

1 **#REZ-2020-0039**

2 **BILL NO. Z-20-10-33**

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

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. H-07 (Sec. 16 of Wayne Township)**

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
8 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 Lot 3 in Rousseau's 2nd Garden Addition, according to the plat thereof, recorded in
13 Plat Record 6, page 26, in the Office of the Recorder of Allen County, Indiana.

14 and the symbols of the City of Fort Wayne Zoning Map No. H-07 (Sec. 16 of Wayne
15 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
16 Wayne, Indiana is hereby changed accordingly.

17
18 SECTION 2. If a written commitment is a condition of the Plan Commission's
19 recommendation for the adoption of the rezoning, or if a written commitment is modified and
20 approved by the Common Council as part of the zone map amendment, that written
21 commitment is hereby approved and is hereby incorporated by reference.

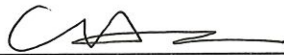
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23 SECTION 3. That this Ordinance shall be in full force and effect from and after its
24 passage and approval by the Mayor.

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Council Member

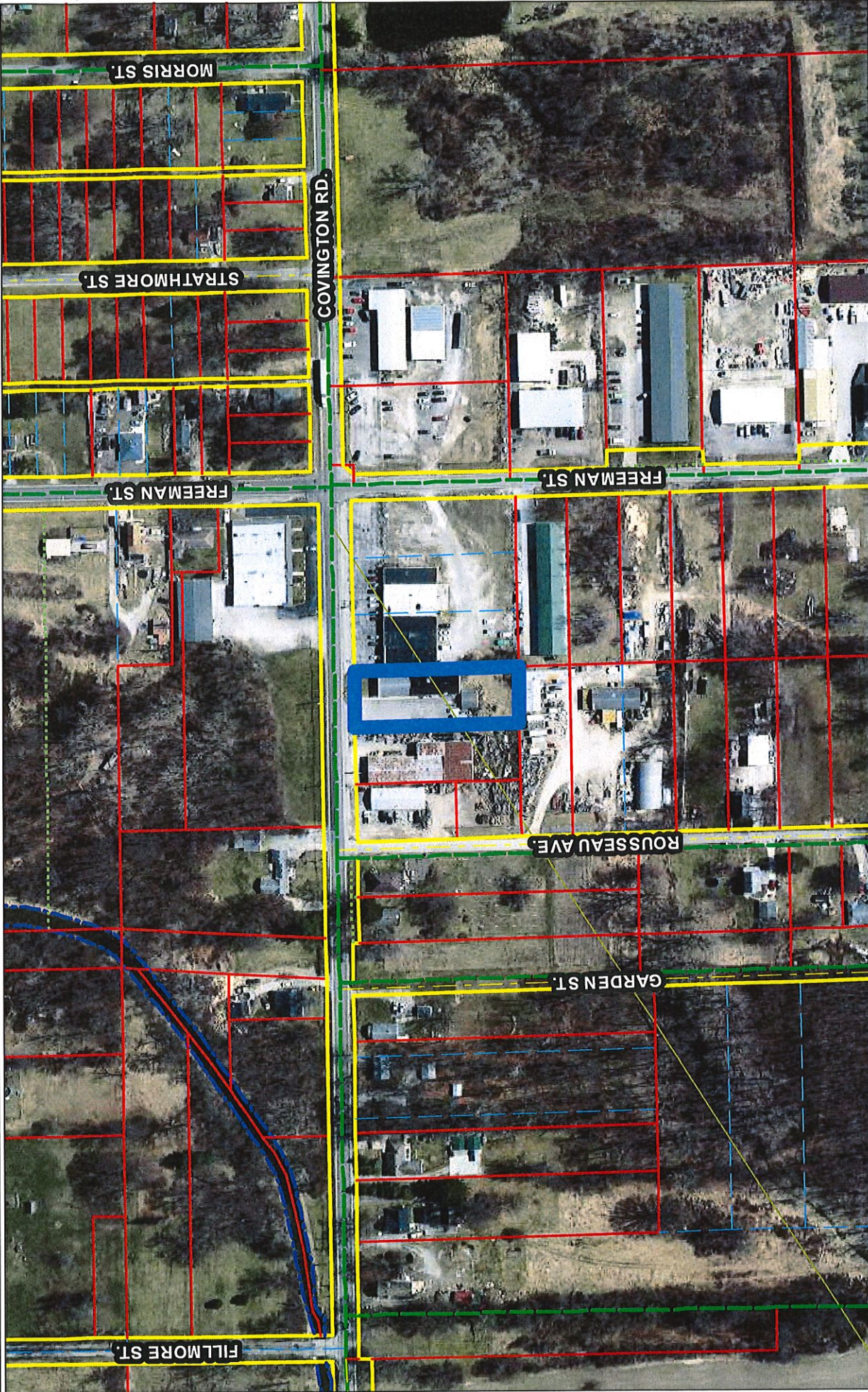
APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney



Rezoning Petition REZ-2020-0039 (3229 Covington Rd)



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.

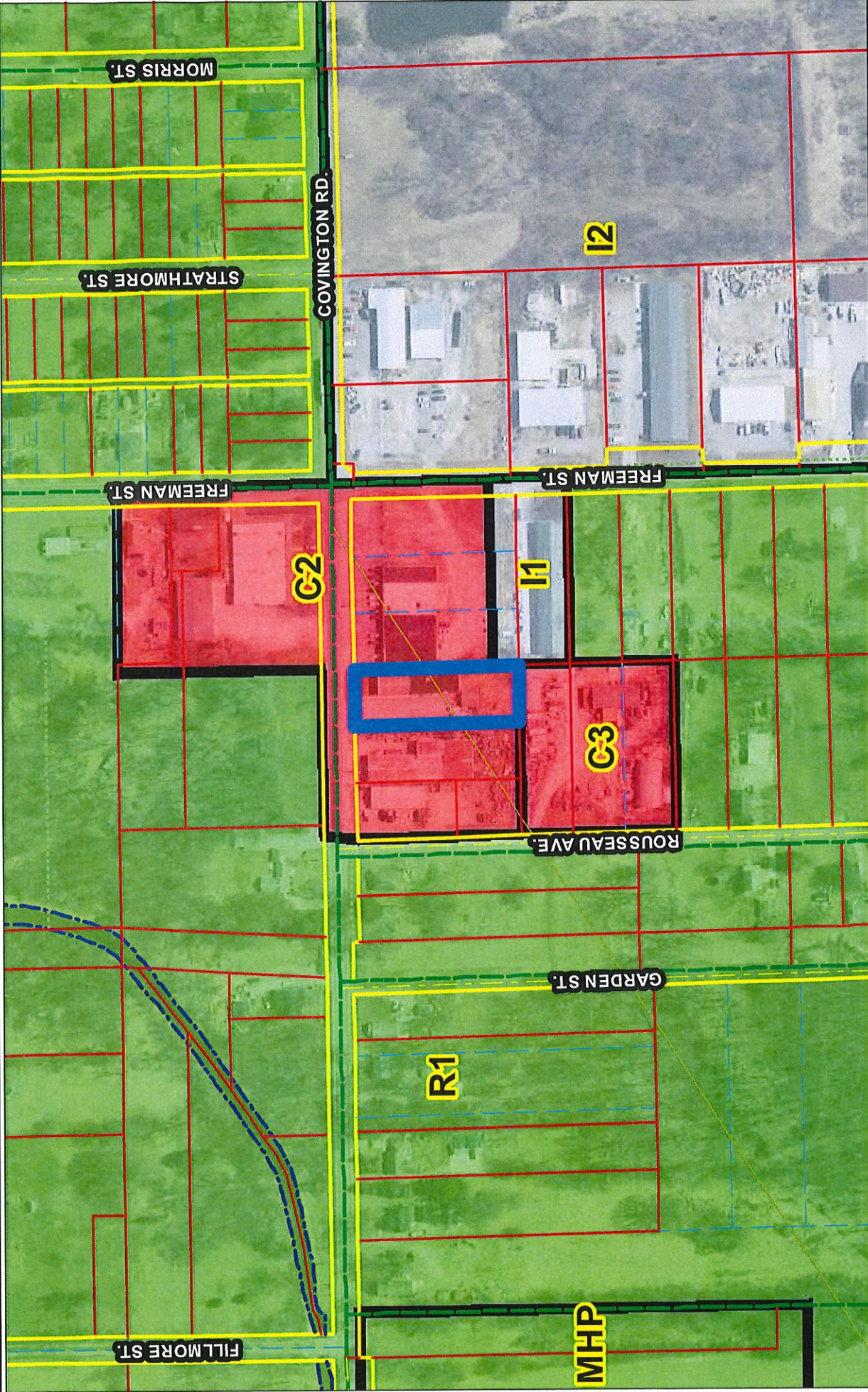
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/11/2020



1 inch = 200 feet



Rezoning Petition REZ-2020-0039 (3229 Covington Rd)



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1 inch = 200 feet



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Brian Smith
Address 2737 Club Terrace
City Fort Wayne State Indiana Zip 46804
Telephone 510-773-1461 E-mail bas.smithconstruction@gmail.com

Contact Person
Contact Person Cameron Smith
Address 2737 Club Terrace
City Fort Wayne State Indiana Zip 46804
Telephone 260-804-3758 E-mail cameron.smithconstruction@gmail.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 3229 Covington Road, Fort Wayne, IN 46802
Present Zoning C - 2 Proposed Zoning I - 1 Acreage to be rezoned 0.50 acres
Proposed density 1 units per acre
Township name Wayne Township section # 10
Purpose of rezoning (attach additional page if necessary) We recently purchased this building for a construction company and the Department of Planning services suggested an I-1 zoning would be more appropriate.
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.

Cameron Smith
(printed name of applicant)

Cameron Smith
(signature of applicant)

8-4-2020
(date)

Brian A. Smith
(printed name of property owner)

Brian A. Smith
(signature of property owner)

8/4/2020
(date)

(printed name of property owner)

(signature of property owner)

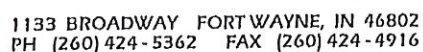
(date)

(printed name of property owner)

(signature of property owner)

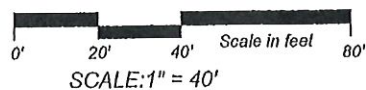
(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>10/1/20</u>	<u>135394</u>	<u>11-9-2020</u>	<u>REZ-2020-0039</u>



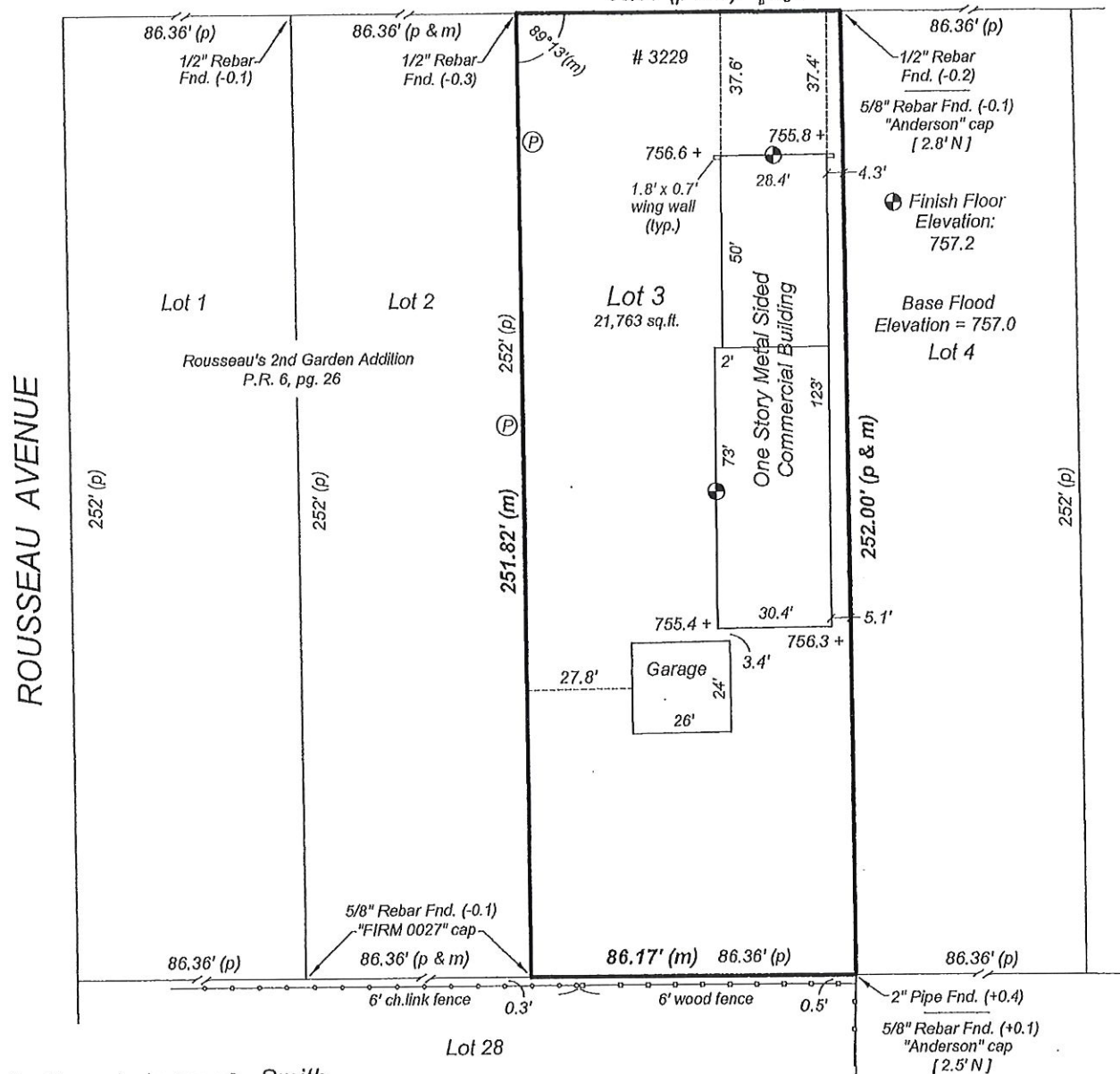
Lot 3 - Rousseau's 2nd Garden Addition
3229 Covington Road, Fort Wayne, IN 46802

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



COVINGTON ROAD 50' Right-of-Way (p)

86.36' (p & m) § sign



Job No.: 20050159 R

SHEET 1 OF 2



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

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

SURVEYOR'S REPORT

Lot 3 - Rousseau's 2nd Garden Addition
3229 Covington Road, Fort Wayne, IN 46802

LEGAL DESCRIPTION

Lot 3 in Rousseau's 2nd Garden Addition, according to the plat thereof, recorded in Plat Record 6, page 26, 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.

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

This purpose for 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 and per information shown on the plat of Rousseau's 2nd Garden Addition.

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 maximum uncertainty for this survey is 0.19 feet.

(B) Occupation or possession lines:

No uncertainty was created by visible occupation or possession lines.

A 6' wood fence and a 6' chainlink fence run along the South property line of said real estate as shown on survey drawing.

(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 precision (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 for this survey was performed on June 12, 2020

DATED THIS 26th DAY OF JUNE, 2020.

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

Job No.: 20050159 R



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0039
Bill Number: Z-20-10-33
Council District: 5-Geoff Paddock

Introduction Date: October 27, 2020

Plan Commission
Public Hearing Date: November 9, 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 0.50 acres from C2/Limited Commercial to I1/Limited Industrial.

Location: 3229 Covington Road

Reason for Request: To utilize an existing building and site for a construction company.

Applicant: Brian and Cameron Smith

Property Owner: Brian and Cameron Smith

Related Petitions: none

Effect of Passage: Property will be rezoned to the I1/Limited Industrial zoning district, which will allow the existing building and building site to be used for a construction company.

Effect of Non-Passage: The property will remain zoned commercial and may be redeveloped with uses permitted in the Limited Commercial district.

FACT SHEET

Case #REZ-2020-0039 Bill # Z-20-10-33 Project Start: October 2020	
APPLICANT:	Brian Smith
REQUEST:	To rezone property from C2/Limited Commercial to I1/Limited Industrial to allow for a construction contractor facility.
LOCATION:	The address of the subject property is 3229 Covington Road (Section 16 of Wayne Township).
LAND AREA:	Approximately .5 acres
PRESENT ZONING:	C2/Limited Commercial
PROPOSED ZONING:	I1/Limited Industrial
PRESENT ZONING:	C2/Limited Commercial
PROPOSED ZONING:	I1/Limited Industrial
COUNCIL DISTRICT:	5-Geoff Paddock
ASSOCIATED PROJECT:	none
SPONSOR:	City of Fort Wayne Plan Commission

November 9, 2020 Public Hearing

- No one from the public spoke at the hearing.
- Paul Sauerteig and Justin Shurley were absent.

November 16, 2020 – Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Judi Wire and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

7-0 MOTION PASSED

- Tom Freistroffer and Justin Shurley were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
November 30, 2020

PROJECT SUMMARY

SITE HISTORY:

- The commercial structure was constructed in 1960.

STAFF DISCUSSION:

The petitioner requests a rezoning from C2/Limited Commercial to I1/Limited Industrial to allow the structure to be reused for a construction contractor facility.

The property developed in 1960 and was most recently occupied by the Ultimate Nutrition Center. The construction company specializes in interior construction of framing, drywall and painting. The intent is to repurpose the existing building for the construction company offices and related uses. The requested I1 zoning is necessary for the proposed use.

The proposed rezoning property is surrounded by commercial and industrial land uses. This property is located on the south side of Covington Road just west of Freeman Street. Mansfield Material handling is located to the west of the property and there is a multi-tenant building and light industrial. To the south of the property is D and M Mechanical Contractors.

The Comprehensive Plan encourages a mixture of uses so long as they are compatible. The structure has been in place since 1960. The Comprehensive Plan also encourages reinvestment in existing properties, utilizing existing infrastructure and roadways.

PUBLIC HEARING SUMMARY:

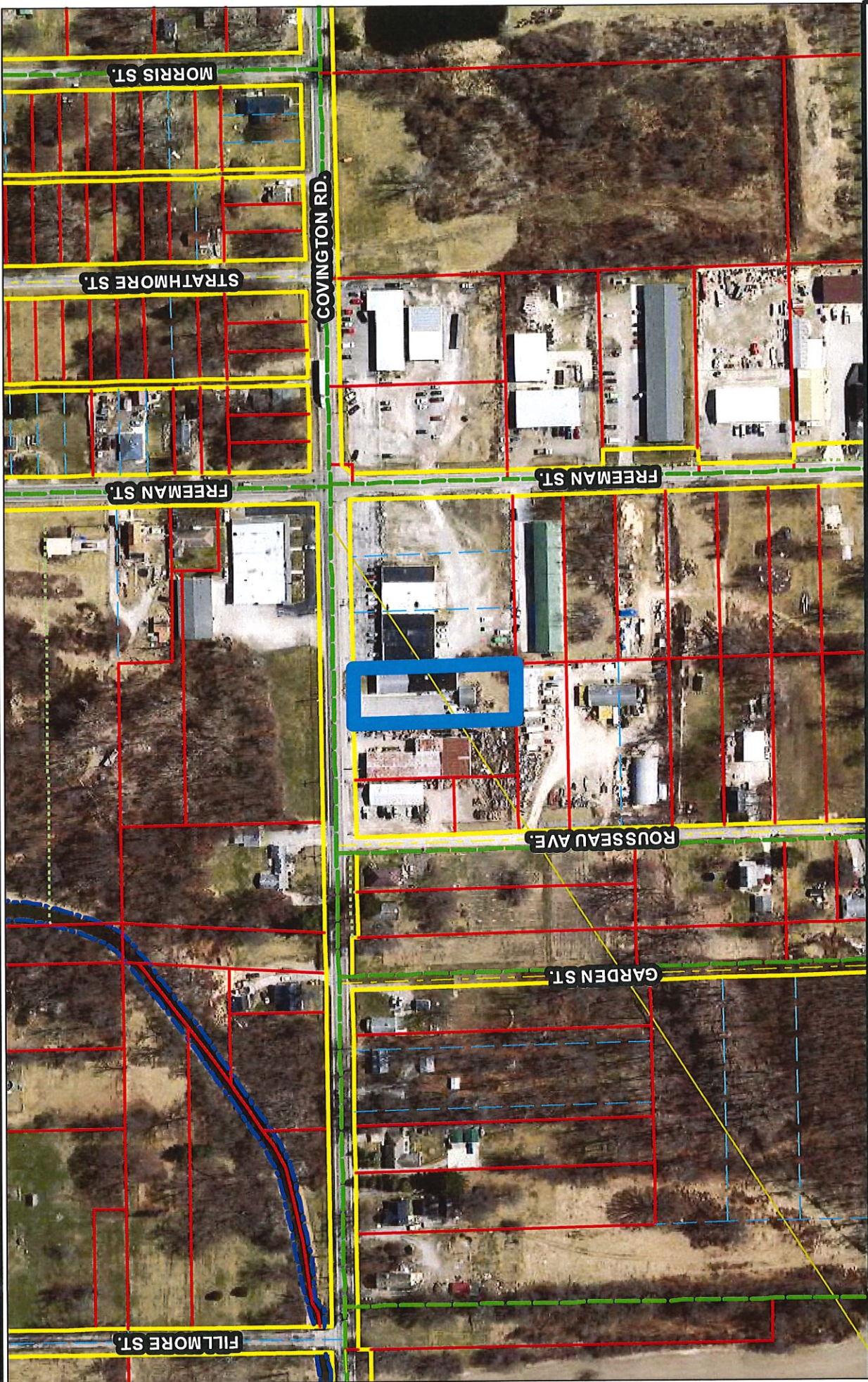
Presenter: Cameron Smith, co-owner, presented the proposal as outlined above.

Public Comments:

none



Rezoning Petition REZ-2020-0039 (3229 Covington Rd)



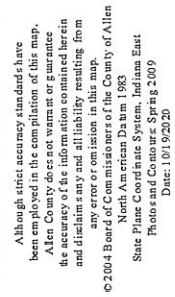
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100

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Brian Smith
 Address 2737 Club Terrace
 City Fort Wayne State Indiana Zip 46804
 Telephone 510-773-1461 E-mail bas.smithconstruction@gmail.com

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 Sewer provider _____ City _____ Water provider _____ City _____

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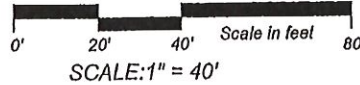
Received <u>10/1/20</u>	Receipt No. <u>135394</u>	Hearing Date <u>11-9-2020</u>	Petition No. <u>REZ-2020-0039</u>
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BOUNDARY RETRACEMENT SURVEY

Lot 3 - Rousseau's 2nd Garden Addition
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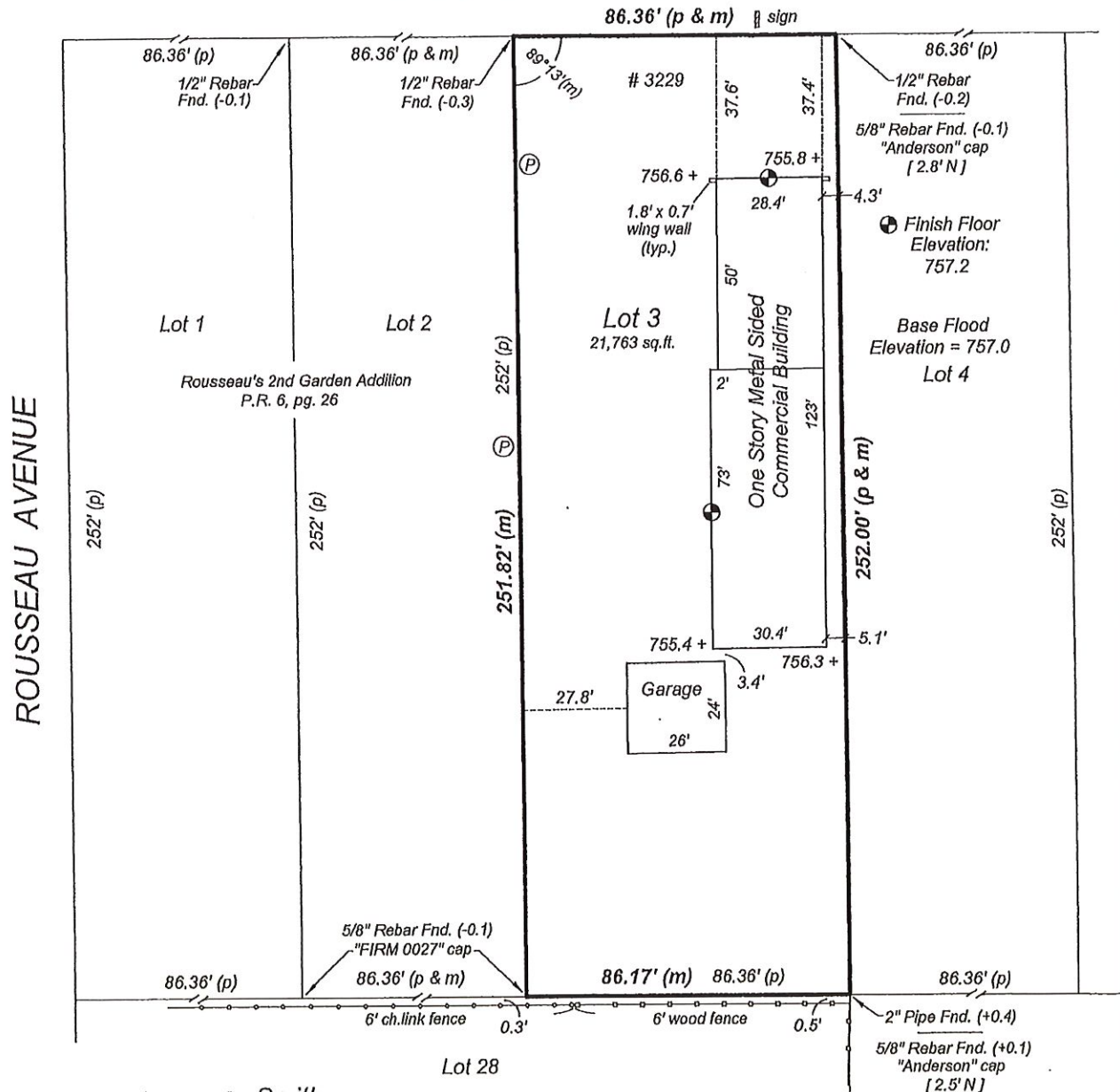
LEGEND

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



COVINGTON ROAD

50' Right-of-Way (p)



For the exclusive use of: Smith

Date: June 15, 2005 / June 26, 2020

Job No.: 20050159 R

SHEET 1 OF 2



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

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

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Field work for this survey was performed on June 12, 2020

DATED THIS 26th DAY OF JUNE, 2020.

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

Job No.: 20050159 R

