

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0072
Bill Number: Z-19-11-16
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 9.1 acres from AR/Low Intensity Residential to RP/Planned Residential.

Location: 7621 Illinois Road

Reason for Request: To allow for multiple family residential 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 RP/Planned Residential district which will allow for multiple family residential development.

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

#REZ-2019-0072

BILL NO. Z-19-11-16

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 an RP
(Planned Residential) 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 FEET TO THE SOUTH RIGHT OF WAY OF A PUBLIC
ROAD KNOWN AS ILLINOIS ROAD (STATE ROAD NO. 14) AS DESCRIBED IN
DOCUMENT NUMBER; 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, PAGES 38-39, A DISTANCE OF 520.23 FEET TO THE POINT OF BEGINNING
INITIALLY REFERRED TO; THENCE CONTINUING SOUTH 0 DEGREES 04 MINUTES 23
SECONDS EAST ALONG THE LINES AFORESAID, A DISTANCE OF 632.64 FEET TO
THE NORTHEAST CORNER OF THE LANDS OF KIMBERLY V. TRAN AS DESCRIBED IN
DOCUMENT NUMBER 2016062075.; THENCE SOUTH 88 DEGREES 56 MINUTES 36
SECONDS WEST ALONG THE NORTH LINE OF SAID KIMBERLY V. TRAN, A DISTANCE
OF 669.75 FEET (670 FEET, DEED) TO THE NORTHWEST CORNER THEREOF AS
SITUATED ON THE EAST LINE OF THE LANDS OF INVERNESS CENTRE
APARTMENTS LIMITED PARTNERSHIP AS RECORDED IN DOCUMENT NUMBER
202068610 AS COINCIDENT WITH THE EAST LINE OF A DEVELOPMENT KNOWN AS
INVERNESS CENTRE AS RECORDED IN DOCUMENT NUMBER 201080763; THENCE
NORTH 0 DEGREES 05 MINUTES 05 SECONDS WEST ALONG THE LINES AFORESAID
AND THE EAST LINE OF THE LANDS OF ORAL AND MAXILLOFACIAL SURGERY
ASSOCIATES HOLDINGS, LLP AS RECORDED IN DOCUMENT NUMBER 2015046679

1 AND THE EAST LINE OF FWDC BUILDING COMPANY, LLC AS RECORDED IN
2 DOCUMENT NUMBER 2008051591 AS, A DISTANCE OF 582.02 FEET; THENCE SOUTH
3 63 DEGREES 08 MINUTES 13 SECONDS EAST, A DISTANCE OF 219.80 FEET;
4 THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF
5 212.0 FEET, A DISTANCE OF 40.88 FEET, THE CHORD OF WHICH BEARS NORTH 26
6 DEGREES 55 MINUTES 39 SECONDS EAST, 40.82 FEET; THENCE NORTH 32
7 DEGREES 27 MINUTES 08 SECONDS EAST, A DISTANCE OF 3.82 FEET; THENCE
8 NORTHEASTERLY ALONG A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF
9 188.0 FEET, A DISTANCE OF 75.12 FEET, THE CHORD OF WHICH BEARS NORTH 43
10 DEGREES 53 MINUTES 57 SECONDS EAST, 74.62 FEET TO A POINT OF REVERSE
11 CURVE; THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE TO THE LEFT
12 HAVING A RADIUS OF 512.0 FEET, A DISTANCE OF 105.52 FEET THE CHORD OF
13 WHICH BEARS NORTH 49 DEGREES 26 MINUTES 31 SECONDS EAST, 105.33 FEET;
14 THENCE NORTH 89 DEGREES 55 MINUTES 37 SECONDS EAST, A DISTANCE OF
15 321.31 FEET TO THE POINT OF BEGINNING, CONTAINING 9.07 ACRES OF LAND,
16 MORE OR LESS.

17
18 and the symbols of the City of Fort Wayne Zoning Map No. B-02 (Sec. 12 of Aboite
19 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
20 Wayne, Indiana is hereby changed accordingly.

21
22 SECTION 2. If a written commitment is a condition of the Plan Commission's
23 recommendation for the adoption of the rezoning, or if a written commitment is modified and
24 approved by the Common Council as part of the zone map amendment, that written
25 commitment is hereby approved and is hereby incorporated by reference.

26
27 SECTION 3. That this Ordinance shall be in full force and effect from and after its
28 passage and approval by the Mayor.

29
30

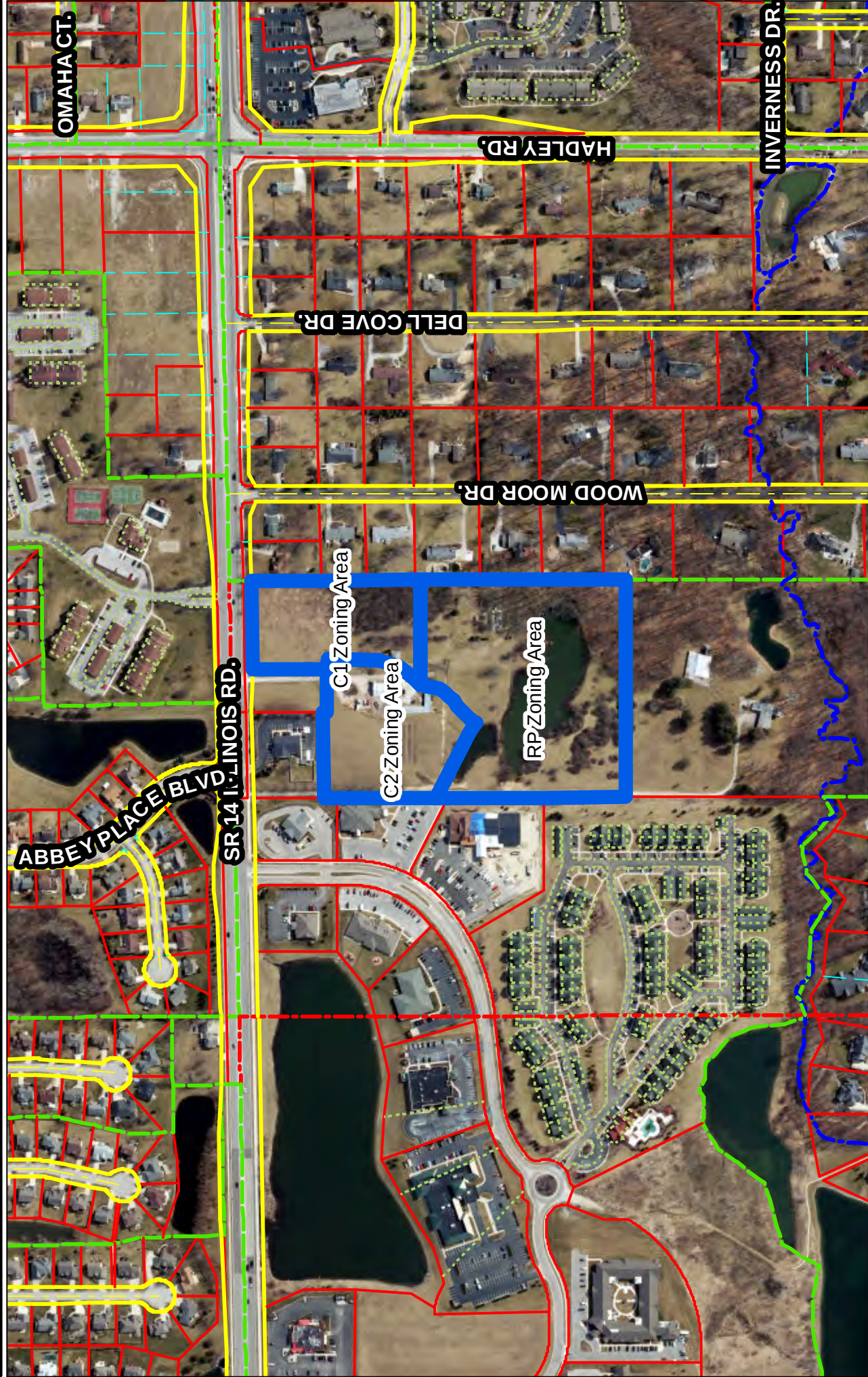
Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney



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

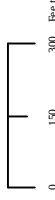


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 11/13/2019

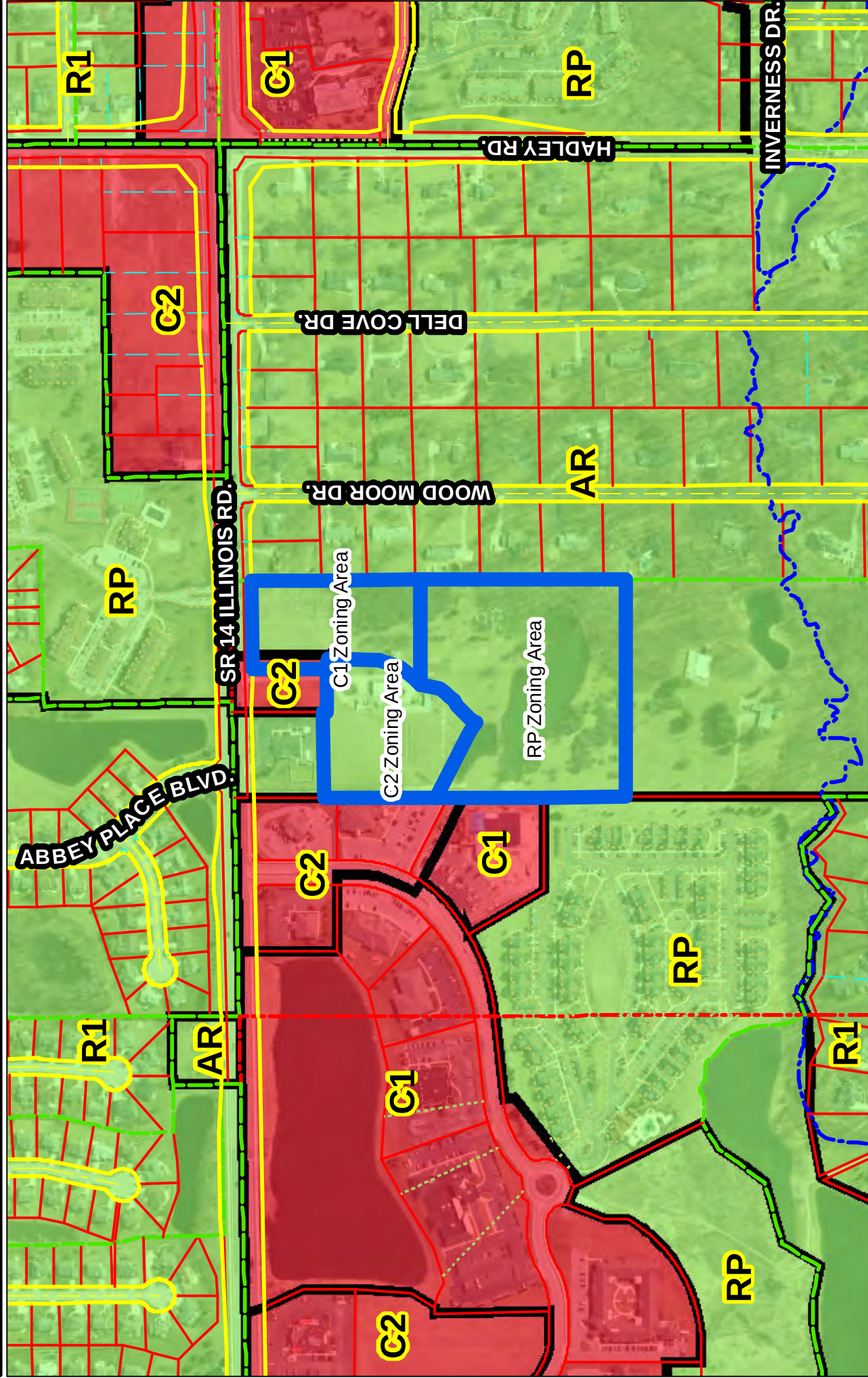


1 inch = 400 feet





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



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

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

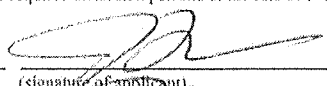
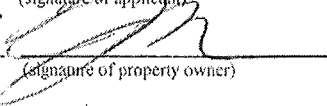
Contact Person
Contact Person PETER G. MALLERS, ESQ. OF BEERS MALLERS BACKS & SALIN, LLP
Address 110 WEST BERRY STREET, SUITE 1100
City FORT WAYNE State INDIANA Zip 46802
Telephone 260-426-9706 E-mail pgmallers@beersmallers.com

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 RP Acreage to be rezoned APPROX 9.07 AS SET FORTH ON ATTACHED EXHIBIT "A"
Proposed density _____ units per acre
Township name ABOITE Township section # 30
Purpose of rezoning (attach additional page if necessary) TO DEVELOP THIS 9.07 ACRE SITE FOR MULTI-FAMILY PURPOSES
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) Janice J. 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	132823	12-9-19	REZ-2019-0072

