

ALLEY VACATION – PUBLIC HEARING
Department of Planning Services

VALY 2021 0002	Bill #G-21-06-25	Project Start: June 22, 2021
APPLICANT:	Dominic Moore	
REQUEST:	To vacate the 14-foot wide, east-west alley north of Lots 230 and 231 and south of Lots 194 and 195 of Lewis Addition, Amended.	
LOCATION:	North of 609 E. Masterson and south of 1803 Monroe Street	
COUNCIL DISTRICT:	District 6 – Sharon Tucker	
PUBLIC HEARING DATE:	July 13, 2021	

PROJECT SUMMARY

The petitioner is Dominic Moore, owner of Lots 230 and 231, and the south portion of Lots 194 and 195 in Lewis Addition. The applicant would like to vacate the underutilized alley to combine all the property for more flexibility in redevelopment. The properties are currently vacant and zoned R3/Multiple Family Residential. Access to all adjacent properties will remain to the north-south alley and to Monroe Street and Wallace Street. Staff has sent requests for comment from all affected utility agencies and their responses.

City Plan:	Indiana Code (36-7-3-16 (b)) states that any public utility occupying a public way or easement shall not be deprived of the use of the public way for the location and operation of existing facilities. The petitioner shall provide all necessary easements (as approved) at the time the vacation petition is recorded.
Traffic Engineering:	Approved
Stormwater Engineering:	Will need easement
Water Engineering:	Will need easement
WPC Engineering – Sanitary:	Will need easement
Fire Department:	No comment
Land Acquisition Agent:	Approved
Frontier:	Will need easement
Comcast Cable:	No comment
AEP:	Will need easement
NIPSCO:	No comment

Grounds for Remonstrance for Vacation Requests (I.C. 36-7-3-13):

- (1) The vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would hinder the public's access to a church, school, or other public building or place.
- (4) The vacation would hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

VALY-2021-0001

Bill No. G-21-06-25

Alley Vacation – Notifications

**The Clerk's Office placed legal notification in the Fort Wayne Newspaper.
DPS Staff notified the following by Certified Mail:**

PIN/Property Address:

Property Owner of Record:

021212155010000074
021212155009000074
021212155008000074
021212155007000074
021212155006000074
021212155055000074
609 E. Masterson Street

Dominic Moore
5631 Countess Drive
Fort Wayne, IN 46815

021212155004000074
021212155003000074
021212155002000074
021212155001000074
1801 S. Monroe Street

Maxwell Engineering c/o Matthew Maxwell
616 East Wallace Street
Fort Wayne, In 46803

DPS Staff notified the following by Email as a courtesy:
Community Liaison, Palermo Galindo

1 VALY-2021-0002

2 BILL NO. G-21-06-25

3
4 GENERAL ORDINANCE NO. G-_____

5 AN ORDINANCE amending the Thoroughfare
6 Plan of the City Comprehensive ("Master")
7 Plan by vacating public right-of-way.

8 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
9 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
10 Indiana; and

11 WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing
12 and approved said petition, as provided in I.C. 36-7-3-12.

13 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
14 FORT WAYNE, INDIANA:

15 SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of
16 Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 The 14-foot east-west alley located between Lots 230 and 231 and Lots 194 and 195
18 of Lewis Addition, Amended, according to the plat thereof, as recorded in Deed Book
19 OB, page 73 in the Office of the Recorder of Allen County, Indiana.

20 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
21 and is hereby approved in all respects.

22 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
23 any and all necessary approval by the Mayor.

24 _____
COUNCILMEMBER

25 APPROVED AS TO FORM AND LEGALITY:

26 _____
27 Carol T. Helton, City Attorney
28
29
30

CITY OF FORT WAYNE

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 / 260.427.1221

I/We do hereby petition to vacate the following:

 Easement X Public Right of Way (street or alley)

More particularly described as follows:

Alleyway on the right side of S. Monroe St. when
Traveling North. Between 1815 S. Monroe St. (02121215500500074)
and 1817 S. Monroe St. (02121215500600074), crossing past
the back of 609 E. Masterson (02121215501000074) & 607 E.
Masterson (02121215500900074).

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DEED BOOK NUMBER: OB PAGE(S) NUMBER(S): 73 (This information can be obtained from the Allen County Recorder's Office on the 2nd Floor, City-County Building, One Main Street, Fort Wayne, IN)

The reasons for the proposed vacation are as follows:

The alleyway has not been used & is not being used
by any neighbors or city sanitation trucks/workers.
The property owner of the connecting properties would
like to take ownership of the vacant alleyway with
the purpose of consolidating the parcels in the future & building over the
vacated alleyway

The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

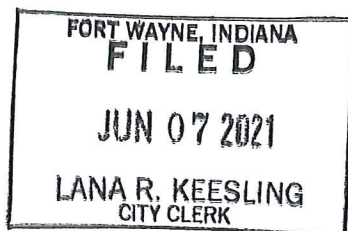
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

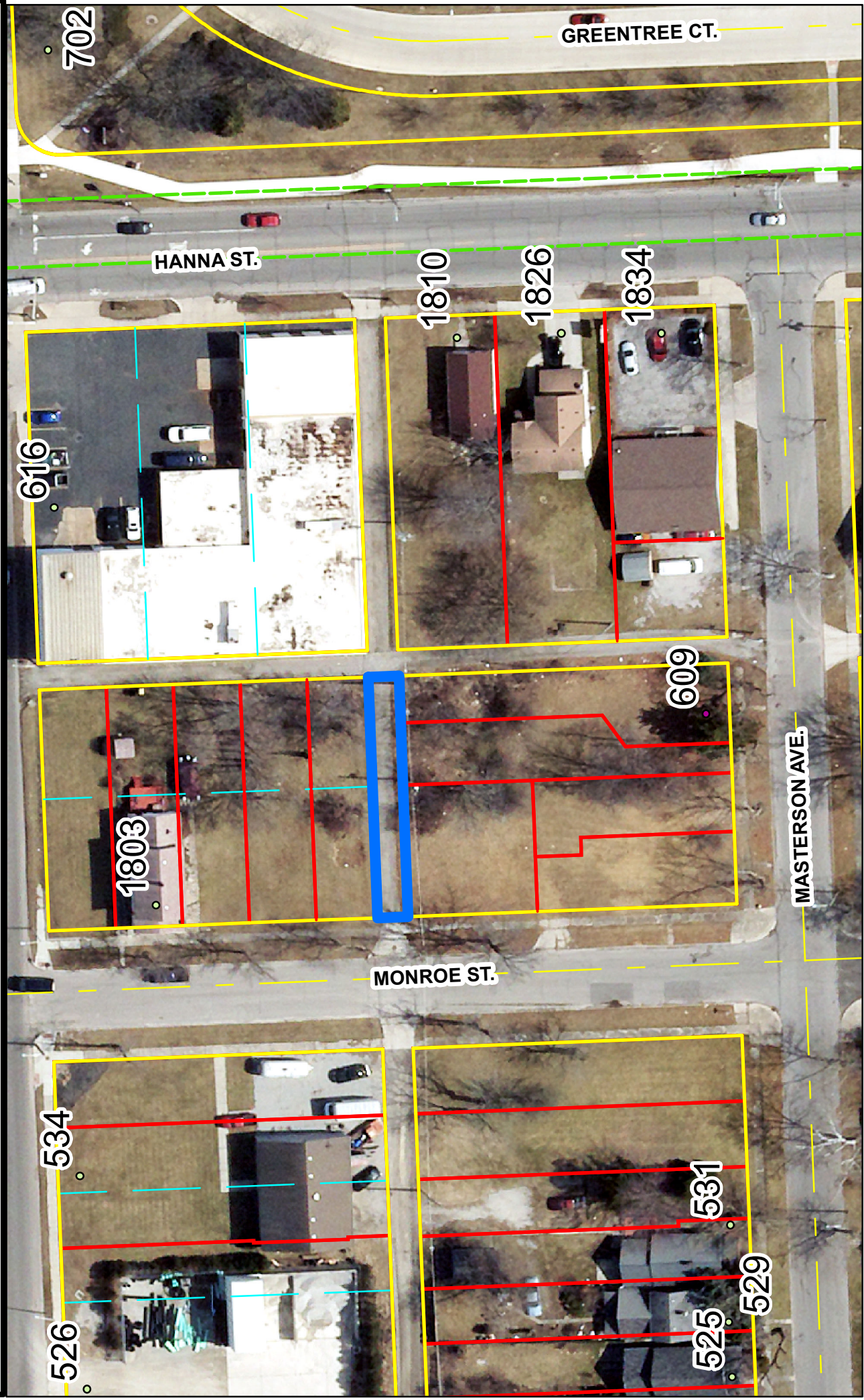
Applicant's name(s) if different from property owner(s):

Name: Dominic Moore

Street Address: 1815 S. Monroe St.

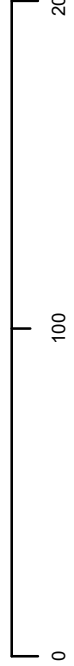
City: Fort Wayne State: IN Zip: 46803 Phone: 260-204-5326





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.

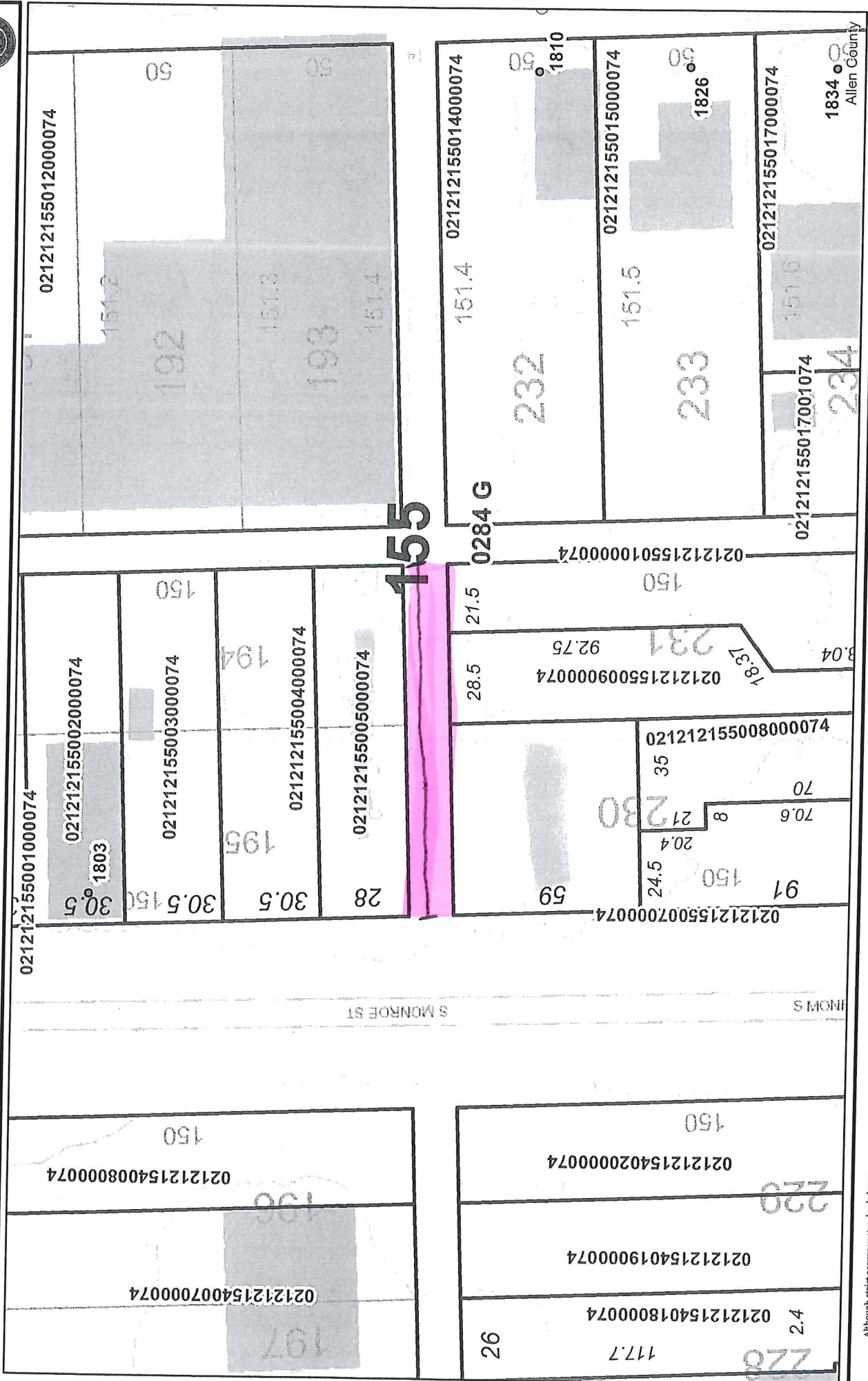
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/15/2021



1 inch = 59 feet



no title



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



Date: 5/14/2021 1" = 42'