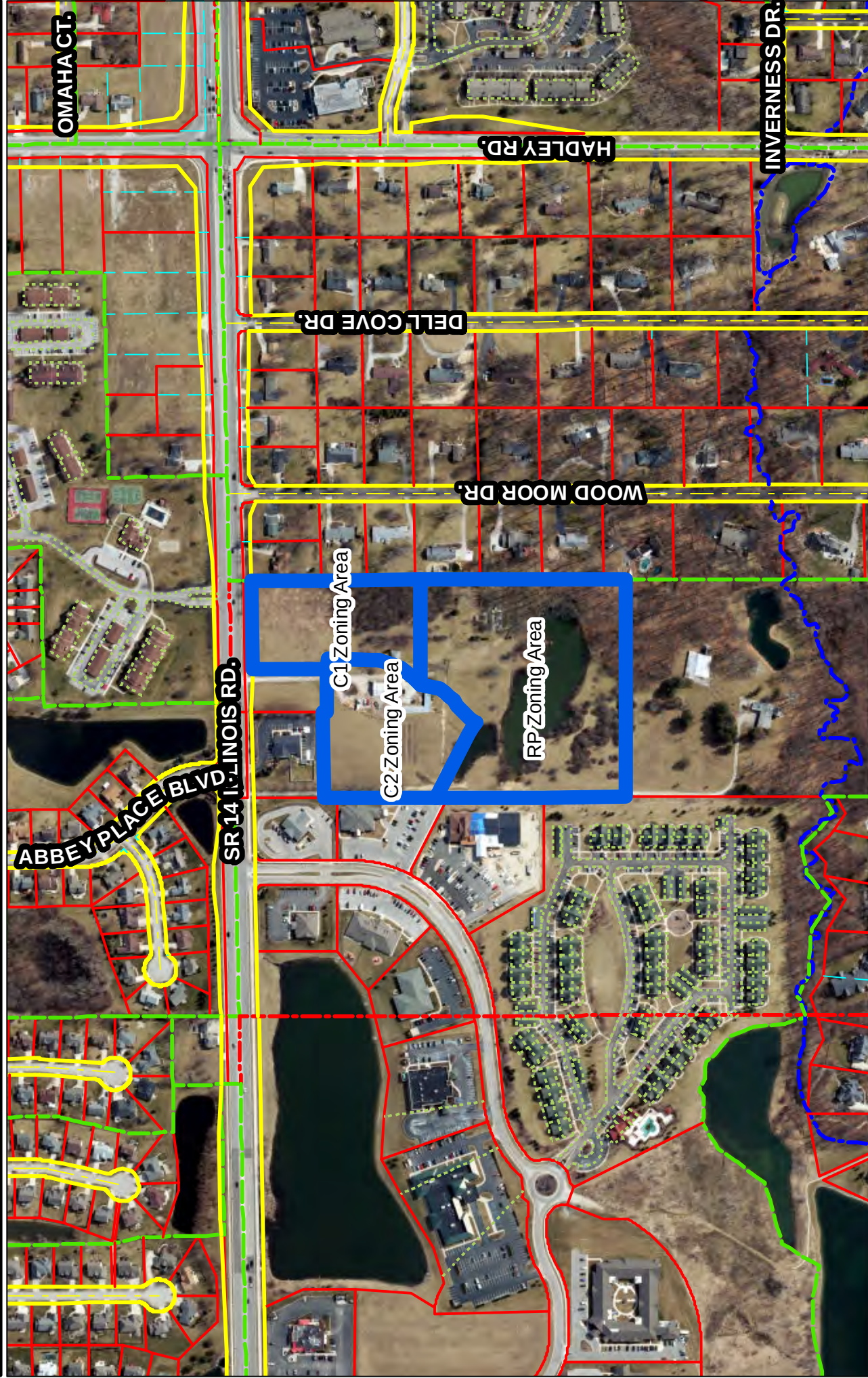
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures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

THE HOMESTEAD WILSON, LLC By:  11/11/19
(printed name of applicant) Jana Wilson (signature of applicant) (date)
THE HOMESTEAD WILSON, LLC By:  11/11/19
(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.
11-5-19	132523	12-9-19	RE2-2019-0073

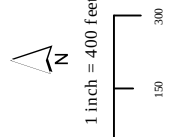


Rezoning Petitions REZ-2019-0070, 0072, 0073 and Primary Development Plan PDP-2019-0056 - Inverness Park



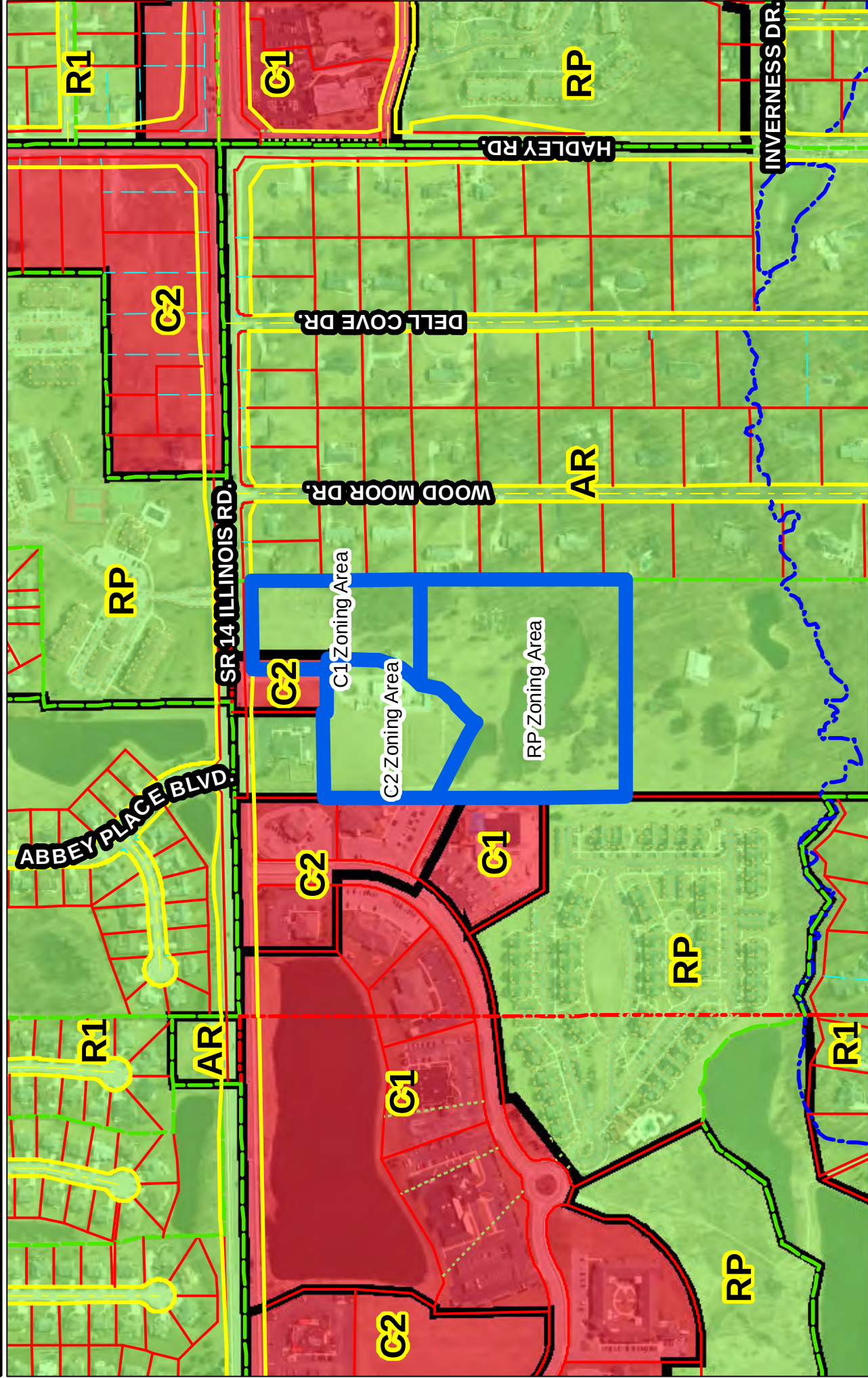
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/13/2019





Rezoning Petitions REZ-2019-0070, 0072, 0073 and Primary Development Plan PDP-2019-0056 - Inverness Park

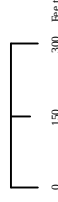


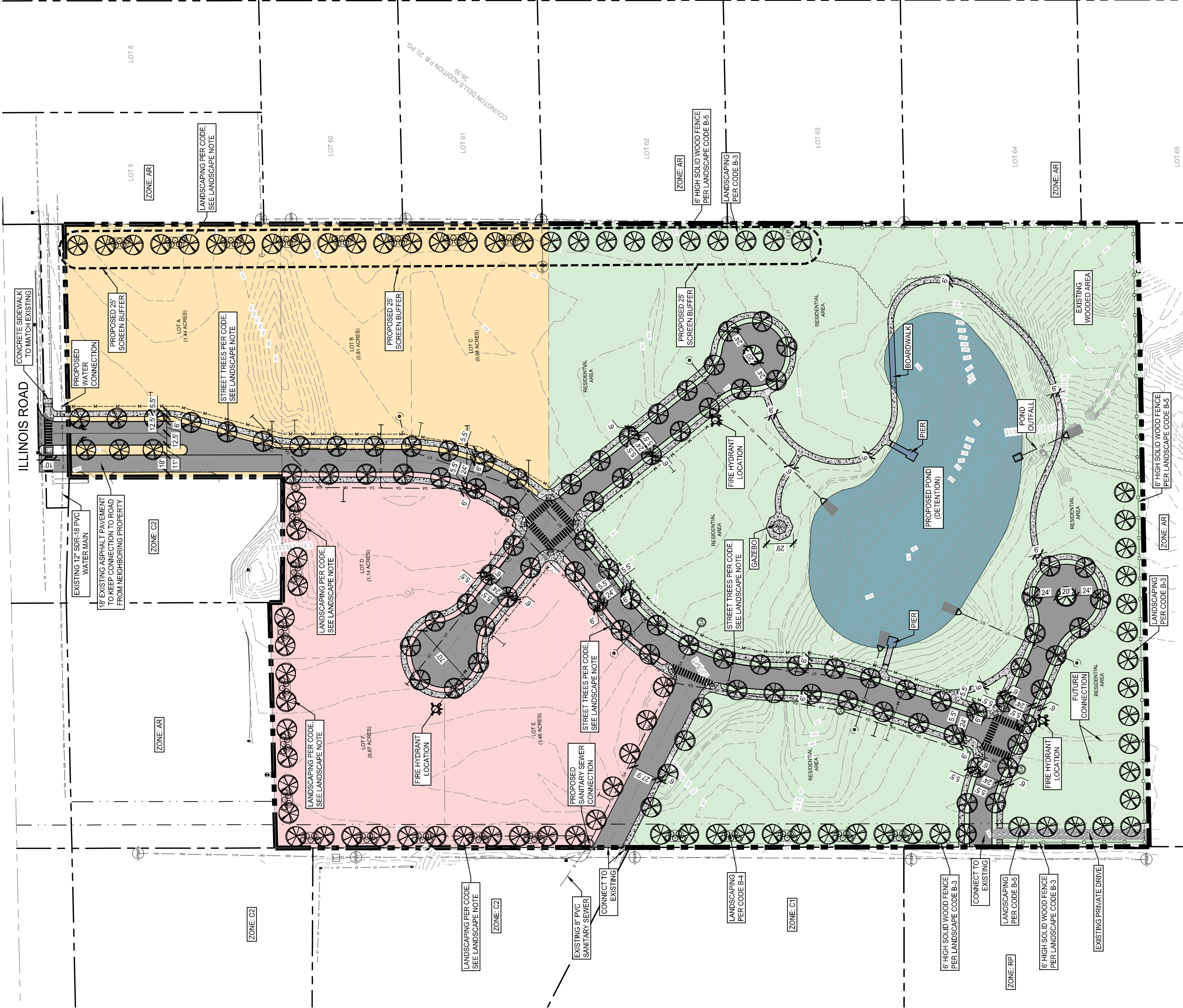
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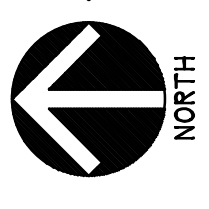


1 inch = 400 feet





PRIMARY DEVELOPMENT PLAN
SCALE: 1" = 60'



LOCATION MAP
SCALE: NOT TO SCALE



FLOOD INSURANCE RATE MAP (FIRM):
ALLEN COUNTY, INDIANA AND INCORPORATED AREAS
FIRM MAP NUMBER: 18030C0280G
PANELS 280 OF 495
DATED AUGUST 3, 2009

LOT INFORMATION	
EXISTING ZONING	AR
PROPOSED ZONING	LOTS A, B, & C: C1 LOTS D, E, & F: C2 REMAINING LOTS: RP
CURRENT USE	FIELD
PROPOSED USE	COMMERCIAL & MIXED FAMILY RESIDENTIAL

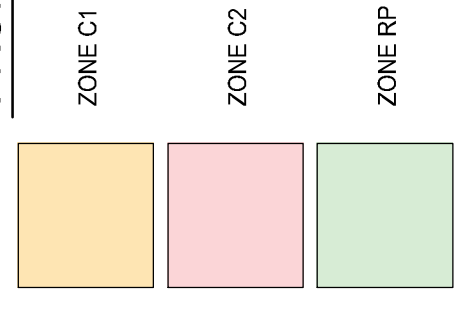
INVERNESS PARK

ILLINOIS RD. FORT WAYNE, IN

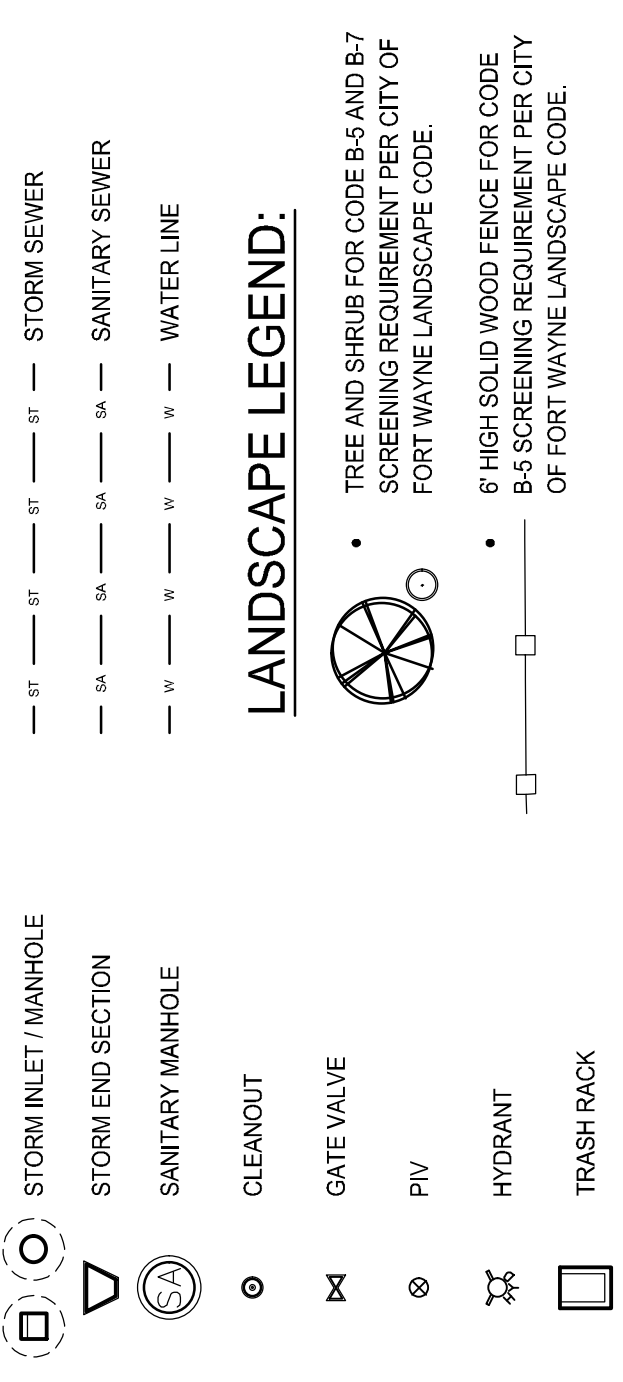
DEVELOPER	
JAMES J. WILSON 6639 W. JEFFERSON BLVD. 136 FORT WAYNE, IN 46804 PH: (841) 938-9440 ajwilson@live.com	CHARLES A. WILSON III 6017 ALTAMONT PLACE BALTIMORE, MD 21210-1001 PH: (410) 446-6755 cawilson@hotmail.com
ENGINEER	
ENGINEERING RESOURCES, INC. 11020 DIEBOLD ROAD, FORT WAYNE, IN 46845 PH: (260) 490-1025 FAX: (260) 490-1026 CONTACT: MARK REINHARD EMAIL: mark@eri.consulting	
SURVEYOR	
FORESIGHT CONSULTING, LLC 1910 ST. JOE CENTER RD #61 FORT WAYNE, IN 46825 PH: (260) 422-9922 MICHAEL DAVIS EMAIL: mdae@fcsllc.biz	

LANDSCAPE NOTE:
LANDSCAPE SCREENING SHALL BE PROVIDED PER CITY OF FORT WAYNE REQUIREMENTS FOR THE DEVELOPMENT OF PROPOSED LOTS.

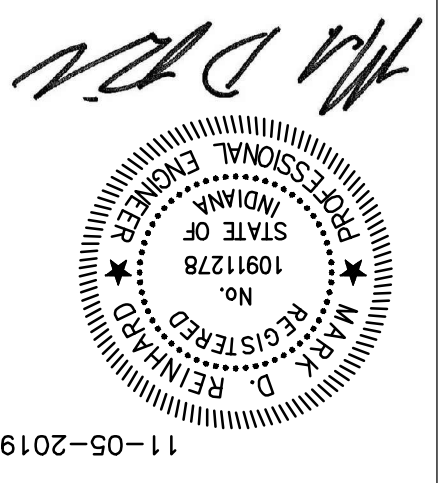
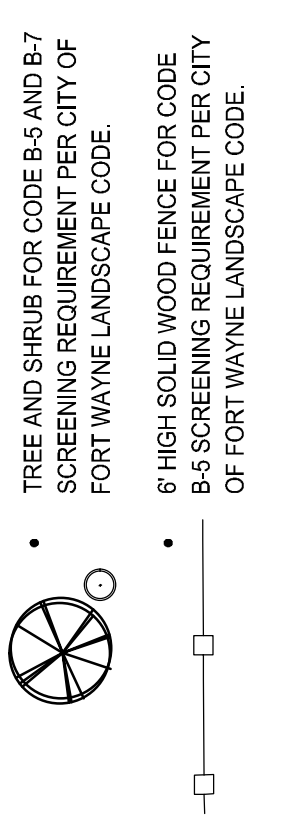
PROPOSED ZONE LEGEND:



PROPOSED LEGEND:



LANDSCAPE LEGEND:



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CAD FILE	4930 - Primary Development Plan
PLOT DATE	11/05/2019
DRAWN BY	AND
PLOT SCALE	1"=60'
REVISIONS	
DATE	DESCRIPTION

PRIMARY DEVELOPMENT PLAN
PD1

