

#REZ-2022-0028

BILL NO. Z-22-07-10

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. I-31 (Sec. 33 of Wayne 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 I1 (Limited
Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Part of the Southeast Quarter of the Northeast Quarter of Section 33, Township 30 North,
Range 12 East, Allen County, Indiana and being also part of a parcel of land described in
Document 204040528 in the Office of the Recorder of Allen County (hereinafter referred to
as "parent parcel"), more particularly described as follows:

BEGINNING at a 5/8 inch rebar found on the south right-of-way line of Alma Avenue,
marking the Northwest corner of said parent parcel and the Northeast corner of Lot 1 in
Hindeman's Addition to Waynedale, as recorded in Plat Record 19, page 124 in the Office of
the Recorder of Allen County; thence North 89 degrees 10 minutes 19 seconds East
(bearing based on the State Plan Coordinate System (NAD83)(2011), Indiana East zone) on
said south right-of-way line and the North line of said parent parcel, a distance of 59.92 feet
(60 feet deed) to a 5/8 inch rebar marking the Northeast corner of said parent parcel and the
Northwest corner of a parcel of land described in Document 2016053221 in said Recorder's
Office; thence South 00 degrees 42 minutes 28 seconds East on the east line of said parent
parcel and the southerly extension thereof, a distance of 122.19 feet to a railroad spike set;
thence South 89 degrees 07 minutes 58 seconds West 10.00 feet to a railroad spike set;
thence South 00 degrees 56 minutes 57 seconds East 71.00 feet to a 5/8 inch rebar with
"GOU LS29500017" cap set on the south line, a distance of 50.00 feet to a 5/8 inch rebar

1 with FIRM 0027 cap found marking the southwest corner of said parent parcel, the northwest
2 corner of a parcel of land described in Document 830009344 in said Recorder's Office and
3 lying on the east line of said Lot 1 in Hindeman's Addition; thence North 00 degrees 46
4 minutes 20 seconds West on the east line of said Lot 1 and the west line of said parent
5 parcel, a distance of 193.27 feet to the point of beginning, containing 0.249 acres of land,
6 more or less.

7
8 and the symbols of the City of Fort Wayne Zoning Map No. I-31 (Sec. 33 of Wayne
9 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
10 Wayne, Indiana is hereby changed accordingly.

11
12 SECTION 2. If a written commitment is a condition of the Plan Commission's
13 recommendation for the adoption of the rezoning, or if a written commitment is modified and
14 approved by the Common Council as part of the zone map amendment, that written
15 commitment is hereby approved and is hereby incorporated by reference.

16
17 SECTION 3. That this Ordinance shall be in full force and effect from and after its
18 passage and approval by the Mayor.

19 _____
Council Member

20
21 APPROVED AS TO FORM AND LEGALITY:

22 _____
23 Malak Heiny, City Attorney
24
25
26
27
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29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0028
Bill Number: Z-22-07-10
Council District: 4-Jason Arp

Introduction Date: July 12, 2022

Plan Commission
Public Hearing Date: July 11, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.25 acres from C4/Intensive Commercial to I1/Limited Industrial.

Location: 7708 Bluffton Road

Reason for Request: To allow for the existing commercial building to be used for a custom furniture and design business.

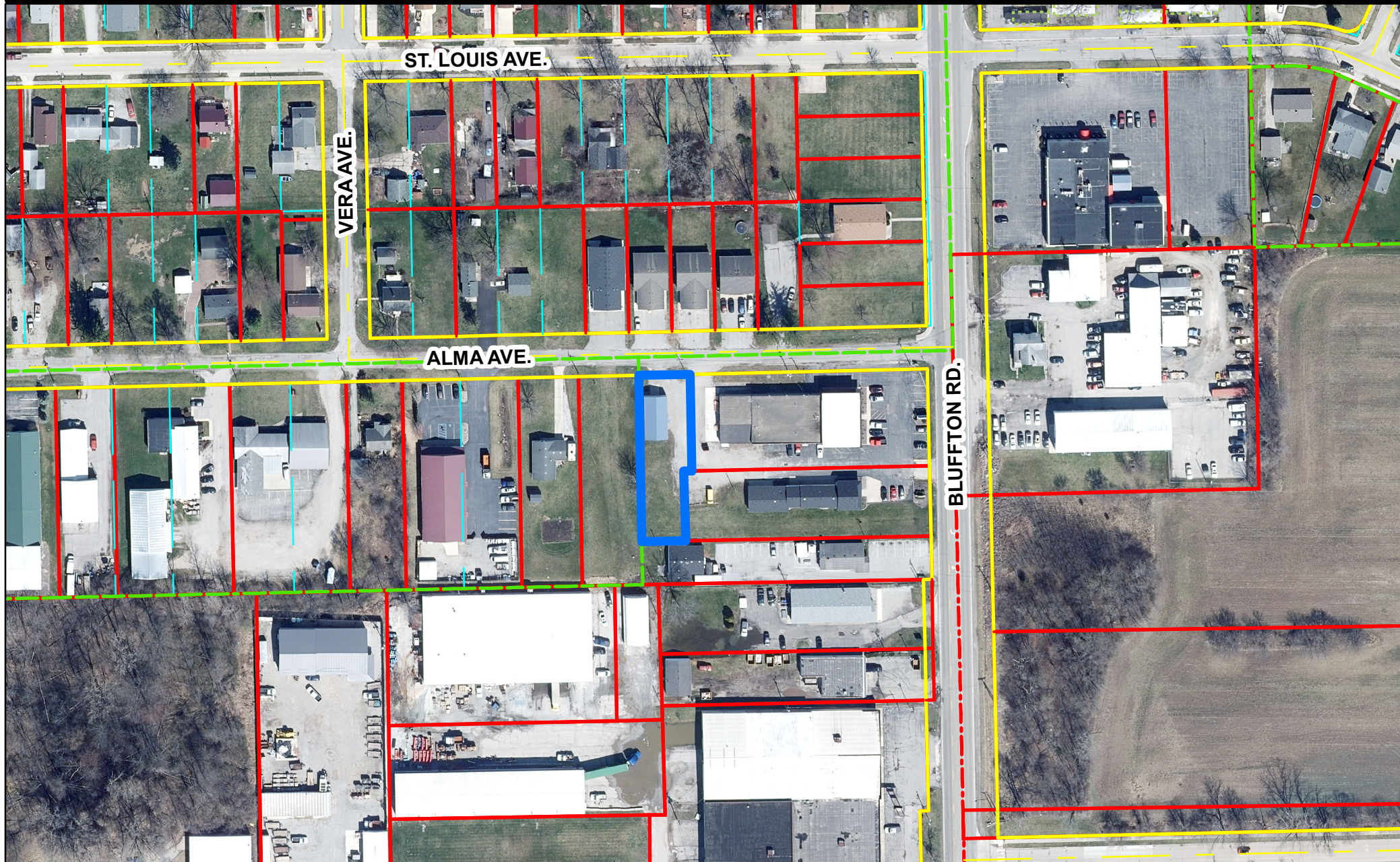
Applicant: Kenefic Properties, LLC

Property Owner: Kenefic Properties, LLC

Related Petitions: Primary Development Plan, KDA Custom Furniture

Effect of Passage: Property will be rezoned to the I1/Limited Industrial district, which will match the zoning for the existing furniture manufacturing building and allow expansion of the business on this adjacent ground.

Effect of Non-Passage: The property will remain zoned C4/Intensive Commercial, which would not permit the manufacturing part of the business.



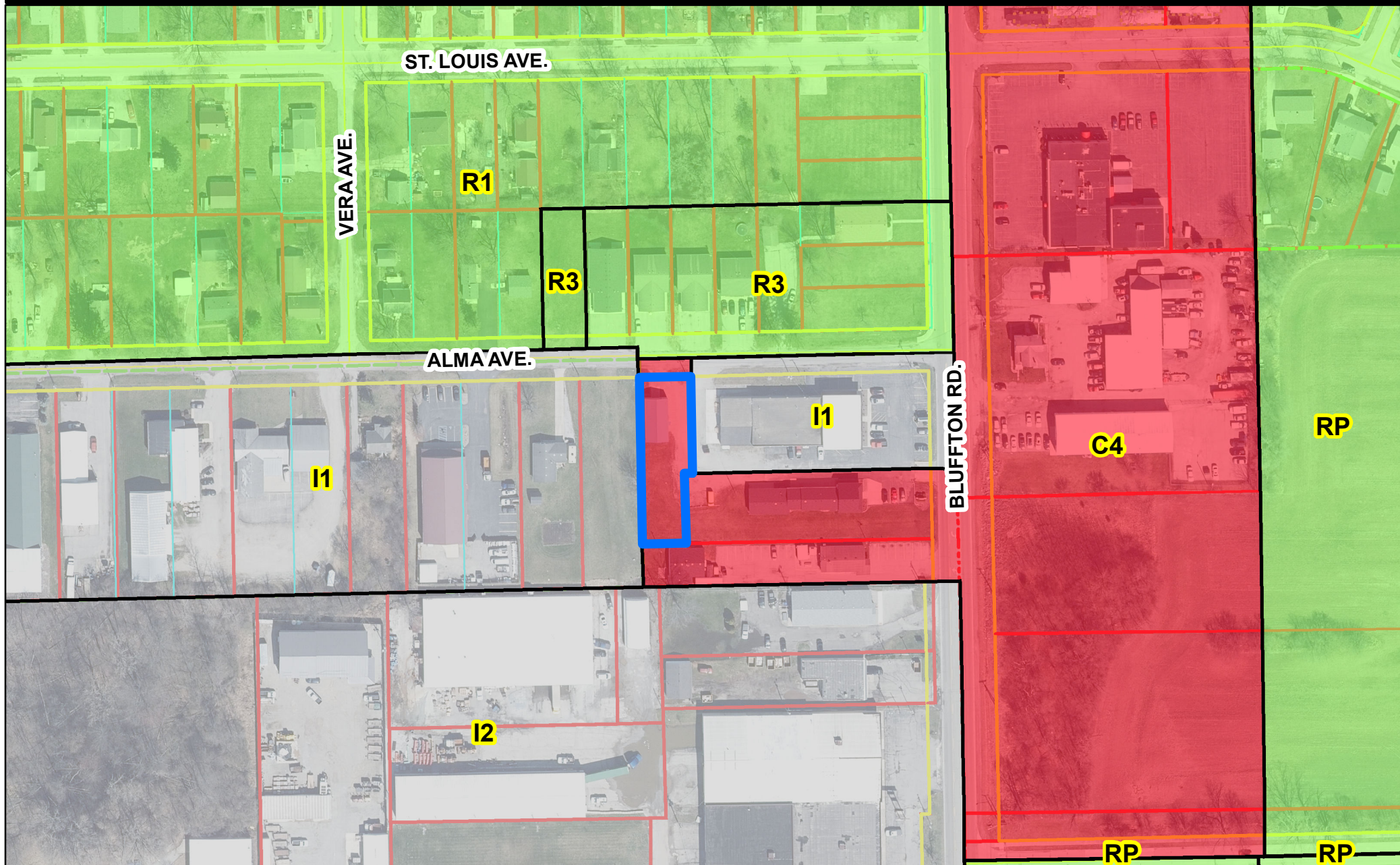
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 6/28/2022

0 50 100 Feet



1 inch = 150 feet



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North American Datum 1983
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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Kenefic Properties, LLC
Address 12323 Sanctuary Trail
City Fort Wayne State IN Zip 46814
Telephone _____ E-mail _____

Contact Person
Contact Person Robert C. Kruger, Esq.
Address 200 E. Main Street, Suite 1000
City Fort Wayne State IN Zip 46802
Telephone 260-426-1300 E-mail rkruger@burtblee.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 7708 Bluffton Road (split from)
Present Zoning C4 Proposed Zoning I1 Acreage to be rezoned 0.25 acre
Proposed density N/A _____ units per acre
Township name Wayne Township section # 12
Purpose of rezoning (attach additional page if necessary) To allow for expansion of Custom Furniture and Interior Design activities on adjacent I1 parcel owned by Applicant.
Sewer provider _____ Water provider _____

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.

Kenefic Properties, LLC

(printed name of applicant)

Birch
(signature of applicant)

6/6/22
(date)

Integrity Communications & Electronics, LLC

(printed name of property owner)

[Signature]
(signature of property owner)

6/6/22
(date)

(printed name of property owner)

(signature of property owner)

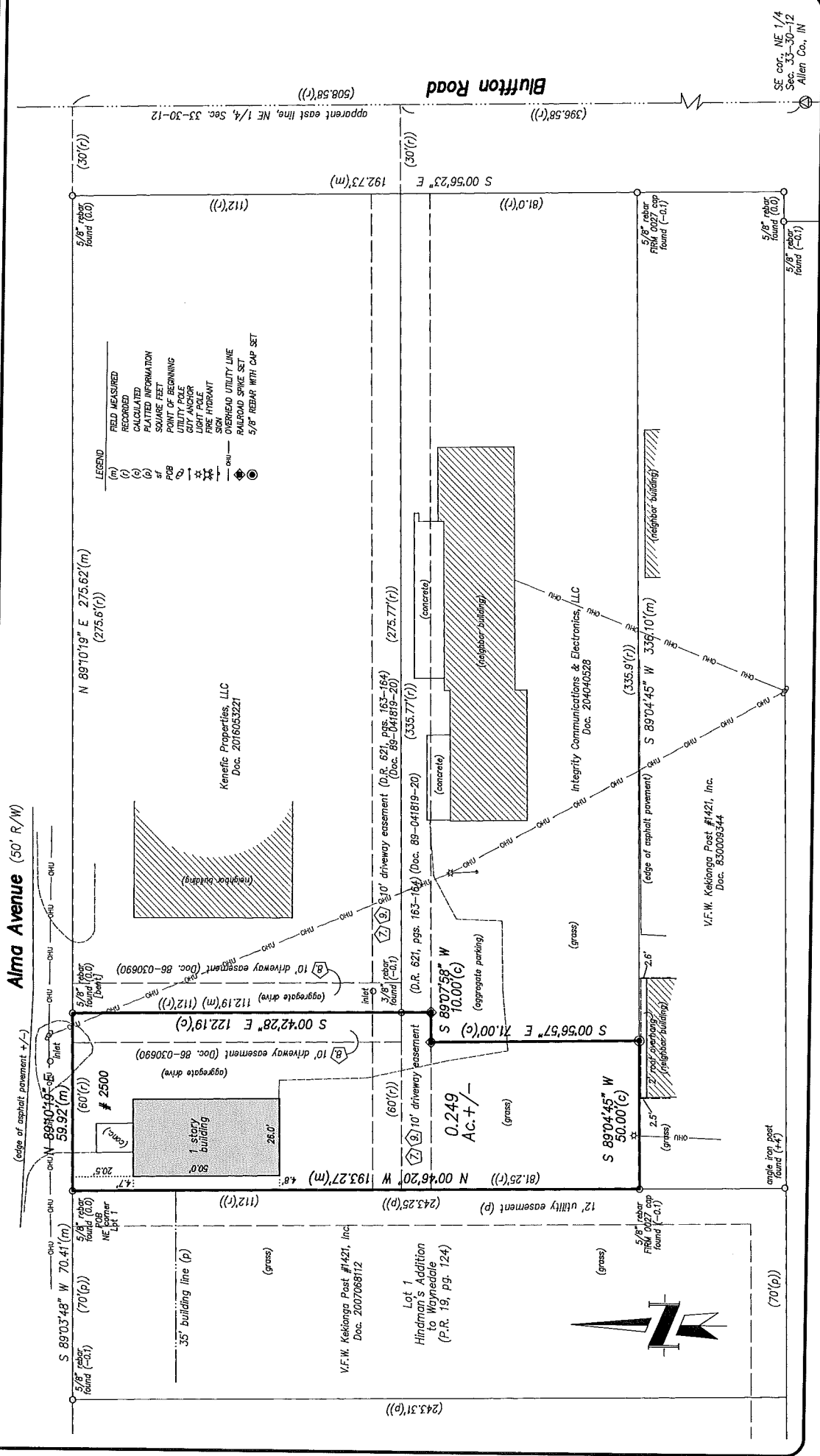
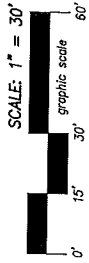
(date)

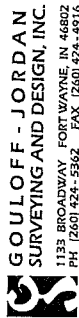
(printed name of property owner)

(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
<u>6/7/22</u>	<u>140474</u>	<u>7/11/22</u>	<u>REZ-2022-0028</u>





GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.
1135 BROADWAY, FORT WAYNE, IN 46802
PH (260) 424-3562 FAX (260) 424-4916

ALTA / NSPS Land Title Survey
Property Address:
2500 Alma Avenue, Fort Wayne, IN 46809

Job Number: 20220180
Sheet: 2 of 2

Revisions:

Title Commitment Information

FIRST AMERICAN TITLE INSURANCE COMPANY (TITAN TITLE SERVICES, LLC)
FILE NO.: 22336636

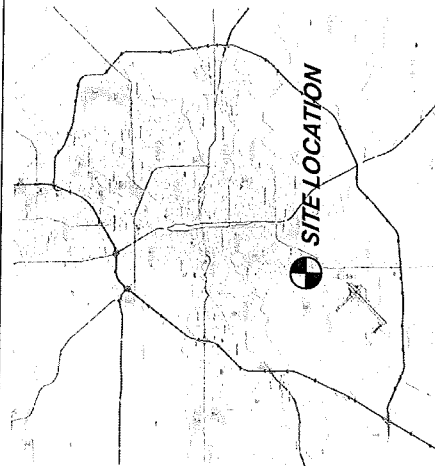
COMMITMENT DATE: MAY 10, 2022
REVISION NUMBER: _____

SCHEDULE B, PART II items

ITEMS AFFECTING SUBJECT PARCEL OF LAND THAT ARE A MATTER OF SURVEY:

- (7) Easement over a portion of insured real estate and the terms and provisions of Mutual Easement Agreement dated May 4, 1963 and recorded June 18, 1963 in Deed Record 621, pages 163-164.
SURVEYOR'S COMMENT: SEE SURVEY DRAWING.
- (8) Easements for roadway and driveway purposes over a portion of insured real estate as reserved in Warranty Deed recorded August 19, 1986 as Document Number 86-030690.
SURVEYOR'S COMMENT: SEE SURVEY DRAWING.
- (9) Easements for roadway and driveway purposes over a portion of insured real estate as set out in Personal Representative's Deed recorded October 20, 1989 as Document Number 89-041819 and in Quit-Claim Deed recorded October 20, 1989 as Document Number 89-041820.
SURVEYOR'S COMMENT: SEE SURVEY DRAWING.

Vicinity Map



Description

The following description was prepared by Timothy C. Gouloff, L.S. (Reg. No. 295500017) as part of a survey by Gouloff-Jordan Surveying and Design, Inc. dated 5/23/2022 as Job Number 20220180.

Part of the Southeast Quarter of the Northeast Quarter of Section 33, Township 30 North, Range 12 East, Allen County, Indiana, and being also part of a parcel of land described in Document 204040528 in the Office of the Recorder of Allen County (hereinafter referred to as "parent parcel"), more particularly described as follows:

BEGINNING at a 5/8" rebar found on the south right-of-way line of Alma Avenue, marking the northeast corner of said parent parcel and the northeast corner of Lot 1 in Hindman's Addition to Mynedale, as recorded in Plat Record 19, page 124 in the Office of the Recorder of Allen County; thence North 89 degrees 10 minutes 19 seconds East (bearing based on the State Plane Coordinate System (NAD83)(2011), Indiana East zone) on said south right-of-way line and the north line of said parent parcel, a distance of 59.92 feet (60 feet deed) to a 5/8" rebar marking the northeast corner of said parent parcel and the northwest corner of a parcel of land described in Document 2016053221 in said Recorder's Office; thence South 00 degrees 42 minutes 28 seconds East on the east line of said parent parcel and the southerly extension thereof, a distance of 172.19 feet to a railroad spike set; thence South 89 degrees 07 minutes 58 seconds East 71.00 feet to a 5/8" rebar with "GOU L329500017" cap set on the south line of said parent parcel; thence South 89 degrees 04 minutes 45 seconds West on said south line, a distance of 50.00 feet to a 5/8" rebar with "FRM 0027" cap found marking the southwest corner of said parent parcel; the northeast corner of a parcel of land described in Document 830009344 in said Recorder's Office and lying on the east line of said Lot 1 in Hindman's Addition; thence North 00 degrees 46 minutes 20 seconds West on the east line of said Lot 1 and the west line of said parent parcel, a distance of 153.27 feet to the point of beginning, containing 0.249 acres of land, more or less.

Surveyor's Report

This report and the accompanying survey plat have been prepared in accordance with Title 86S, 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 L329500017", and set flush with the ground surface, unless otherwise noted.
Monuments found are flush with the ground surface or noted with an above (+) or below (-) ground surface dimension.

PURPOSE: The purpose of this survey is to survey and describe a parcel of land to be split from that parcel described in Document 204040528 in the Office of the Recorder of Allen County, Indiana.

CONTROLLING MONUMENTS:

NW corner of parent parcel: 5/8" rebar found
NE corner of parent parcel: 5/8" rebar found
SW corner of parent parcel: 5/8" rebar with "FRM 0027" cap found
SE corner of parent parcel: 5/8" rebar with "FRM 0027" cap found
SW corner of parent parcel: 5/8" rebar with "FRM 0027" cap found

THEORY OF LOCATION:

The east line of subject parcel of land was established on and between found monuments. The south line of subject parcel of land was established utilizing the monument set on the direction of the client. See survey drawing for specific information.

The uncertainty in the line and corners found or established by this survey are as follows:

- (A) Availability and condition of reference monuments:
Monuments found and used in this survey were inspected on the survey date.
Uncertainty created by the location of the monuments on the subject property due to variations in reference monuments (monuments found on the subject property and on adjacent property) is 0.25 feet 1/4".
- (B) Occupation or possession lines:
No uncertainty was created by visible occupation or possession lines.
- (C) Clarity or ambiguity of the record description and/or adjoining descriptions:
No uncertainty was created.
- (D) This survey falls under the classification of an "Urban" survey. The acceptable relative positional accuracy (fractional error in measurements) = 0.07 feet (21 millimeters) plus 50 parts per million as specified in Section 7 of said Rule 12.

General Notes

1. ALL STATEMENTS WITHIN THE CERTIFICATION AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
2. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2021 ALTA/NSPS SURVEY REQUIREMENTS.
3. TABLE A, ITEM 16: THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
4. TABLE A, ITEM 8: THERE WERE NO PARKING SPACES IDENTIFIED WITH PAINT STRIPING OBSERVED ON SUBJECT PARCEL OF LAND.
5. TABLE A, ITEM 16: THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
6. AND NO SIGNIFICANT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONSTRUCTION OR REPAIRS.
7. NOT VALID WITHOUT THE SIGNATURE AND SEAL OF THE HEREON NAMED REGISTERED LAND SURVEYOR.
8. ADDITIONS TO OR DELETIONS FROM THIS SURVEY DRAWING ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE HEREON NAMED REGISTERED LAND SURVEYOR.
9. NO ATTEMPT WAS MADE TO DETERMINE METEOROLOGICAL OR OTHER ENVIRONMENTAL ISSUES, UNLESS OTHERWISE NOTED.

Flood Statement

By scaled map location and graphic plotting only, the real estate described and depicted hereon appears to lie in Zone "X" on FEMA Map Number 1800302935G, effective 8/3/2009, for the City of Fort Wayne, Indiana.

Surveyor's Certificate

TO: INTEGRITY COMMUNICATIONS & ELECTRONICS, LLC; KENETIC PROPERTIES, LLC;
TITAN TITLE SERVICES, LLC;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 6, 7(c), 8-10, 11(c), 13-14, AND 16-19 OF TABLE A THEREOF.

THE INITIAL FIELD WORK WAS COMPLETED ON 05/17/2022.

DATE: 05/24/2022

REGISTERED SURVEYOR: TIMOTHY C. GOULOFF, LS
REGISTERED LAND SURVEYOR NO.: 295500017

"I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security Number in this document, unless required by law." (Timothy Gouloff)