

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0004
Bill Number: Z-20-01-34
Council District: 3-Tom Didier

Introduction Date: January 28, 2020

Plan Commission
Public Hearing Date: February 10, 2020 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 2.46 acres from AR/Low Intensity Residential to C1/Professional Office and Personal Services.

Location: 10630 Lima Road

Reason for Request: To allow redevelopment of the property with medical offices.

Applicant: Bussick Properties, LLC

Property Owner: Stephen Griffin

Related Petitions: Primary Development Plan, PDP-2020-0001 (Bussick Orthodontics)

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services which will allow the property to redevelop with medical office uses.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may be used for residential and some agricultural purposes.

#REZ-2020-0004

BILL NO. Z-20-01-34

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. K-62 (Sec. 32 of Perry 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:

The East one-half of the Fractional Southwest one-quarter of Section 32, Township
32 north, Range 12 East, Allen County, Indiana, more particularly described as
follows:

Commencing at the Southeast corner of the Fractional Southwest one-quarter of
Section 32, Township 32 North, Range 12 East, Allen County, Indiana; thence North
1 degree 08 minutes 30 seconds West along the East line of the Fractional Southwest
one-quarter of Section 32, Township 32 North, Range 12 East a distance of 205.0
feet; thence South 89degrees 21 minutes 30 seconds West along the North line of
Kehr's Addition a distance of 1312.1 feet actual (1314.0 recorded) to the East line of
the former Toledo & Chicago Interurban Railway Company right-of-way line now
owned by the State of Indiana; thence North 1 degree 07 minutes West along the said
East right-of-way line a distance of 665.0 feet to the point of beginning; thence North
88 degrees 59 minutes East a distance of 390.0 feet; thence North 1 degree 07
minutes West a distance of 275.0 feet; thence South 88 degrees 59 minutes West a
distance of 390.0 feet to the said East right-of-way line; thence South 1 degree 07
minutes East a distance of 275.0 feet along the East line of the former Toledo &
Chicago Interurban Railway Company right-of-way line to the point of beginning,
containing 2.46 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. K-62 (Sec. 32 of Perry
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 Bussick Properties, LLC
Address 7207 Engle Road
City Fort Wayne State IN Zip 46804
Telephone (260) 436-2255 E-mail doc@bussickortho.com

Contact Person
Contact Person Tom Trent
Address 505 E. Washington Blvd.
City Fort Wayne State IN Zip 46802
Telephone (260) 422-9454 E-mail ttrent@rlwlawfirm.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 10630 Lima Road, Fort Wayne, IN 46818
Present Zoning AR Proposed Zoning C1 Acreage to be rezoned 2.46 acres
Proposed density One building for every 1.23 acres
Township name Perry Township Township section # 0032
Purpose of rezoning (attach additional page if necessary) The purpose of the rezoning is to enable Applicant to operate an orthodontia office and/or to provide for other medical office/professional office uses.
Sewer provider City of Fort Wayne Water provider City of 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.

Bussick Properties, LLC

(printed name of applicant)

Jonathan Bussick 1-7-20
(signature of applicant) (date)

Stephen E. Griffin

(printed name of property owner)

Stephen E. Griffin 1-6-20
(signature of property owner) (date)

(printed name of property owner)

(signature of property owner)

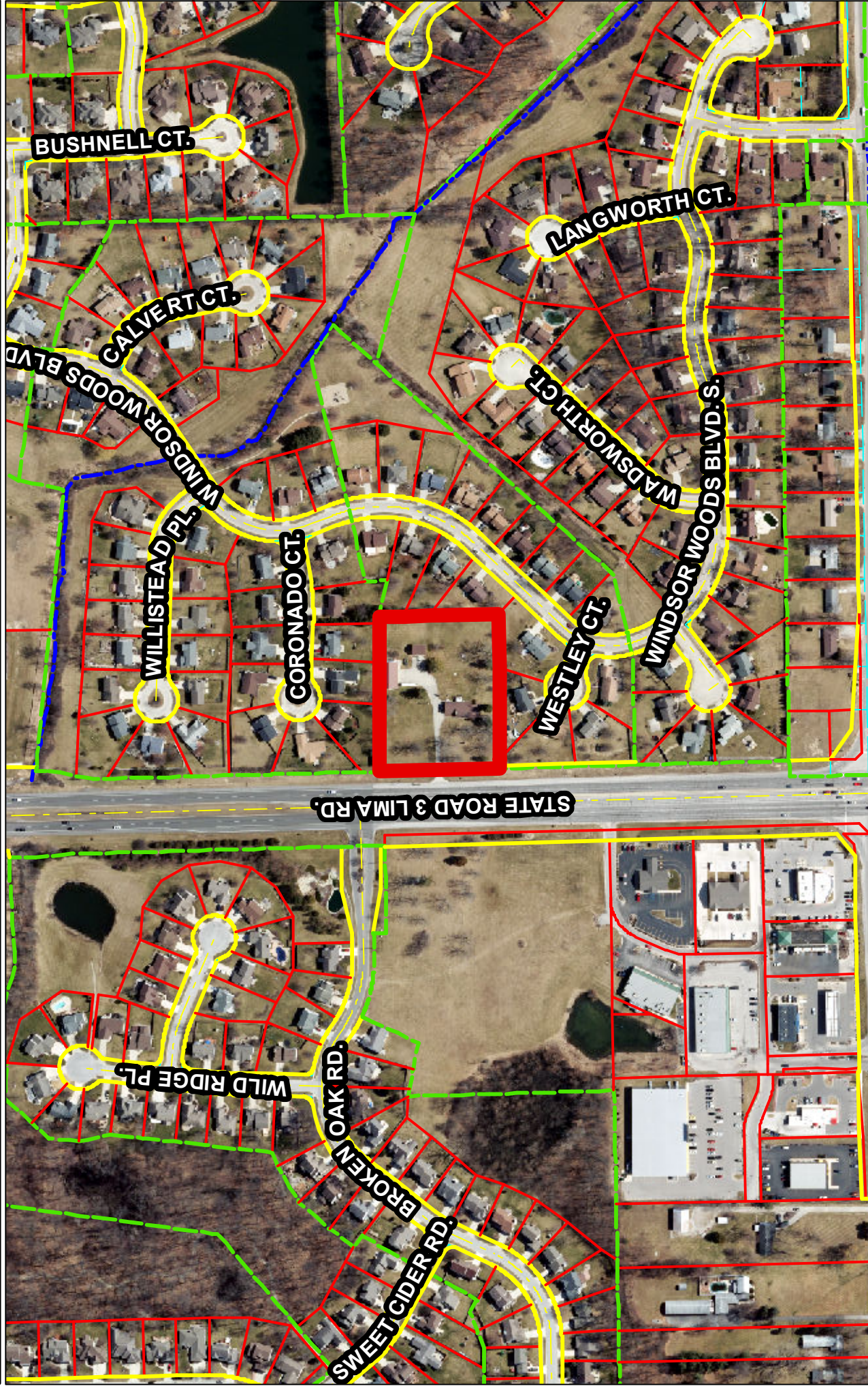
(date)

(printed name of property owner)

(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>1-7-2020</u>	<u>133062</u>	<u>2-10-2020</u>	<u>RE2-2020-0004</u>

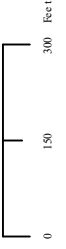


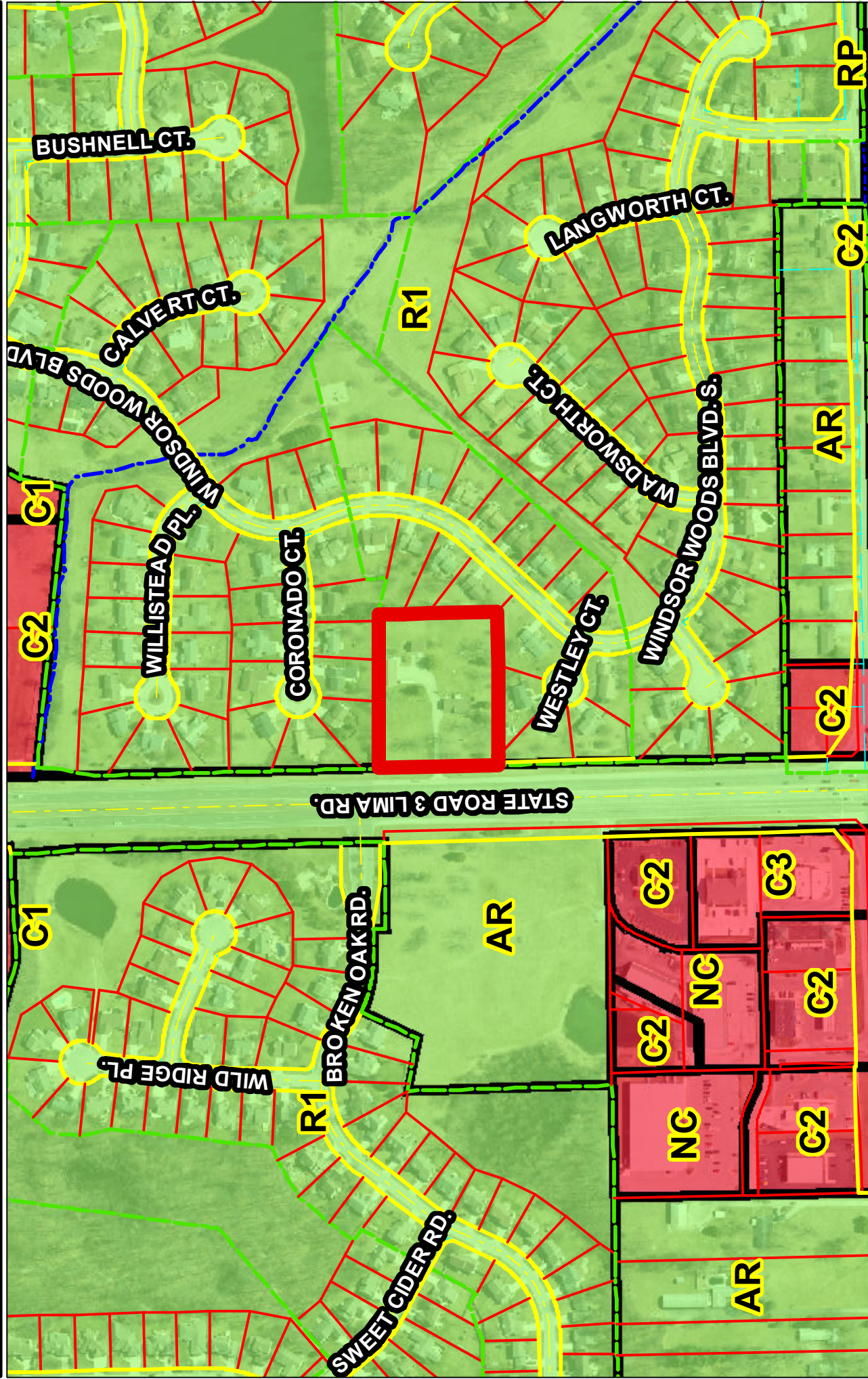
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 1/22/2020



1 inch = 300 feet

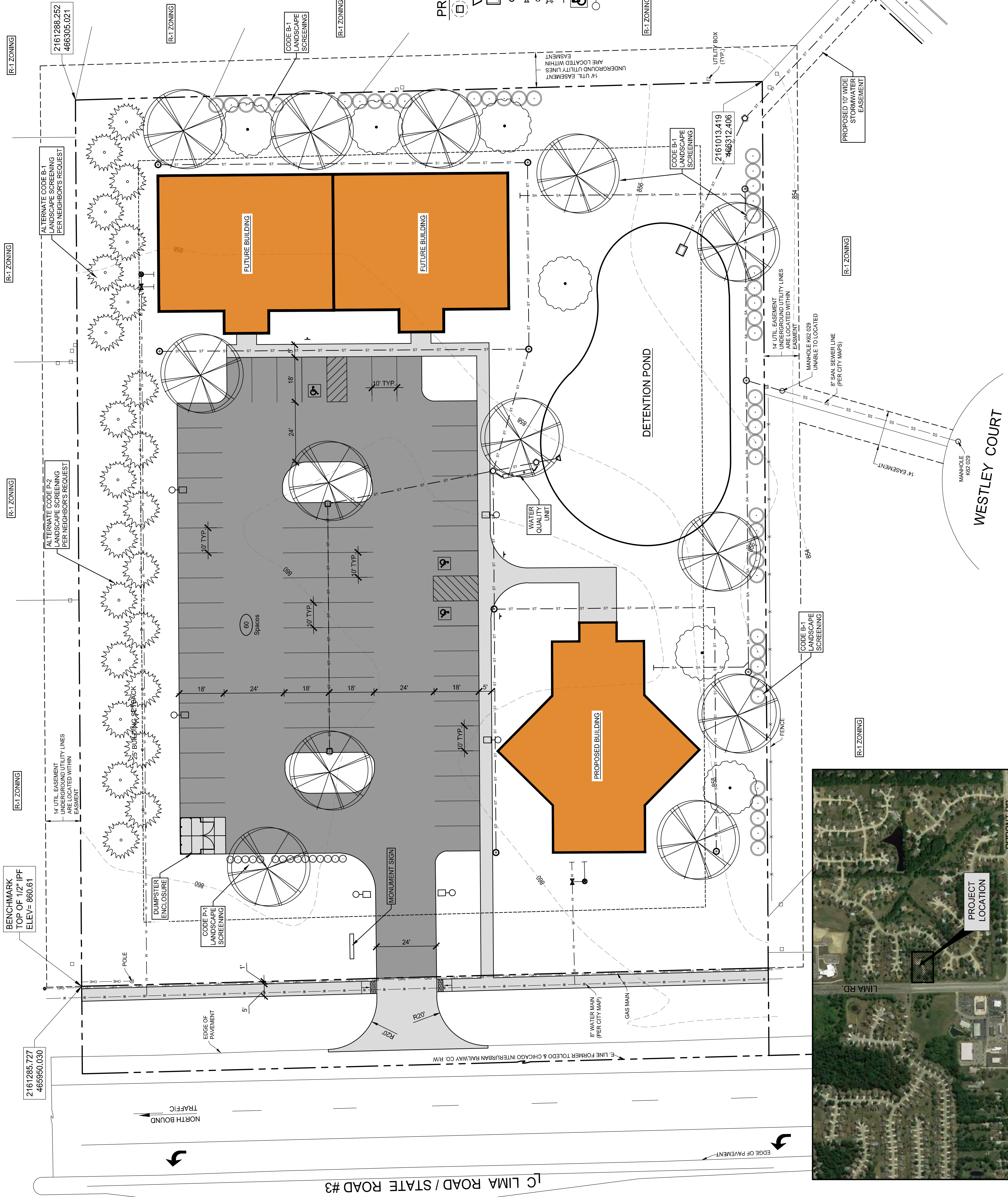




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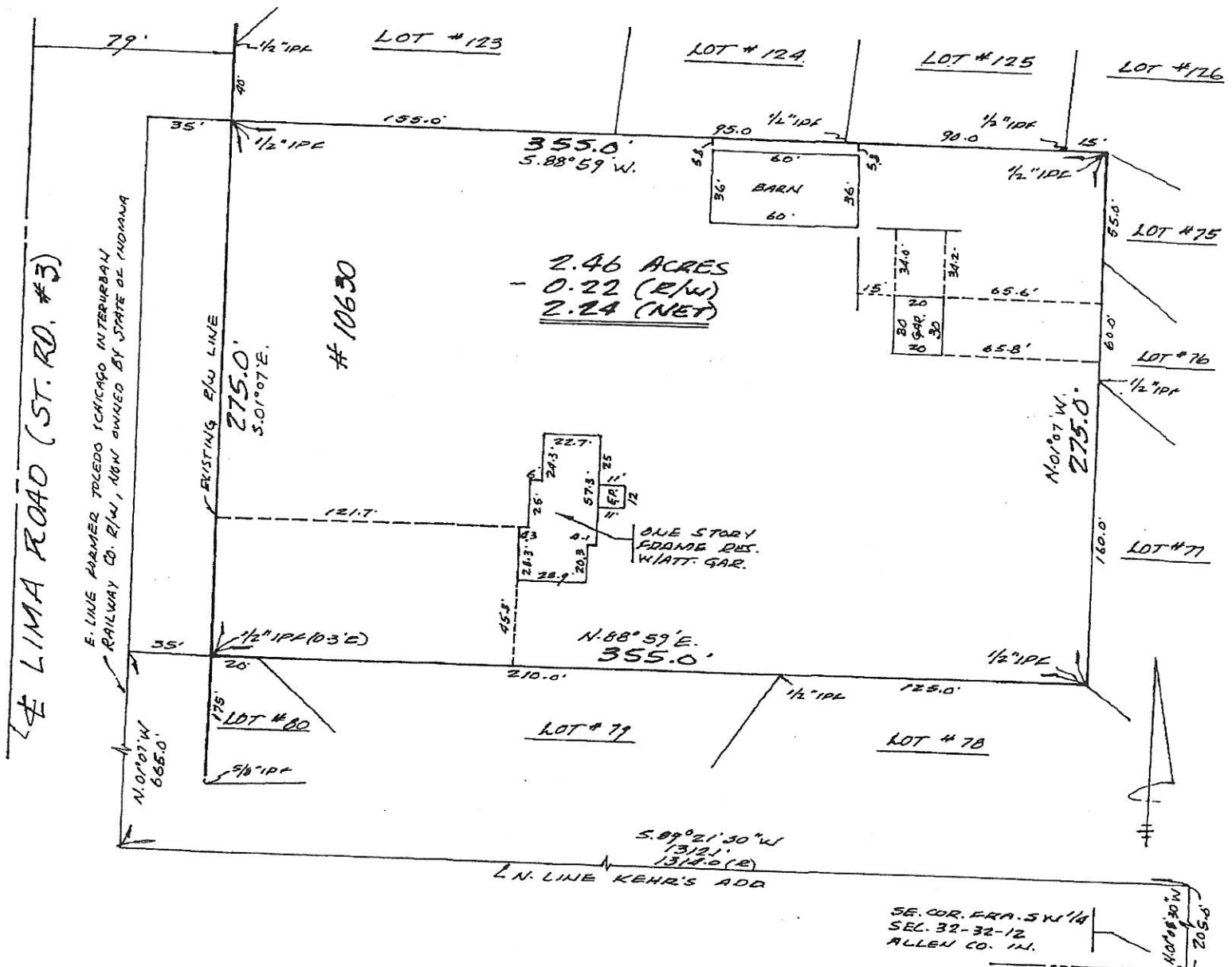
PRIMARY DEVELOPMENT PLAN



#200016417 Page 1

JOHN R. DONOVAN PE 9173 PLS 9821 IN
FRANCIS X. MUELLER PLS S0183 IN

The undersigned has made a re-survey of the real estate located in ALLEN County, Indiana, as shown and described below. The description of the real estate is as follows:



I hereby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief was executed according to the survey requirements set forth in 865 IAC 1-12.

CERTIFICATE OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 9500021 IN

DONOVAN ENGINEERING INC
2020 INWOOD DRIVE
EXECUTIVE PARK
FORT WAYNE, INDIANA 46815

JOHN R. DONOVAN PE 9173 PLS 9921 IN
FRANCIS X. MUELLER PLS S0193 IN

The undersigned has made a re-survey of the real estate located in ALLEN County, Indiana, as shown and described below. The description of the real estate is as follows:

East One-Half of the Fractional Southwest One-Quarter of Section 32, Township 32 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Fractional Southwest One-Quarter of Section 32, Township 32 North, Range 12 East, Allen County, Indiana; thence North 1 degree 08 minutes 30 seconds West along the East line of the fractional Southwest One-Quarter of Section 32, Township 32 North, Range 12 East, a distance of 205.0 feet; thence South 89 degrees 21 minutes 30 seconds West along the North line Kehr's Addition a distance of 1312.1 feet actual (1314.0 feet recorded) to the East line of the former Toledo & Chicago Interurban Railway Company right of way line now owned by the State of Indiana; thence North 1 degree 07 minutes West along the said East right of way line a distance of 665.0 feet to the point of beginning; thence North 88 degrees 59 minutes East a distance of 390.0 feet; thence North 1 degree 07 minutes West a distance of 275.0 feet; thence South 88 degrees 59 minutes West a distance of 390.0 feet to the said East right of way line; thence South 1 degree 07 minutes East a distance of 275.0 feet along the East line of the former Toledo & Chicago Interurban Railway Company right of way line to the point of beginning, containing 2.46 acres more or less.

NOTE: According to the Flood Insurance Rate Map (FIRM) number 18003C0145 E, dated Feb. 16, 1995, the herein described real estate is located in Zone "X" and is not within the 100 year flood hazard area. The accuracy of this flood hazard statement is subject to map scale uncertainty.

Job No. SW 323212

Date: 7-7-99

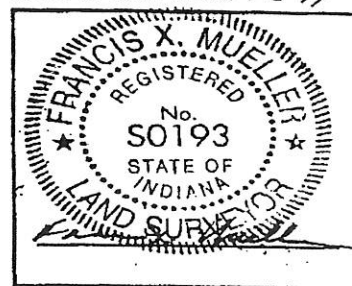
Job for: ZIMMERMAN EST. - MOSER.

LEGEND	
IPF	Iron Pin Found
PF	Iron Pipe Found
IPS	5/8" re-bar set (with cap stamped #0027)
PK	P.K. Nail
(M)	Measured
(R)	Recorded
(C)	Calculated

All monuments are at grade except as noted.
All property line distances are recorded
dimensions, except as noted.
Monuments found have no documented history,
except as noted.

Scale:

Date of field work: 7-6-99



I hereby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief was executed according to the survey requirements set forth in 865 IAC 1-12.