

# 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-2020-0046  
Bill Number: Z-20-11-09  
Council District: 3-Tom Didier

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Introduction Date: November 24, 2020

Plan Commission  
Public Hearing Date: December 7, 2020 (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 approximately 7.78 acres from R1/Single Family Residential R3/Multiple Family Residential.

Location: 3515 West State Boulevard

Reason for Request: To permit a 48-unit multiple family residential development

Applicant: Martin J. Henry

Property Owner: Martin J. Henry

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Related Petitions: Primary Development Plan, West State Apartments

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Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which will allow an apartment development.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential which permits single family homes on individual parcels.

1           **#REZ-2020-0046**

2           **BILL NO. Z-20-11-09**

3  
4                           **ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

5                           **AN ORDINANCE amending the City of Fort Wayne**  
6                           **Zoning Map No. H-14 (Sec. 33 of Washington 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 R3  
10                      (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of  
11                      the City of Fort Wayne, Indiana:

12                   **Real Estate Description per Document Number 2020067653**

13           A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31  
14           NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

15           COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION  
16           AND 955 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,  
17           THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF  
18           SAID SECTION, 165 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID  
19           SOUTHWEST QUARTER 200 FEET; THENCE EAST 165 FEET PARALLEL WITH THE FIRST  
20           LINE; THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, SAID IN PREVIOUS DEED  
21           TO CONTAIN 0.76 ACRES, MORE OR LESS.

22           TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS TO NEUHAUS DRIVE, OVER  
23           THE SOUTH 25 FEET OF THE NORTH 660 FEET OF THE SOUTH 2640 FEET OF THE WEST  
24           200 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP  
25           31 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA.

26                   **Real Estate Description per Document Number 2020043740**

27           A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31  
28           NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

29           COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION  
30           AND 790 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,  
31           THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF  
32           SAID SECTION 330 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID  
33           SOUTHWEST QUARTER 660 FEET; THENCE EAST 330 FEET PARALLEL WITH THE FIRST  
34           LINE; THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, CONTAINING 5 ACRES  
35           MORE OR LESS.

36           EXCEPTING THEREFROM:

1 THE NORTH 20 FEET CONVEYED TO THE BOARD OF COMMISSIONERS OF ALLEN COUNTY  
2 FOR PUBLIC HIGHWAY PURPOSES BY DEED RECORD 202, PAGES 133-134.

3 ALSO EXCEPTING THEREFROM:

4 A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31  
5 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

6 COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION  
7 AND 955 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,  
8 THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF  
9 SAID SECTION, 165 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID  
10 SOUTHWEST QUARTER 200 FEET; THENCE EAST 165 FEET PARALLEL WITH THE FIRST  
11 LINE; THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.76 ACRES  
12 MORE OR LESS.

13 **Real Estate Description per Document Number 2012048948**

14 A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31  
15 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

16 COMMENCING AT A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST  
17 QUARTER 1980 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 33; THENCE  
18 RUNNING NORTH ON SAID WEST LINE, 660 FEET; THENCE EAST PARALLEL WITH THE  
19 SOUTH LINE OF SAID SECTION 200 FEET; THENCE SOUTH PARALLEL WITH THE FIRST  
20 LINE 660 FEET, THENCE WEST 200 FEET TO THE PLACE OF BEGINNING, EXCEPTING  
21 THEREFROM THE RIGHT OF WAY FOR ROAD 25 FEET WIDE RUNNING FROM ROAD  
22 DIRECTLY FRONTING SAID LAND ON THE SOUTH TO A FIVE ACRE TRACT OF LAND SOLD  
23 TO EDWARD KLEINSCHMIDT AND WIFE, SAID LAND SOLD BEING 110 FEET EAST OF THE  
24 EAST LINE OF SAID ROAD.

25 and the symbols of the City of Fort Wayne Zoning Map No. H-14 (Sec. 33 of Washington  
26 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
27 Wayne, Indiana is hereby changed accordingly.

28 SECTION 2. If a written commitment is a condition of the Plan Commission's  
29 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
30 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.



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Council Member

APPROVED AS TO FORM AND LEGALITY:

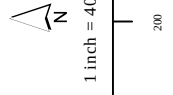
\_\_\_\_\_  
Carol T. Helton, City Attorney



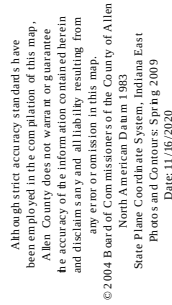


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 11/16/2020







# Department of Planning Services

## Rezoning Petition Application

Applicant Neuhaus Properties LLC

Address PO Box 11227

City Fort Wayne State Indiana Zip 46856

Telephone 260-410-7513 E-mail mhenry@upstatemetal.com

Contact Person Todd R. Bauer  
Address 1910 St. Joe Center Road #51  
City Fort Wayne State Indiana Zip 46825  
Telephone 260-484-9900 E-mail todd@4site.biz

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

☐ Allen County Planning Jurisdiction    ☒ City of Fort Wayne Planning Jurisdiction

Address of the property 3515 West State Boulevard

Present Zoning R-1    Proposed Zoning R-3    Acreage to be rezoned 7.78

Proposed density 6.17 units per acre

Township name Washington    Township section # 33

Purpose of rezoning (attach additional page if necessary) To accommodate a Multi-Family use.

Sewer provider City of Fort Wayne    Water provider City of Fort Wayne

*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.

|                                                     |                                                 |                                                                         |                     |
|-----------------------------------------------------|-------------------------------------------------|-------------------------------------------------------------------------|---------------------|
| Martin J. Henry<br>(printed name of applicant)      | Martin J Henry<br>(signature of applicant)      | Digitally signed by Martin J Henry<br>Date: 2020.11.03 08:57:37 -05'00' | 11/3/2020<br>(date) |
| Martin J. Henry<br>(printed name of property owner) | Martin J Henry<br>(signature of property owner) | Digitally signed by Martin J Henry<br>Date: 2020.11.03 08:57:46 -05'00' | 11/3/2020<br>(date) |
| _____<br>(printed name of property owner)           | _____<br>(signature of property owner)          |                                                                         | _____<br>(date)     |
| _____<br>(printed name of property owner)           | _____<br>(signature of property owner)          |                                                                         | _____<br>(date)     |

|                       |                       |                           |                               |
|-----------------------|-----------------------|---------------------------|-------------------------------|
| Received<br>11-3-2020 | Receipt No.<br>135698 | Hearing Date<br>12-7-2020 | Petition No.<br>REZ-2020-0046 |
|-----------------------|-----------------------|---------------------------|-------------------------------|



# Primary Development Plan For West State Apartments

3515 West State Boulevard, Fort Wayne, Indiana 46808

Project Civil Engineer/Land Surveyor:



**ForeSight Consulting, LLC**

1910 St. Joe Center Road, Suite 51

**Fort Wayne, Indiana 46825**

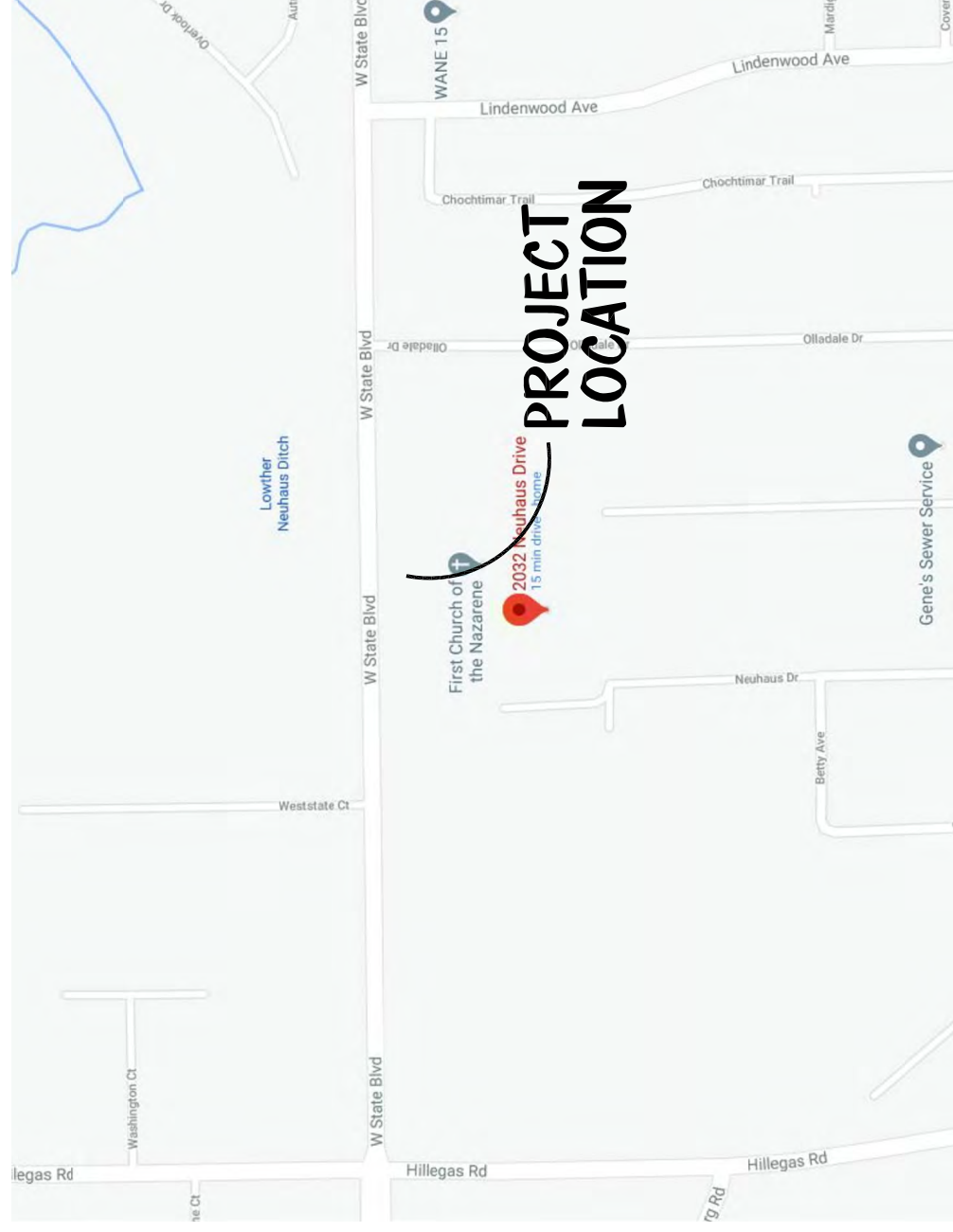
**Fax: 260.484.9980**

### Development Statistics:

**Project Area:** 5.45 Acres

**Number of Units:** 38 Two Bedroom (1,100-1,300 sq.ft.)

**Parking Spaces:** **2 Per Unit + 27 Guest Spaces**



Real Estate Description per Document #2020067653:

AS A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33 TOWNSHIP 31 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT 1480 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION AND 495 FEET EAST OF THE EAST LINE OF THE SOUTH SECTION, 65 FEET THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 200 FEET THENCE EAST 168 FEET THENCE SOUTH 168 FEET THENCE WEST 168 FEET THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 200 FEET THENCE EAST 168 FEET PARALLEL WITH THE FIRST LINE THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, SAID IN PREVIOUS DEED TO CONTAIN 0.16 ACRES, MORE OR LESS.

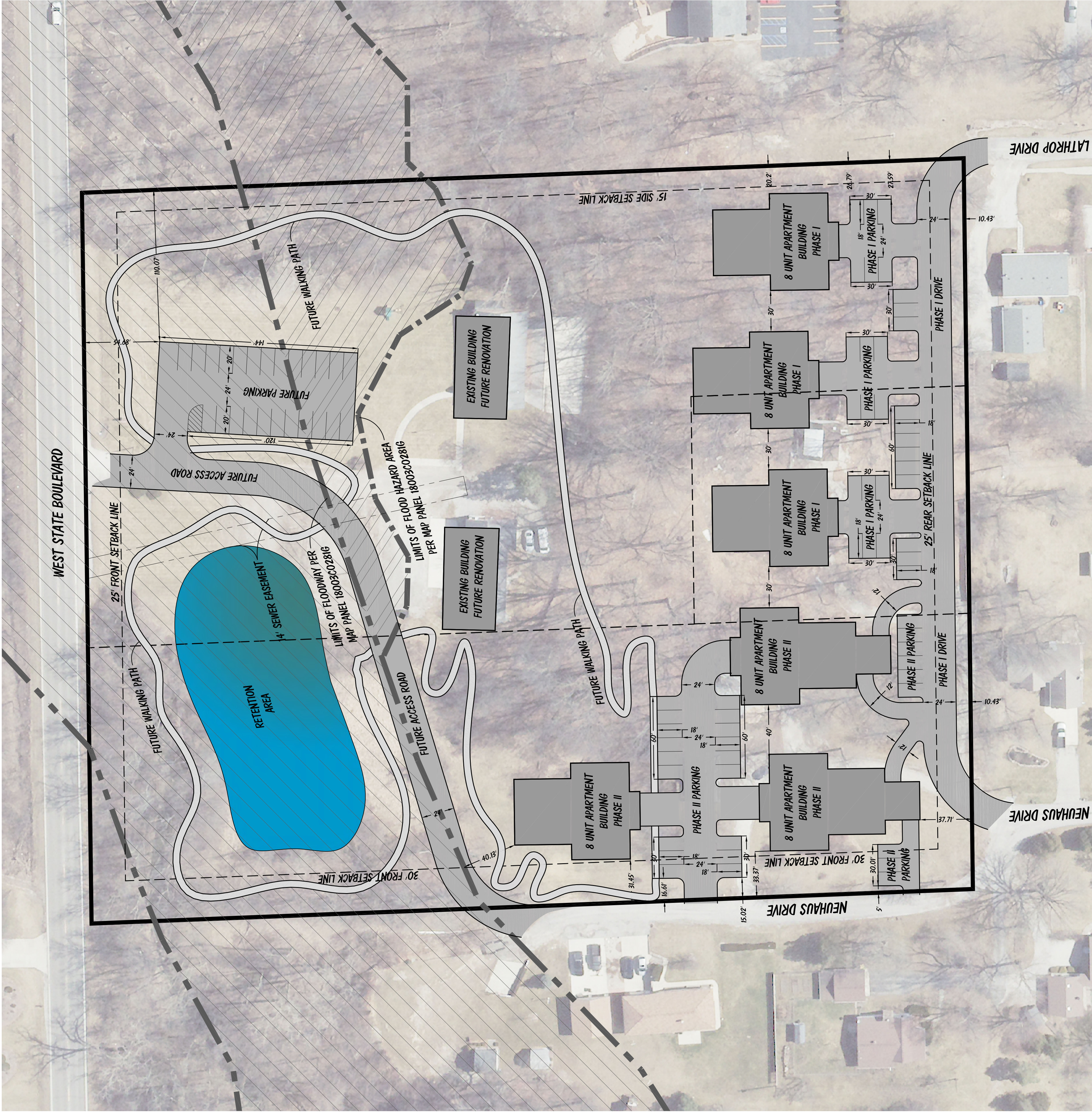
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS TO NEUMARS DRIVE OVER THE SOUTH 25 FEET OF THE NORTH 660 FEET OF SECTION 33, AND AN EASEMENT FOR THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA.

## Real Estate Description per Document #2020043740:

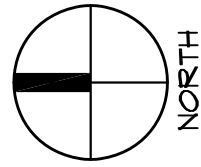
[illegible]

## Real Estate Description per Document #2012048948:

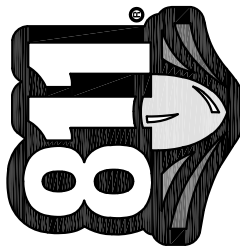
CONVEYING AT A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER 980 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 35, THENCE RUNNING NORTH ON SAID WEST LINE 660 FEET, THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 200 FEET, THENCE SOUTH PARALLEL WITH THE FIRST LINE 660 FEET, THENCE WEST 200 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THE RIGHT OF WAY FOR ROAD 25 FEET WIDE RUNNING FROM ROAD 200 DIRECTLY FRONTING SAID LAND ON THE SOUTH TO A FIVE ACRE TRACT OF LAND SOLD TO EDWARD KLEINSCHMIDT AND WIFE, SAID LAND SOLD BEING 10 FEET EAST OF THE EAST LINE OF SAID ROAD.



## Primary Development Plan

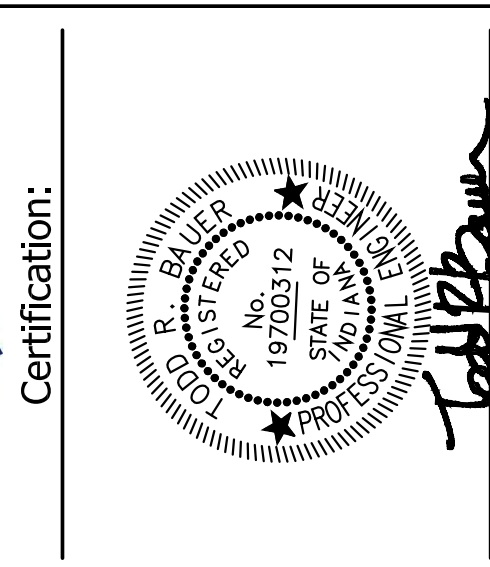


Scale: 1" = 40'



Know what's below.  
**Call** before you dig.

**Forecasting Consulting, LLC**  
 Professional Engineers & Surveyors  
 1910 St. Joe Center Road, Suite # 51  
 Fort Wayne, Indiana 46825  
 260.484.9900 phone  
 260.484.9980 fax  
 www.4site.biz



This is an original design created by Foresight Consulting, LLC. The concepts, ideas, plans and details are the sole property of Foresight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to an person, firm or corporation for any purpose without the prior written permission of Foresight Consulting, LLC. Written verifications on these drawings shall have precedence over the scale dimensions. The contractors shall verify and be responsible for all dimensions and conditions on the job and Foresight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to Foresight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:  
**Neuhaus Properties LLC**  
3315 West State Boulevard, Fort Wayne, Indiana 46806

## Drawing Revisions

**Commission Number**  
**202897**

Date \_\_\_\_\_

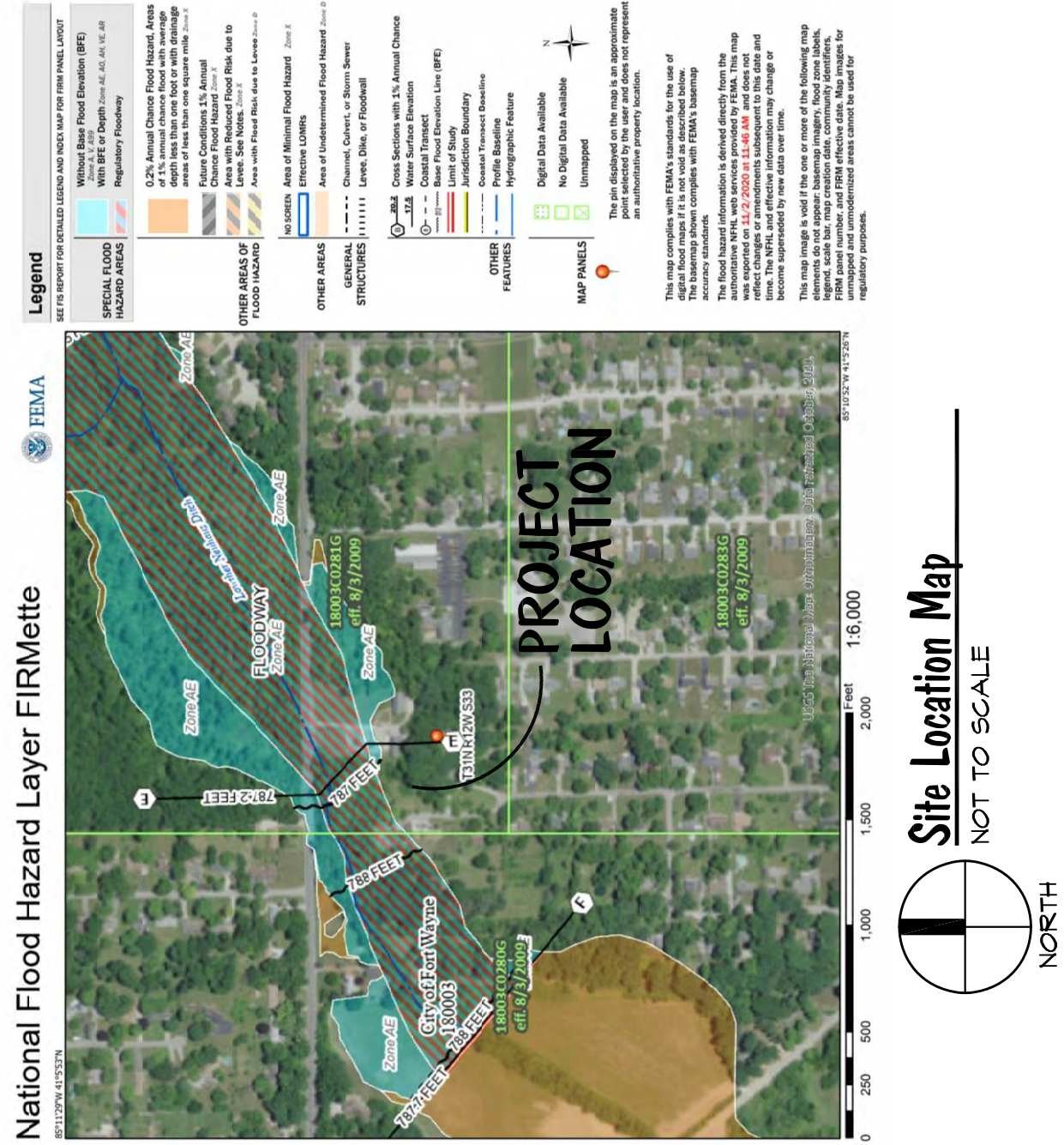
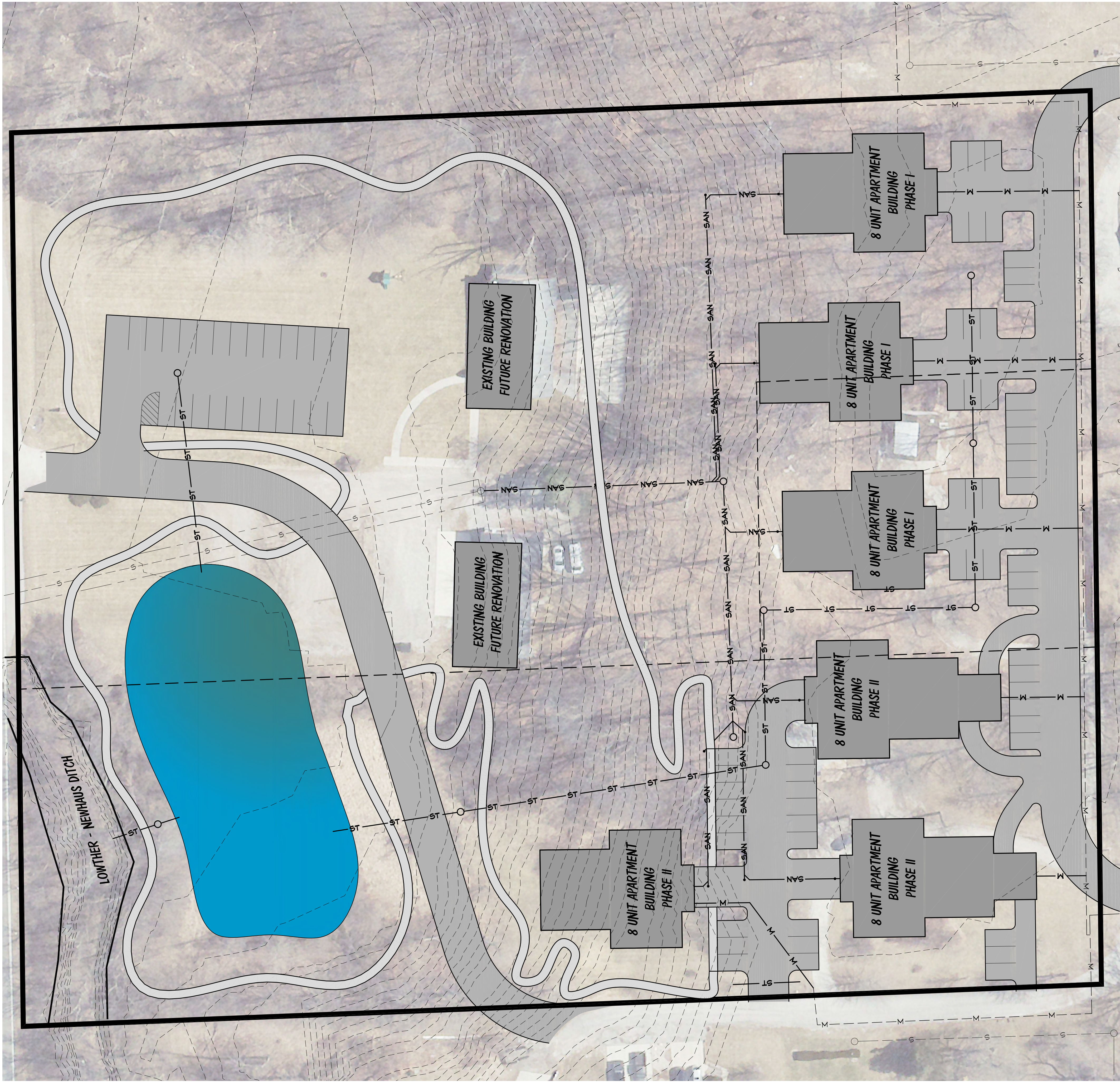
November 3rd, 2020

| Title                    |
|--------------------------|
| Primary Development Plan |

Sheet Number

1D1P





| Existing Utility Provider Information                              |                         |              |
|--------------------------------------------------------------------|-------------------------|--------------|
| Water/Sewer                                                        | City of Fort Wayne      |              |
| Sanitary Sewer Service                                             | City of Fort Wayne      |              |
| Electric                                                           | American Electric Power |              |
| Gas                                                                | NIPSCO                  |              |
| Contact Information                                                |                         |              |
| City of Fort Wayne Department of Land Use Management-Michaele Wood |                         | 260-427-1129 |
| City of Fort Wayne Fire Department-Marsha Black                    |                         | 260-427-1168 |
| City of Fort Wayne New Water and Sewer Engineering-Carlyn Bokern   |                         | 260-427-1161 |
| City of Fort Wayne Sewer Engineering Department-Lisa Ramos         |                         | 260-427-5064 |
| City of Fort Wayne Stormwater Engineering Department-Patrick Joley |                         | 260-427-5064 |
| City of Fort Wayne Water Engineering Department-Rick Soals         |                         | 260-427-5064 |
| City of Fort Wayne Traffic Engineering Department-Kyle Winling     |                         | 260-427-1172 |
| American Electric Power-Karen Palmer                               |                         | 260-408-1863 |
| Verizon-Amy Holtzman                                               |                         | 260-461-3325 |
| NIPSCO-Mike Pruitt                                                 |                         | 260-439-1408 |
| Comcast-Dawn Lenhardt                                              |                         | 765-449-3811 |

**ForeSight Consulting, LLC**  
 Professional Engineers & Surveyors  
 1910 St. Joe Center Road, Suite #51  
 Fort Wayne, Indiana 46825  
 260.484.9900 phone  
 260.484.9980 fax  
 www.4site.biz

*Creating a Better Tomorrow.....with Foresight*

Certification:



**Certification:**



*John P. [Signature]*

This is a true and correct copy of the original document submitted to the Maryland Department of General Services, Office of the State Comptroller, for the purpose of recording the same. The document is hereby certified to be a true and correct copy of the original document submitted to the Maryland Department of General Services, Office of the State Comptroller, for the purpose of recording the same.

**Performed for:**

Primary Development Plan For:

**Neuhaus Properties LLC**

3515 West State Boulevard, Fort Wayne, Indiana 46806

|                   |                          |
|-------------------|--------------------------|
| Drawing Revisions |                          |
| Commission Number | 202897                   |
| Date              | November 3rd, 2020       |
| Title             | Primary Development Plan |
| Sheet Number      | PD2                      |