

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2021-0049
Bill Number: Z-21-09-15
Council District: 5-Geoff Paddock

Introduction Date: September 28, 2021

Plan Commission
Public Hearing Date: October 11, 2021 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.18 acres from R3/Multiple Family Residential to I1/Limited Industrial.

Location: 1701 Fairfield Avenue

Reason for Request: To add two vacant lots to the Bushey's business property.

Applicant: Bushey's, Inc.

Property Owner: James Bushey

Related Petitions: Primary Development Plan, Bushey's, Inc.

Effect of Passage: Property will be rezoned to the I1/Limited Industrial zoning district, which will allow the currently vacant parcels to be combined with the existing Bushey's property and used for expansion of the business.

Effect of Non-Passage: The property will remain zoned residential and may be developed for single, two-family or multiple family residential purposes.

1 **#REZ-2021-0049**

2 **BILL NO. Z-21-09-15**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. L-02 (Sec. 11 of Wayne Township)**

7
8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
 INDIANA:

9 SECTION 1. That the area described as follows is hereby designated an I1 (Limited
10 Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 The East 17 feet of Lot Number 7 and the West 8 feet of vacated Prince Street in Chute and
13 Princes's Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed
14 Book Q, page 174 in the Office of the Recorder of Allen County, Indiana.

15 Together with:

16 The East 25 feet of the West 33 feet of the vacated space formerly known as Prince Street in
17 Chute and Prince's Addition to the City of Fort Wayne, Allen County, Indiana.

18 and the symbols of the City of Fort Wayne Zoning Map No. L-02 (Sec. 11 of Wayne
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.
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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

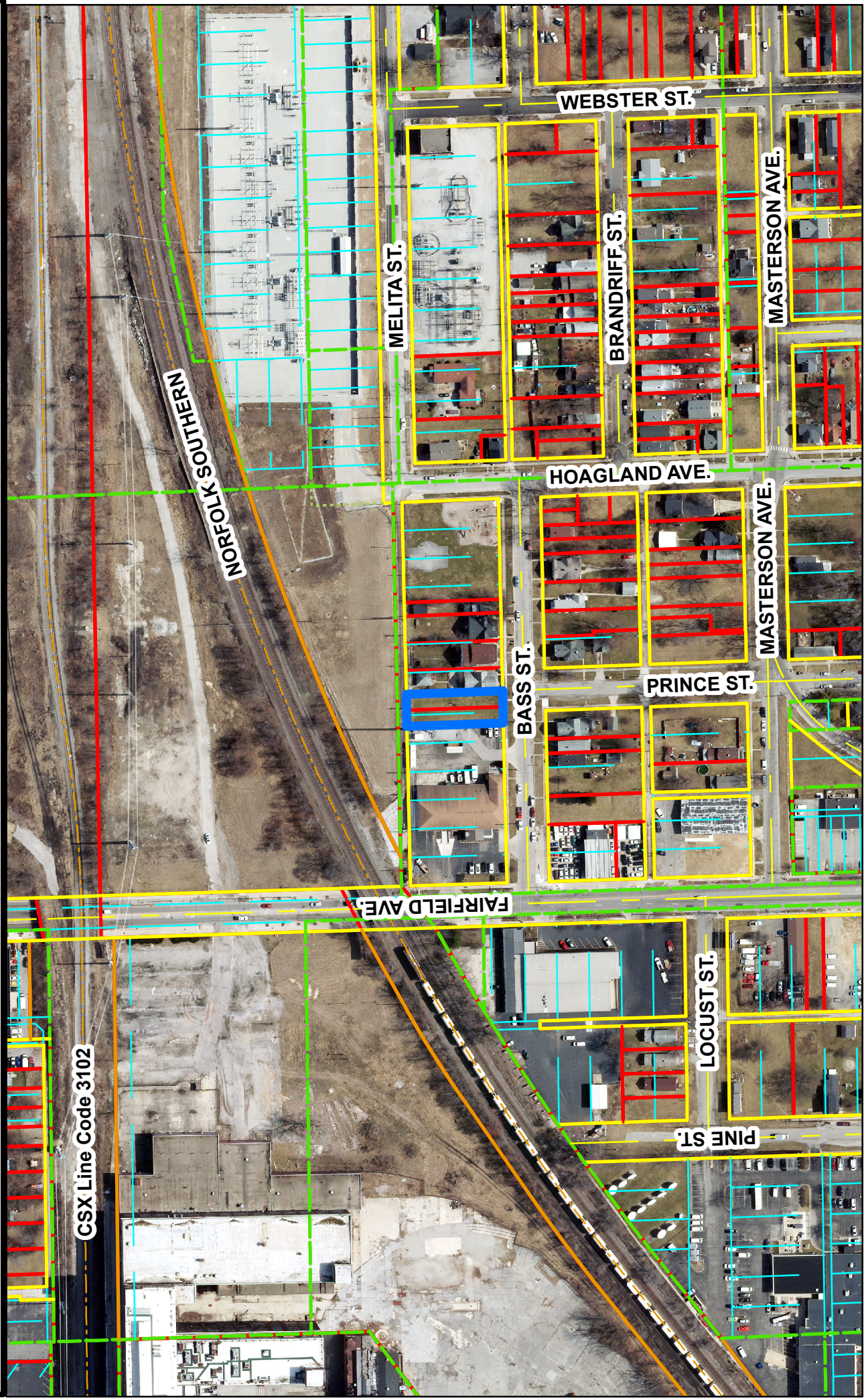
Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

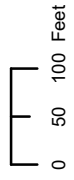


REZ-2021-0049 and PDP-2021-0036 Bushey's

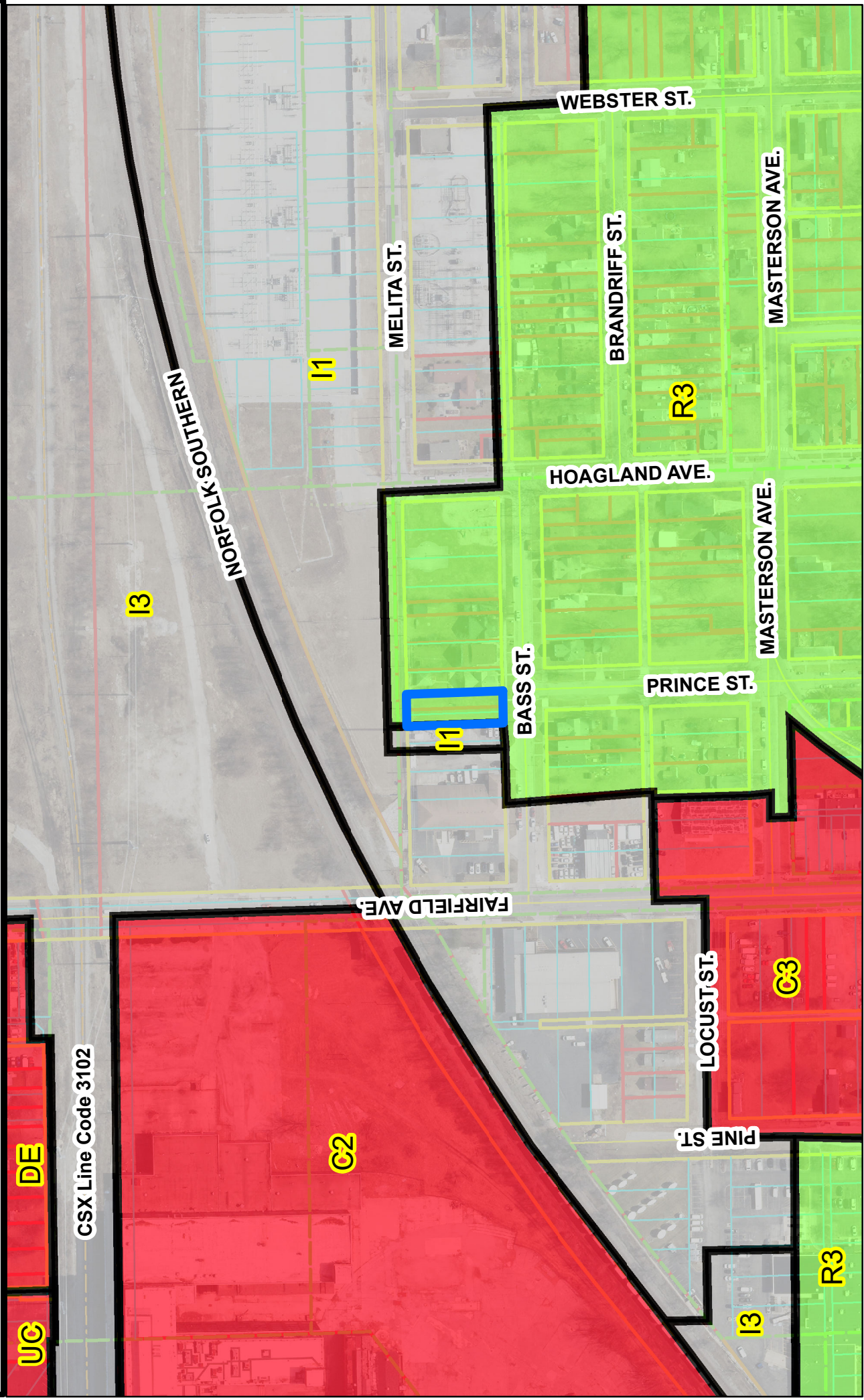


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/22/2021

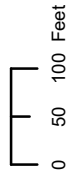


1 inch = 200 feet



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1 inch = 200 feet

Department of Planning Services
 Rezoning Petition Application

Applicant	Applicant <u>Bushey's Inc</u>		
	Address <u>1701 Fairfield Avenue</u>		
	City <u>Fort Wayne</u>	State <u>Indiana</u>	Zip <u>46807</u>
	Telephone <u>260-740-2745</u>	E-mail <u>jim.bushey@gmail.com</u>	

Contact Person	Contact Person <u>Jim Bushey</u>		
	Address <u>1701 Fairfield Avenue</u>		
	City <u>Fort Wayne</u>	State <u>Indiana</u>	Zip <u>46807</u>
	Telephone <u>260-740-2745</u>	E-mail <u>jim.bushey@gmail.com</u>	

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 <u>430 and 434 Bass Street, Fort Wayne, IN 46802</u>	
	Present Zoning <u>R3</u>	Proposed Zoning <u>I1</u> Acreage to be rezoned <u>0.18</u>
	Proposed density _____ units per acre	
	Township name <u>Wayne Township</u>	Township section # <u>0113012</u>
	Purpose of rezoning (attach additional page if necessary) <u>Currently two vacant lots that we would like to rezone and add to our existing business property.</u>	
Sewer provider <u>Yes</u> Water provider <u>Yes</u>		

Filing Requirements	<i>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.</i>	
	☐ 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.

<u>James Bushey</u>	<u>[Signature]</u>	<u>8/24/21</u>
(printed name of applicant)	(signature of applicant)	(date)
<u>James Bushey</u>	<u>[Signature]</u>	<u>8/24/21</u>
(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)

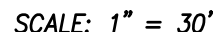
Received 8-24-2021	Receipt No. 138175	Hearing Date 10-11-2021	Petition No. REZ-2021-0049
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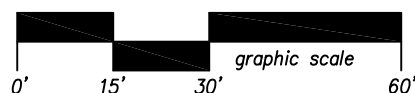
434 Bass Street, Fort Wayne, IN 46802

(m)	MEASURED
(r)	RECORDED
(c)	CALCULATED
(p)	PLATTED INFORMATION

By graphic plotting only and subject to map scale uncertainties, the real estate described and depicted hereon appears to lie in Zone "X" (NOT considered a special flood hazard area) on FIRM Map Number 18003C0284G, effective 8/3/2009 for the City of Fort Wayne, Indiana.



Date: October 12, 2020
Job No.: 20200391
Sheet: 1 of 2





**GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.**

1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Boundary Retracement Survey

Property Address:

434 Bass Street, Fort Wayne, IN 46802

DESCRIPTION

The East 17 feet of Lot Number 7 and the West 8 feet of vacated Prince Street in Chute and Prince's Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Book Q, page 174 in the Office of the Recorder of Allen County, Indiana.

SURVEYOR'S REPORT

This report and the accompanying survey plat have been prepared in accordance with Title 865, Article 1, Rule 12, Sec 1-29 and all amendments thereto of the Indiana Administrative Code, which establishes the minimum standards for the practice of land surveying.

Monuments set are 5/8 inch round by 24 inch long steel rebars with yellow plastic caps stamped "GOU LS29500017", and set flush with the ground surface, unless otherwise noted.

Monuments found are noted with an above (x.x) or below (-x.x) ground surface dimension.

PURPOSE:

The purpose of this survey is to "retrace" the boundary of the real estate described hereon.

THEORY OF LOCATION:

The lines and corners for this survey were established as depicted on the survey drawing.

The uncertainty in the lines and corners found or established by this survey are as follows:

(A) Availability and condition of reference monuments:

Monuments found are described and depicted on the survey drawing.

Uncertainty created by the location of the monuments found or set on the subject property due to variations in reference monuments (monuments found on the subject property and on adjacent properties) is the difference between "measured" and "platted" or "recorded" angular or distance measurements as depicted on the survey drawing. The uncertainty for this survey is 0.3 feet +/-.

(B) Occupation or possession lines:

No uncertainty was created by visible occupation or possession lines. See survey drawing for fence type and location. Fence ownership is unknown.

(C) Clarity or ambiguity of the record description and or adjoiner's descriptions:

No uncertainty was created by the above mentioned documents.

(D) This survey falls under the classification of a "Suburban" survey. The acceptable relative positional accuracy (random errors in measurements) = 0.13 feet (40 millimeters) plus 100 parts per million as specified in Section 7 of said Rule 12.

SURVEYOR'S CERTIFICATION

This survey was performed by, or under the responsible direction of the undersigned registered land surveyor and to the best of said registered land surveyor's knowledge and belief, said survey was executed according to the applicable survey requirements of 865 IAC-1-12-1 thru 29.

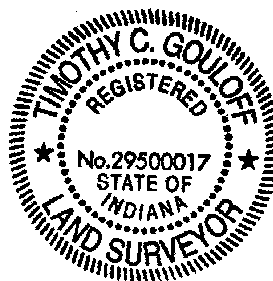
Field work performed on 10/08/2020.

DATED THIS 12th DAY OF OCTOBER, 2020.

Timothy C. Gouloff, R.L.S. 29500017

Job No.: 20200391

Sheet: 2 of 2





BASS STREET

PRINCE ST