

#REZ-2021-0001

BILL NO. Z-21-01-10

ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. B-15 (Sec. 24 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 R3 (Multiple Family 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 24, Township 30 North, Range 11 East, Allen County, Indiana, described as follows:  
Commencing at an Allen County Surveyor referenced Harrison Monument at the Northwest corner of the Northwest Quarter of said Section 24; thence South 00 degrees 33 minutes 57 seconds East (based on Indiana East State Plane Coordinate System (NAD83')(2011)), on the West line of said Northwest Quarter, 1,017.20 feet to the **Point of Beginning** at the Northwest corner of a 0.573-acre parcel described in Document #2014009690 as found in the Office of the Recorder of Allen County, Indiana; thence North 89 degrees 31 minutes 02 seconds East, on the North line of said 0.573-acre parcel, being parallel with the North line of said Northwest Quarter, 332.64 feet to the Northeast corner thereof; thence South 00 degrees 33 minutes 57 seconds East, on the East line of said 0.573-acre parcel and the Southerly extension thereof, being parallel with the West line of said Northwest Quarter, 361.26 feet to a point on the North line of Lot 23 of Hillside Acres Addition, Amended, as recorded in Plat Book 16, page 144; thence North 77 degree 46 minutes 00 seconds East, on the North line of said Lot 23, a distance of 122.93 feet to the Northeasterly corner thereof; thence South 19 degree 24 minutes 30 seconds East, on the East line of said Lot 23, a distance a 403.95 feet (403.5 feet plat) to the Southeasterly corner of said Lot 23, being on the Northwesterly right-of-way line of Scottwood Court; thence South 63 degrees 16 minutes 13 seconds, West, on said Northwesterly right-of-way line, 279.48 feet (280 feet plat) to the Southwest corner of said Lot 23; thence North 00 degrees 33 minutes 57 seconds West, on the West line of said Lot 23, a distance of 299.08 feet to the Northeast corner of a 1.45-acre parcel described in Document #2012025196; thence South 89 degrees 31 minutes 02 seconds West, on the North line of said 1.45-acre parcel, being parallel with the North line of said Northwest Quarter, 196.64 feet; thence North 00 degrees 33 minutes 57 seconds West, parallel with and 136.00 feet East of the West line of said Northwest Quarter, 132.07 feet; thence South 89 degrees 31 minutes 02 seconds West, parallel with the North line of said Northwest Quarter, 136.00 feet to a point on the West line of said Northwest Quarter; thence North 00 degrees 33 minutes 57 seconds West, on said West line, 410.80 feet to the Point of Beginning, containing **5.683 acres**, more or less, and subject to easements and rights of way of record.

and the symbols of the City of Fort Wayne Zoning Map No. B-15 (Sec. 24 of Aboite Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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

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

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
Applicant Jim Mutton - JRM Realty LLC  
Address 5612 Illinois Road  
City Fort Wayne State IN Zip 46804  
Telephone 260-432-9438 E-mail jim@muttonpower.com

**Contact Person**  
Contact Person Kevin McDermit - Loughheed & Associates  
Address 1017 S Hadley Road  
City Fort Wayne State IN Zip 46804  
Telephone 260-432-3665 E-mail krmcdermit@comcast.net

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

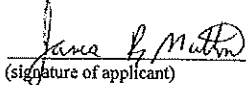
**Request**  
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction  
Address of the property 4511 Dicke Road  
Present Zoning R2/AR Proposed Zoning R3 Acreage to be rezoned 5.69  
Proposed density 8.4 units per acre  
Township name Aboite Township section # 24  
Purpose of rezoning (attach additional page if necessary) For the development of residential townhouse units

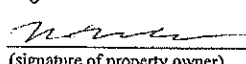
Sewer provider Aqua Indiana Water provider FORT WAYNE

**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 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.

Jim Mutton  12.31.20  
(printed name of applicant) (signature of applicant) (date)

Nicholas A. Wheeler  12-31-20  
(printed name of property owner) (signature of property owner) (date)

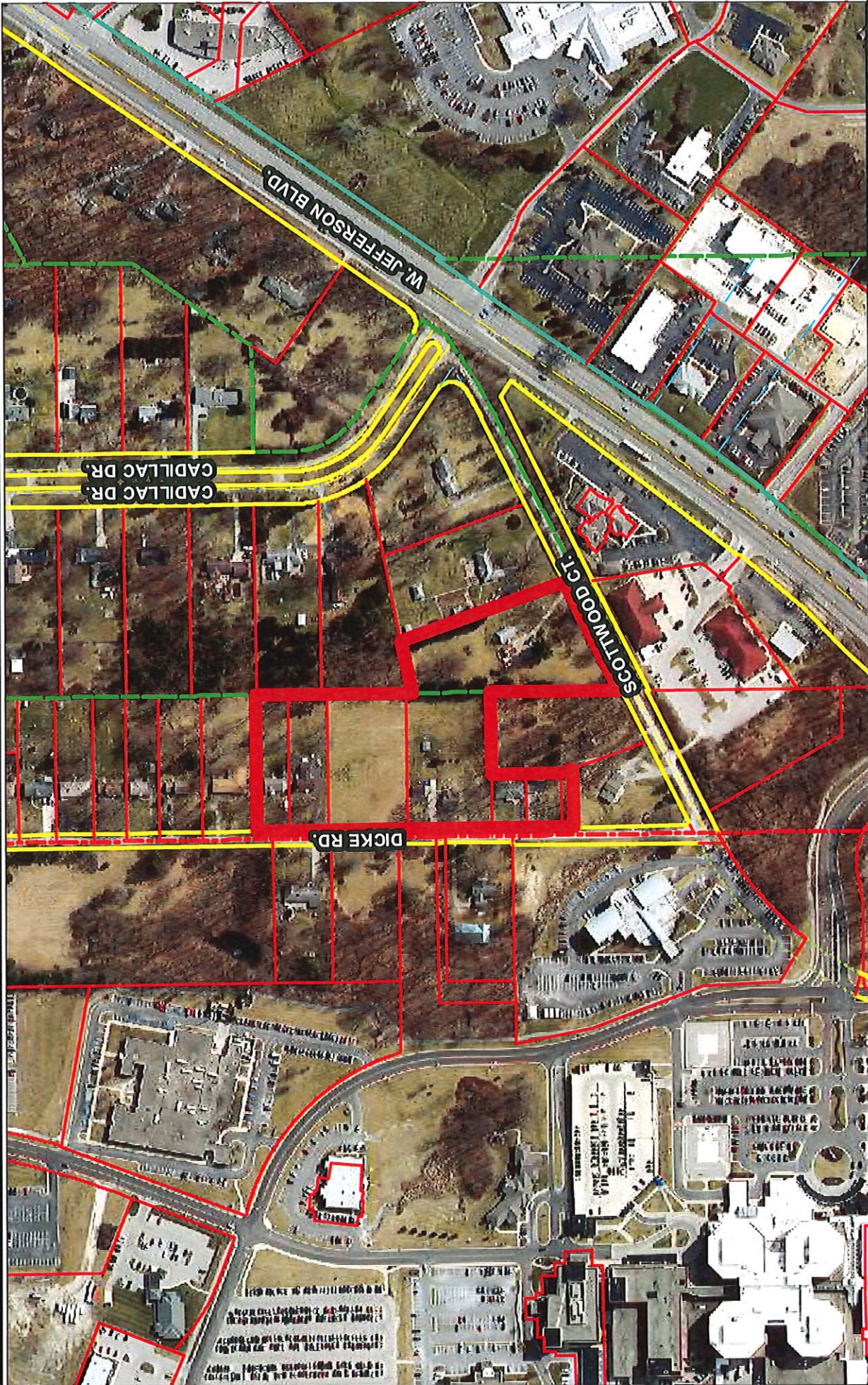
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(printed name of property owner) (signature of property owner) (date)

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(printed name of property owner) (signature of property owner) (date)

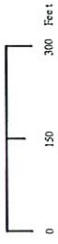
| Received   | Receipt No. | Hearing Date | Petition No.      |
|------------|-------------|--------------|-------------------|
| 01/05/2021 | 135970      | 02/08/2021   | REZ - 2021 - 0001 |



Rezoning Petition REZ-2021-0001 and Primary Development Plan PDP 2021-0001 - Bluestone Townhomes

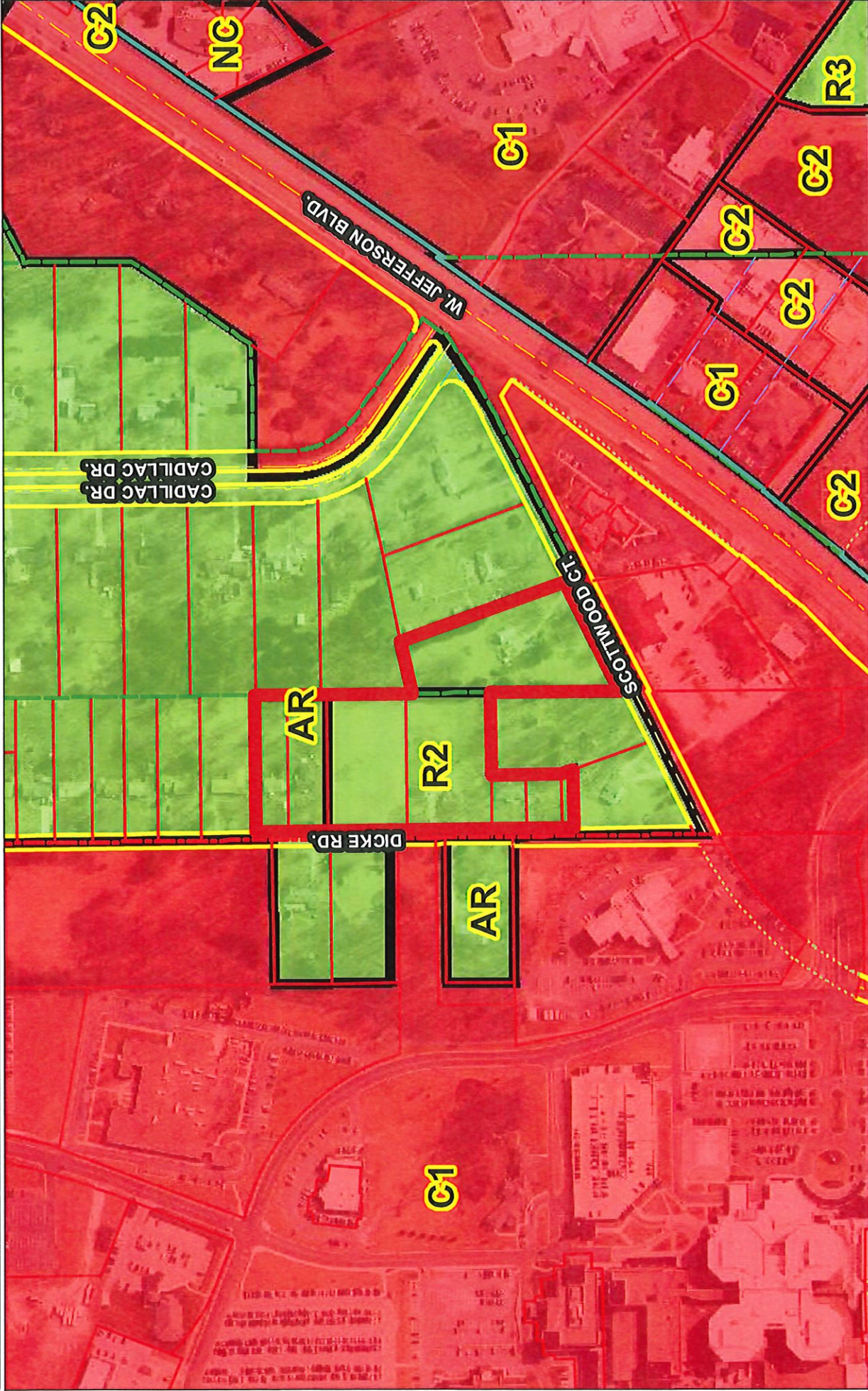


1 inch = 300 feet



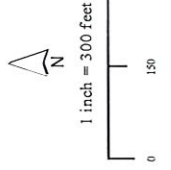
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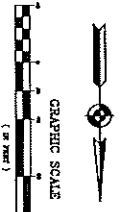
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Allen County Surveying and Mapping Department  
State Plane Coordinate System, Indiana East  
Photo and Contour: Spring 2009  
Date: 1/20/2021



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 State Plaza, Columbus, Indiana 47201  
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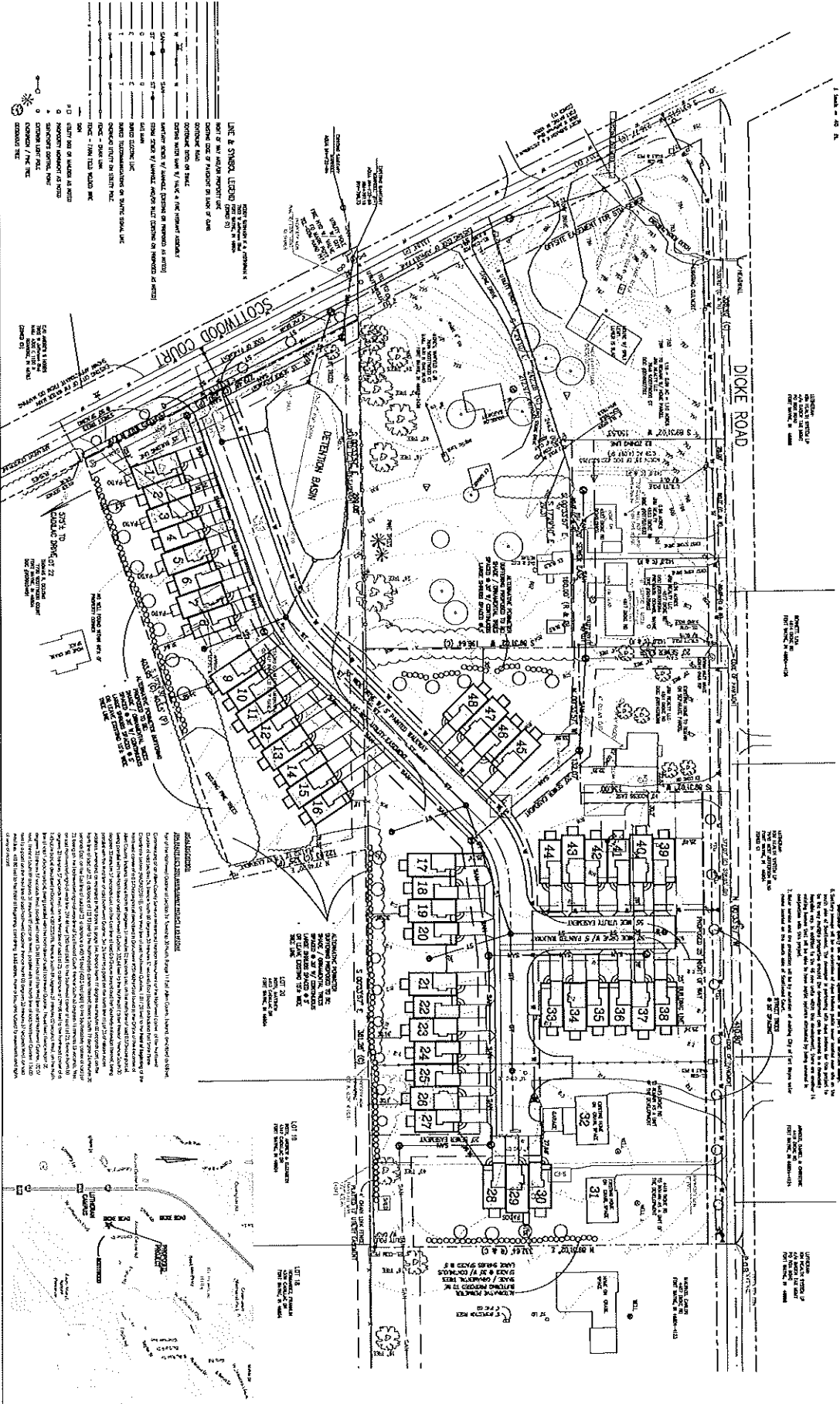
**OWNER & DEVELOPER:**  
JRM REALTY LLC  
JRM MUTTON, MEMBER  
5612 ILLINOIS ROAD  
FORT WAYNE, IN 46804  
260 432-9438

**ARCHITECT:**  
JORDAN SURETING AND DESIGN, INC.  
1133 BROADWAY  
FORT WAYNE, IN 46802  
PH (260) 424-5002 FAX (260) 424-4916

**ENGINEER:**  
LOUGHERD & ASSOCIATES, INC.  
200 SOUTH KALEY ROAD  
FORT WAYNE, IN 46804  
260 432-3665

**PLANNING & DESIGN:**  
JORDAN SURETING AND DESIGN, INC.  
1133 BROADWAY  
FORT WAYNE, IN 46802  
PH (260) 424-5002 FAX (260) 424-4916

**CONSTRUCTION:**  
JORDAN SURETING AND DESIGN, INC.  
1133 BROADWAY  
FORT WAYNE, IN 46802  
PH (260) 424-5002 FAX (260) 424-4916



**JORDAN SURETING AND DESIGN, INC.**  
1133 BROADWAY  
FORT WAYNE, IN 46802  
PH (260) 424-5002 FAX (260) 424-4916



**LOUGHERD & ASSOCIATES, INC.**  
200 SOUTH KALEY ROAD  
FORT WAYNE, IN 46804  
260 432-3665

**BLUESTONE TOWNHOUSES**  
SCOTTWOOD COURT  
FORT WAYNE, ALLEN COUNTY, INDIANA

**OWNER & DEVELOPER:**  
JRM REALTY LLC  
JRM MUTTON, MEMBER  
5612 ILLINOIS ROAD  
FORT WAYNE, IN 46804  
260 432-9438

**DATE:** JAN 4, 2021  
**SHEET:** 1

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2021-0001  
Bill Number: Z-21-01-10  
Council District: 4 – Jason Arp

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Introduction Date: January 26, 2021

Plan Commission  
Public Hearing Date: February 8, 2021 (not heard by Council)

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

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Synopsis of Ordinance: To rezone 5.69 acres from R2/Two Family Residential and AR/Low Intensity Residential to R3/Multiple Family Residential

Location: 4511 Dicke Road

Reason for Request: To allow for 48 residential townhouse units

Applicant: JRM Realty LLC – Jim Mutton

Property Owner: Nicholas Wheeler

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Related Petitions: Primary Development Plan, Bluestone Townhouses

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Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which allows multiple family dwellings and complexes.

Effect of Non-Passage: The property will remain zoned for single family residential purposes and may redevelop as such.