

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2019-0083
Bill Number: Z-20-01-09
Council District: 4-Jason Arp

Introduction Date: January 14, 2020

Plan Commission
Public Hearing Date: January 13, 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 2.5 acres from R2/Two Family Residential to R3/Multiple Family Residential.

Location: 4400 to 4500 blocks of Dicke Road

Reason for Request: To permit an 11-unit duplex development.

Applicant: JRM Realty, LLC – Jim Mutton

Property Owner: JRM Realty, LLC – Jim Mutton

Related Petitions: Primary Development Plan, Dicke Road Duplexes (amended)

Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential district, which will allow the property to redevelop with multiple duplex units on one parcel.

Effect of Non-Passage: The property will remain zoned R2/Two Family Residential, which will allow the approved residential development (approved in 2019) but each duplex will need to be on a separate parcel. The applicant believes the market will better support the revised plan.

#REZ-2019-0083

BILL NO. Z-20-01-09

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 Geodetic Indiana State Plane
Coordinate System (NAD83') (2011), on the West line of said Northwest Quarter,
1,183.00 feet to the **Point of Beginning** at the Northwest corner of a 2.89-acre parcel
described in Document #2014028366 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 2.89-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 2.89-acre parcel, being parallel with
the West line of said Northwest Quarter, 377.07 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, 190.64 feet to the Northwest corner
thereof; thence North 00 degrees 33 minutes 57 seconds West, parallel with and
142.00 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, 142.00 feet to the said West line of said Northwest Quarter; thence North 00
degrees 33 minutes 57 seconds West, on said West line, 245.00 feet to the Point of
Beginning, containing **2.05 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.

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

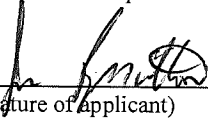
Contact Person	Contact Person <u>Kevin McDermit - Lougheed & Associates</u>		
	Address <u>1017 S Hadley Road</u>		
	City <u>Fort Wayne</u>	State <u>IN</u>	Zip <u>46804</u>
	Telephone <u>260-432-3665</u>	E-mail <u>krmcdermit@comcast.net</u>	

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 <u>4511 Dicke Road</u>	
	Present Zoning <u>R2</u>	Proposed Zoning <u>R3</u> Acreage to be rezoned <u>2.45</u>
	Proposed density <u>4.49 units per acre</u> units per acre	
	Township name <u>Aboite</u>	Township section # <u>24</u>
	Purpose of rezoning (attach additional page if necessary) <u>For the development of residential duplex apartment units</u>	
Sewer provider <u>Aqua Indiana</u> Water provider <u>FORT WAYNE</u>		

Filing Requirements	<i>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.</i>	
	☒ 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.

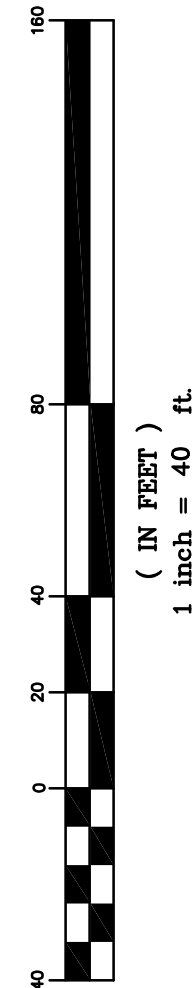
<u>Jim Mutton</u>		<u>11-27-19</u>
(printed name of applicant)	(signature of applicant)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
12-2-19	132768	1/13/20	REZ-2019-0083

UTILITY SERVICE PROVIDERS:
NATURAL GAS:
NIPSCO
1000 N. LAUREL AVENUE
FORT WAYNE, IN 46802
JERRY BROWN
(260) 443-6353
ELECTRIC:
INDIANAPOLIS POWER
3514 LINDEN RD.
FORT WAYNE, IN 46774
260-749-3073 OFFICE
260-625-4700
SANTARY SEWER:
AQUA INDIANA
14421 ILLINOIS ROAD
FORT WAYNE, IN 46818
260-432-9438
CABLE TELEVISION:
COMCAST
720 TAYLOR
FORT WAYNE, IN 46802
JOHN GATWAY
(260) 458-5107
TELE-COMMUNICATIONS:
FRONTIER
8001 WEST IFFERTSON
FORT WAYNE, IN 46814
AMY HEITZMANN
(260) 461-2268
WATER:
CITY OF FORT WAYNE
CITIZENS SQUARE
1000 N. LAUREL AVENUE
FORT WAYNE, IN 46802
NEW WATER & SEWER:
(260) 427-1161



GRAPHIC SCALE



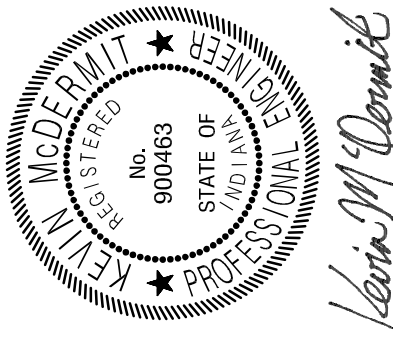
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FRONTIER
8001 WEST IFFERTSON
FORT WAYNE, IN 46814
AMY HEITZMANN
(260) 461-2268

TOPOGRAPHIC DATA AND BOUNDARY SURVEY PROVIDED BY:

SURVEYOR:



GOULOFF — JORDAN
SURVEYING AND DESIGN, INC.
1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

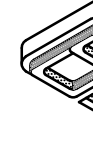


Kevin M. Demit

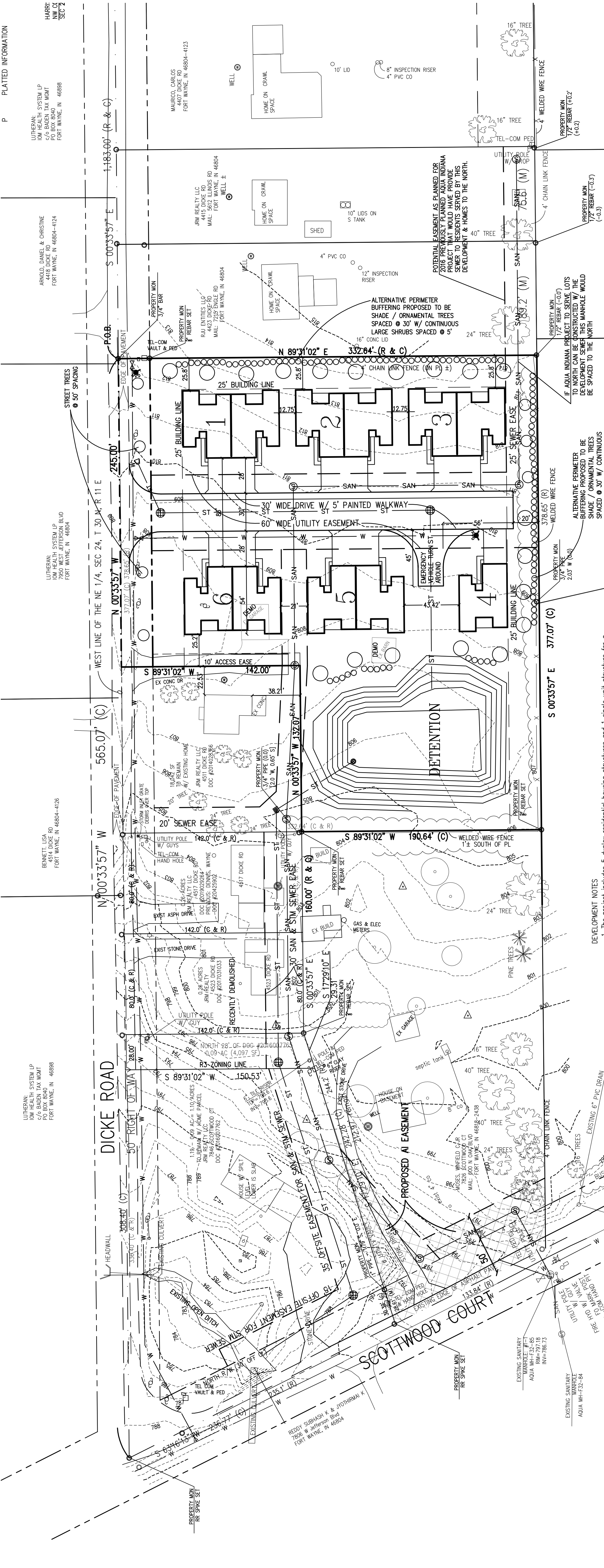
OWNER & DEVELOPER:
JRM REALTY LLC
JIM MUTTON, MEMBER
5612 ILLINOIS ROAD
FORT WAYNE, IN 46804
260 432-9438

JRM REALTY LLC DUPLEX APARTMENTS
4500 BLOCK OF DICKER ROAD
FORT WAYNE, ALLEN COUNTY, INDIANA

LOUGHEED & ASSOCIATES, INC.
CONSULTING ENVIRONMENTAL & CIVIL ENGINEERS
1017 SOUTH HADLEY ROAD * FORT WAYNE, INDIANA 46804
(260) 432-3665 FAX 436-0224

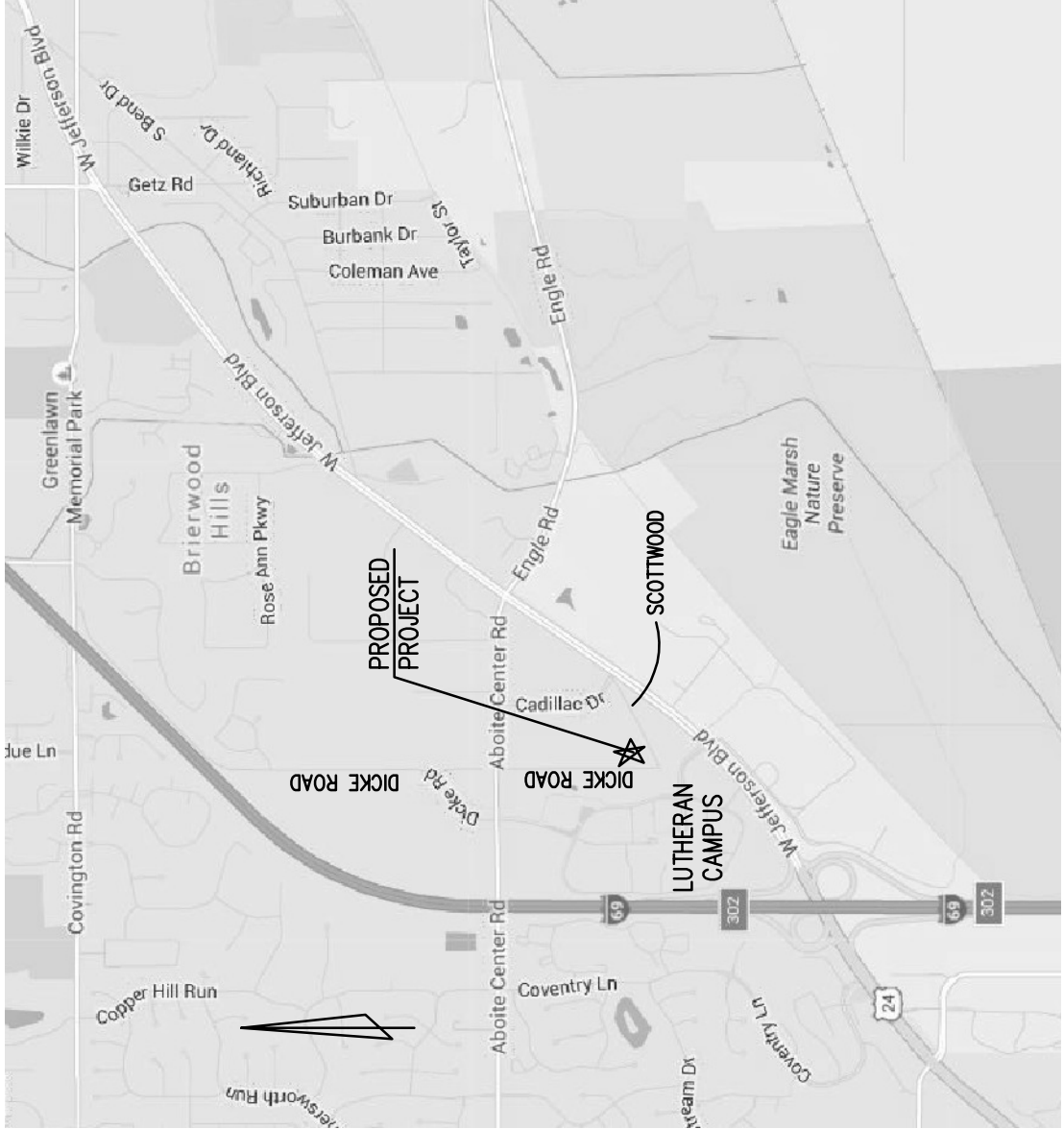


DRAWN BY:
KRM
DATE: DECEMBER 2, 2019
TITLE: PRIMARY DEVELOPMENT PLAN
SHEET 1
SCALE: 1"=40'



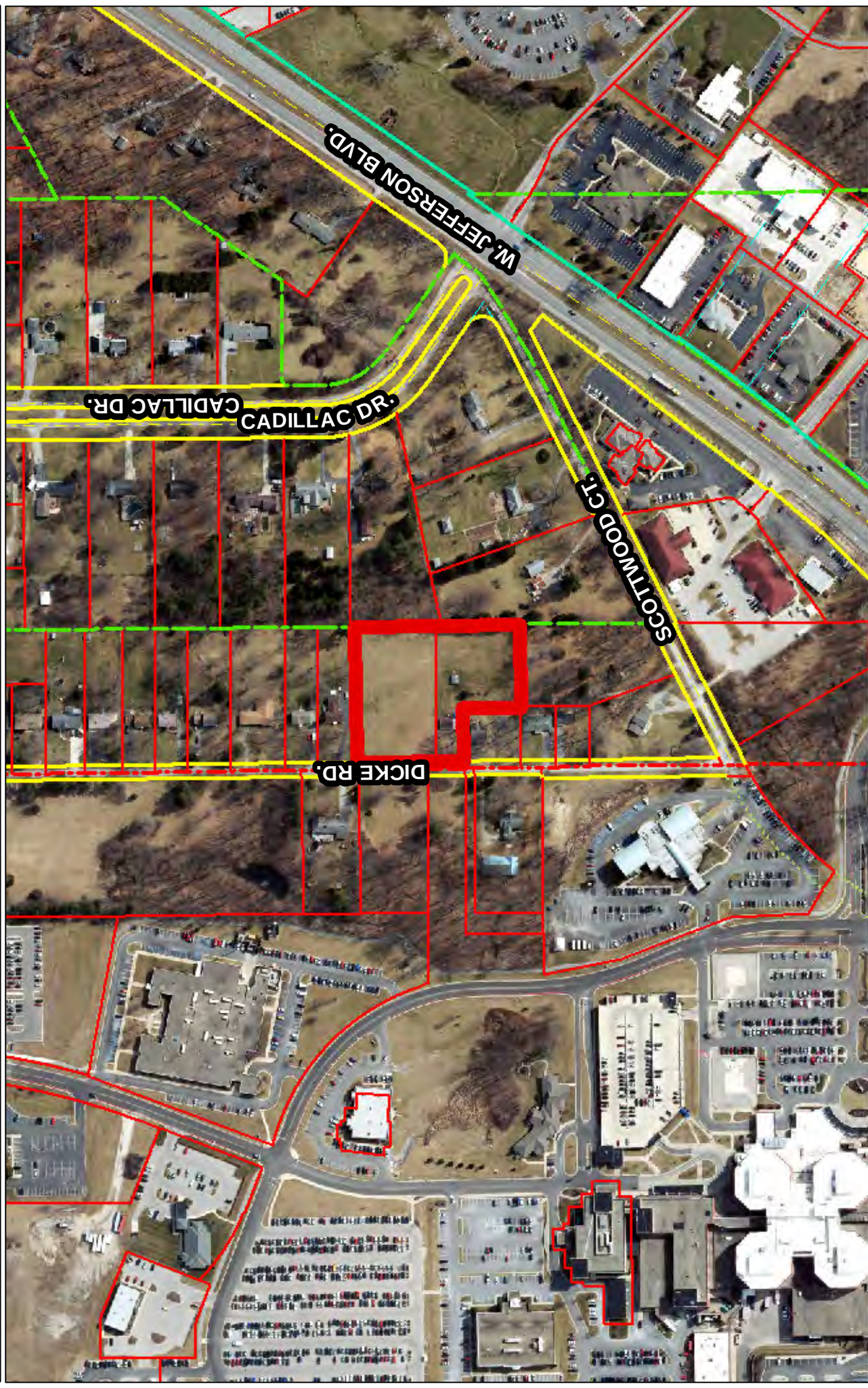
- DEVELOPMENT NOTES
1. The project includes 5 duplex residential housing structures and 1 single unit structure for a total of 11 units, on 2.45 acres. Or a maximum density of 4.49 units per acre.
 - 1.1. This project is proposed to be Developer Owned apartment units with no intention of selling off lots or units in the future.
 2. The current zoning is R2. A rezoning petition is being filed for R3 to allow for multiple residential structures on a single parcel of land.
 3. There are three existing homes owned by the developer south of the proposed development that were included in a July 2019 rezoning to R2 and Primary Plat. That platting is no longer being considered. And the following is a summary of the immediate parcels for those homes:
 - 3.1. The home at 4523 Dickie Road has been demolished. An "Administrative Lot Split" will be submitted to combine the North 28' of the south neighboring property to fit a duplex in accordance with the R2 zoning approved in August 2019.
 - 3.2. The homes at 4517 and 4519 Dickie Road remain. The drive to 4511 will be reconnected to the outside of the proposed duplex project.
 4. Access to structures 1 through 6 are proposed via a new private drive. That drive includes a slab drive between buildings 4 & 5 meeting emergency vehicle turn around standards.
 5. The proposed units will be 2 bedroom units with 2 car garages.
 - 5.1. The living space will be greater than 1,100 sq. ft.
 - 5.2. All units will have a 2 car garage and 2 parking spaces in the drive. That will provide at least 4 parking spaces per dwelling unit. There will be the potential for additional overflow parking along the private driveway as well.
 6. The proposed stormwater outlet for the development is to the existing open ditch on property owned by the developer south of the project. That ditch crosses Scottwood Court with a box culvert.
 - 6.1. Detention will be provided in a normally dry detention basin within the development. And stormwater will be provided for the development.
 - 6.2. There are utility easements north of the project that include impervious surfaces. That area will be delineated and included in the storm water quality service area for the project.
 7. Sanitary sewage will be to an extension of Aqua Indiana public sewer located near site.
 8. Water service and fire protection will be by extension of existing City of Fort Wayne water mains located on the south side of Scottwood Court.

- LINE & SYMBOL LEGEND
- RIGHT OF WAY AND/OR PROPERTY LINE
EXISTING EDGE OF PAVEMENT OR BACK OF CURB
CENTERLINE ROAD
CENTERLINE DITCH OR SWALE
EXISTING WATER MAIN W/ VALVE & FIRE HYDRANT ASSEMBLY
SANITARY SEWER W/ MANHOLE (EXISTING OR PROPOSED AS NOTED)
GAS MAIN
BURIED TELECOMMUNICATIONS OR TRAFFIC SIGNAL LINE
OVERHEAD UTILITY ON UTILITY POLE
FENCE - CHAIN LINK
FENCE - FARM FIELD WELDED WIRE
SON
UTILITY BOX OR MANHOLE AS NOTED
PROPERTY MONUMENT AS NOTED
SURVEYOR'S CONTROL POINT
EXTERIOR LIGHT POLE
EVERGREEN / PINE TREE
DECIDUOUS TREE



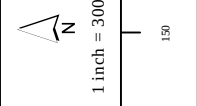


Rezoning Petition REZ-2019-0083 and Primary Development Plan PDP-2019-0067 - Dicke Road Duplexes



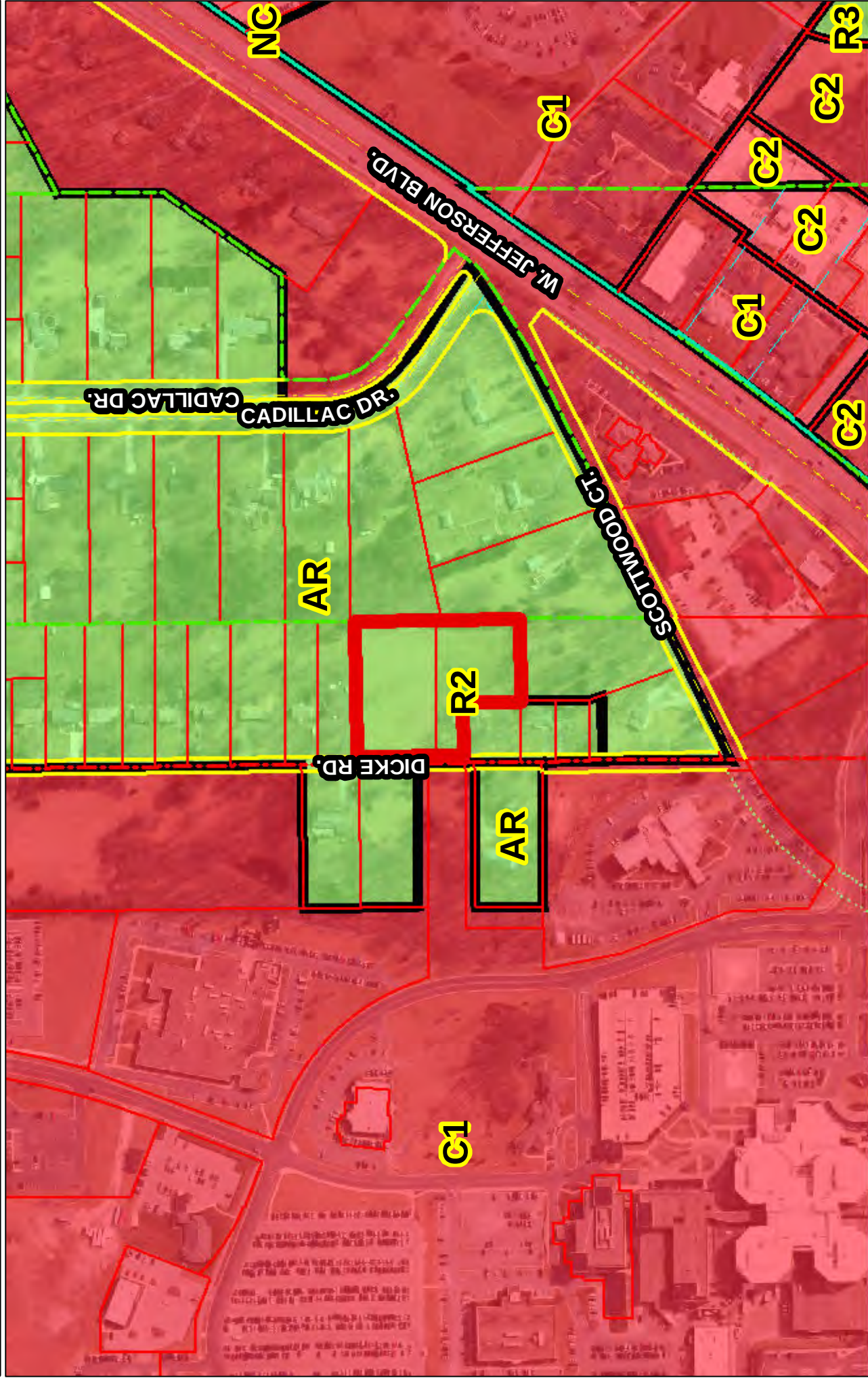
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 12/27/2019





Rezoning Petition REZ-2019-0083 and Primary Development Plan PDP-2019-0067 - Dicke Road Duplexes



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1 inch = 300 feet

