

#REZ-2022-0042

BILL NO. Z-22-08-13

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. V-38 (Sec. 15 of St. Joseph 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:

Prepared by Duane A. Brown, LS #80040337, D. A. Brown Engineering Consultants, Inc.,
Job No. 2203-02, based on information contained on Job Number 20000417-G as prepared
by Gouloff-Jordan Surveying and Design, Inc. (Certified by Timothy C. Gouloff, P.S.; dated
May 31, 2012; and recorded as Allen County Document No. 2020007750).

A tract of land located in the Southwest Quarter of Section 15, T31N, R13E, in Allen
County, the State of Indiana, more fully described as follows:

COMMENCING at a Harrison Marker in the Northwest corner of said Southwest Quarter;
Thence South 00 Degrees 32 Minutes 42 Seconds West (Record Basis of Bearings), a
distance of 568.00 feet along the West line of said Southwest Quarter to the Northwest
corner of the tract of land described in the conveyance to the County of Allen, State of
Indiana in Allen County Document No. 960042913; Thence South 89 Degrees 42 Minutes
38 Seconds East, a distance of 45.00 feet along the North line of said County of Allen tract
to the Northeast corner thereof, the **TRUE POINT OF BEGINNING**; Thence South 00
Degrees 32 Minutes 42 Seconds West, a distance of 225.00 feet along the East line of said
County of Allen tract [also being Forty-five (45) feet East of and parallel with the West line
of said Southwest Quarter]; Thence South 89 Degrees 42 Minutes 38 Seconds East, a
distance of 734.90 feet; Thence North 00 Degrees 21 Minutes 54 Seconds East, a distance of
225.00 feet along the West line of the tracts of land described in the conveyances to Matthew
F. & Kelli N. Leighty (Document No. 2008002417) and to Phillip W. & Jane S. Borchelt
(Document No. 880009726); Thence North 89 Degrees 42 Minutes 38 Seconds West, a
distance of 734.19 feet along the South line of the tract of land described in the conveyance
to Epiphany Lutheran Church in Allen County Document No. 720002633, to the **POINT OF
BEGINNING**, said tract containing 3.794 Acres, more or less, and being subject to all
public road rights-of-way and to all easements of record.

1 and the symbols of the City of Fort Wayne Zoning Map No. V-38 (Sec. 15 of St. Joseph
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
3 Wayne, Indiana is hereby changed accordingly.
4

5 SECTION 2. If a written commitment is a condition of the Plan Commission's
6 recommendation for the adoption of the rezoning, or if a written commitment is modified and
7 approved by the Common Council as part of the zone map amendment, that written
8 commitment is hereby approved and is hereby incorporated by reference.
9

10 SECTION 3. That this Ordinance shall be in full force and effect from and after its
11 passage and approval by the Mayor.
12

13 _____
14 Council Member

15 APPROVED AS TO FORM AND LEGALITY:
16

17 _____
18 Malak Heiny, City Attorney
19
20
21
22
23
24
25
26
27
28
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0042
Bill Number: Z-22-08-13
Council District: 1-Paul Ensley

Introduction Date: August 23, 2022

Plan Commission
Public Hearing Date: September 12, 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 3.79 acres from R1/Single Family Residential to R3/Multiple Family Residential.

Location: 6332 Maplecrest Road

Reason for Request: To allow for the construction of 24 townhomes.

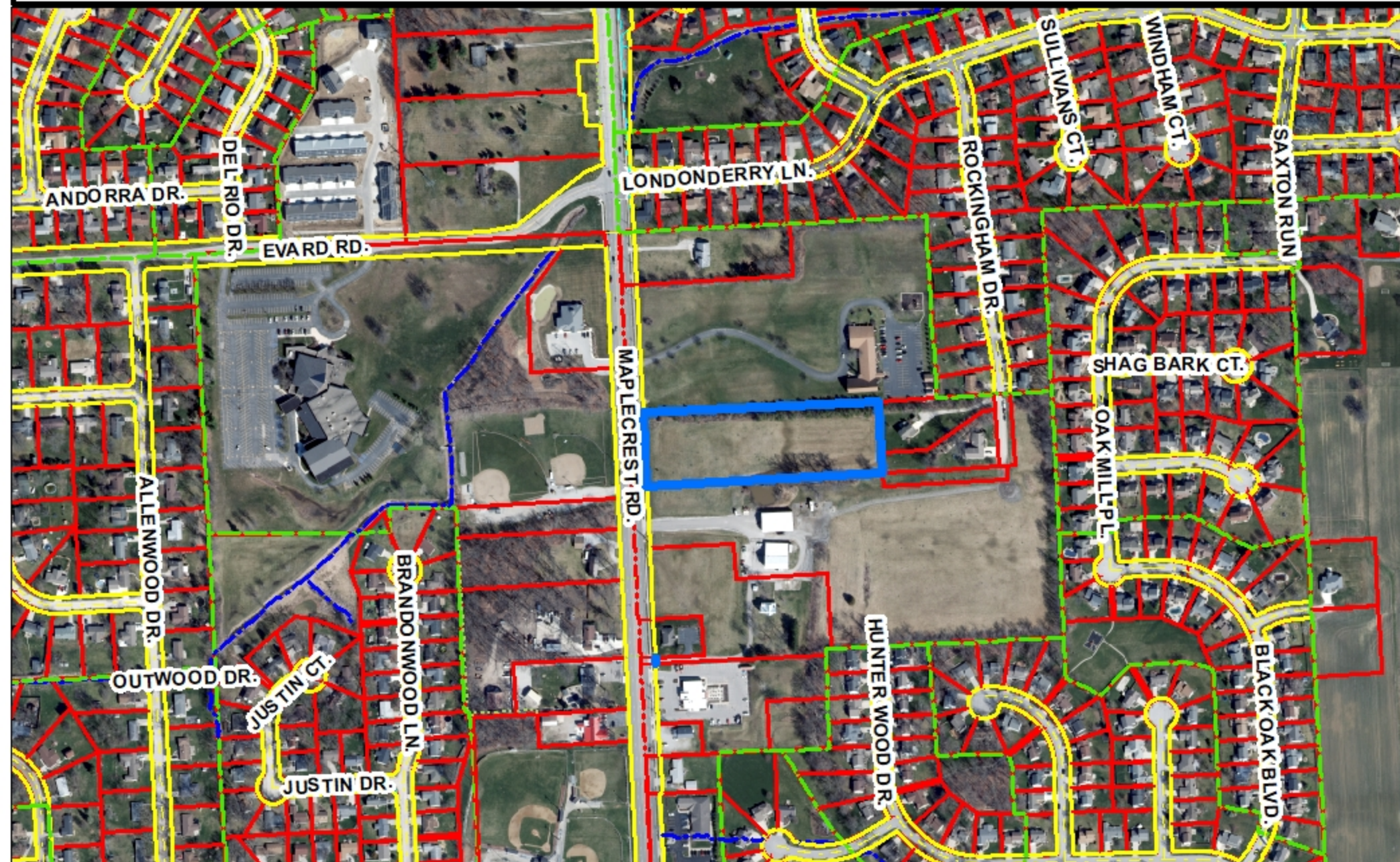
Applicant: Burlington Properties, LLC (Matt Lancia)

Property Owner: Burlington Properties, LLC

Related Petitions: Primary Development Plan, Paxton Place

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

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which may continue to be used for single family purposes.



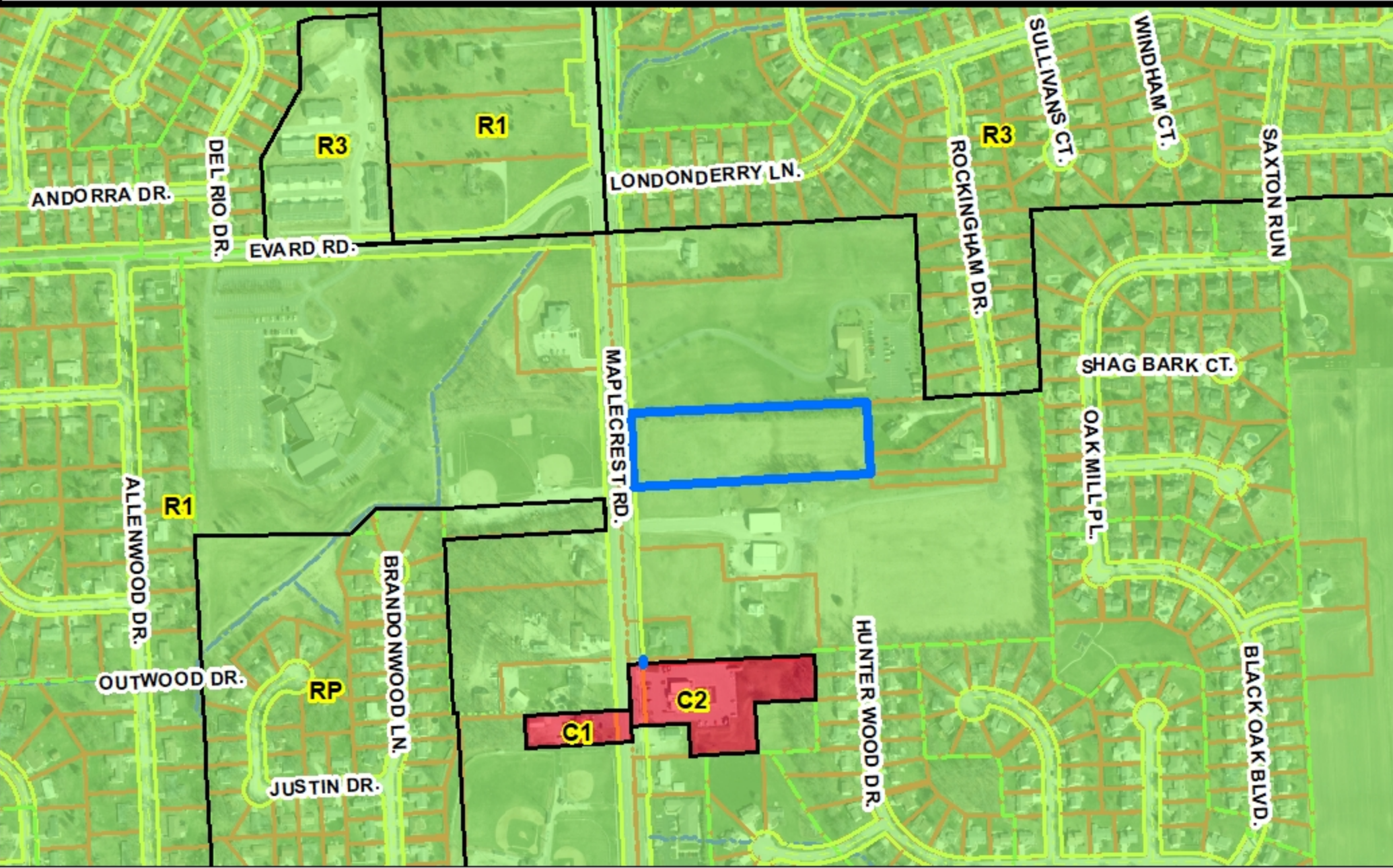
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 8/17/2022

0 500 1,000 Feet

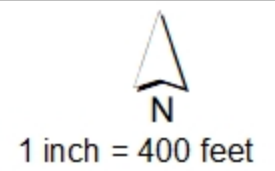
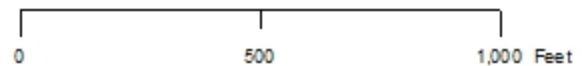


1 inch = 400 feet



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: 8/17/2022



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Burlington Properties, LLC
Address 10331 Dawsons Creek Blvd., Suite A
City Fort Wayne State IN Zip 46825
Telephone 260-417-5553 E-mail mlancia29@msn.com

Contact Person
Contact Person Patrick R. Hess, Beckman Lawson, LLP
Address 201 W. Wayne St.
City Fort Wayne State IN Zip 46802
Telephone 260-422-0800 E-mail phess@beckmanlawson.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 6332 Maplecrest Road
Present Zoning R1 Proposed Zoning R3 Acreage to be rezoned _____
Proposed density 6.33 units per acre
Township name St. Joseph Township section # 15
Purpose of rezoning (attach additional page if necessary) to allow for the construction of 24 townhomes on approximately 3.79 acres.
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 \$1,000
- ☐ 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>Burlington Properties, LLC</u> (printed name of applicant)	<u>Matthew J Lancia</u> (signature of applicant)	<u>7/29/2022</u> (date)
<u>Burlington Properties, LLC</u> (printed name of property owner)	<u>Matthew J Lancia</u> (signature of property owner)	<u>7/29/2022</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>8/2/22</u>	Receipt No. <u>141059</u>	Hearing Date <u>9-12-22</u>	Petition No. <u>REZ-2022-0042</u>
---------------------------	------------------------------	--------------------------------	--------------------------------------

July 28, 2022

Matt Lancia Homes
Paxton Place
Maplecrest Road
Fort Wayne, IN
Proposed Rezoning

Legal Description:

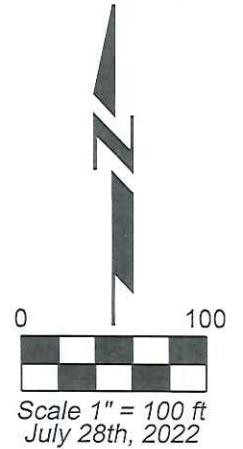
Prepared by Duane A. Brown, LS #80040337, D. A. Brown Engineering Consultants, Inc., Job No. 2203-02, based on information contained on Job Number 20000417-G as prepared by Goulloff-Jordan Surveying and Design, Inc. (Certified by Timothy C. Goulloff, P.S.; dated May 31, 2012; and recorded as Allen County Document No. 2020007750).

A tract of land located in the Southwest Quarter of Section 15, T31N, R13E, in Allen County, the State of Indiana, more fully described as follows:

COMMENCING at a Harrison Marker in the Northwest corner of said Southwest Quarter; Thence South 00 Degrees 32 Minutes 42 Seconds West (Record Basis of Bearings), a distance of 568.00 feet along the West line of said Southwest Quarter to the Northwest corner of the tract of land described in the conveyance to the County of Allen, State of Indiana in Allen County Document No. 960042913; Thence South 89 Degrees 42 Minutes 38 Seconds East, a distance of 45.00 feet along the North line of said County of Allen tract to the Northeast corner thereof, the **TRUE POINT OF BEGINNING**; Thence South 00 Degrees 32 Minutes 42 Seconds West, a distance of 225.00 feet along the East line of said County of Allen tract [also being Forty-five (45) feet East of and parallel with the West line of said Southwest Quarter]; Thence South 89 Degrees 42 Minutes 38 Seconds East, a distance of 734.90 feet; Thence North 00 Degrees 21 Minutes 54 Seconds East, a distance of 225.00 feet along the West line of the tracts of land described in the conveyances to Matthew F. & Kelli N. Leighty (Document No. 2008002417) and to Phillip W. & Jane S. Borchelt (Document No. 880009726); Thence North 89 Degrees 42 Minutes 38 Seconds West, a distance of 734.19 feet along the South line of the tract of land described in the conveyance to Epiphany Lutheran Church in Allen County Document No. 720002633, to the **POINT OF BEGINNING**, said tract containing 3.794 Acres, more or less, and being subject to all public road rights-of-way and to all easements of record.

Boundary Description

Paxton Place Exhibit



NW Cor SW Qtr
Sec 15, T31N, R13E
Harrison Marker Fnd
POC

Epiphany Lutheran Church
Doc#720002633
Doc#730014259

S89°42'38"E 45.00ft

P.O.B.

N89°42'38"W 734.19ft

Proposed Paxton Place
3.794AC±

Leighty, Matthew F & Kelli N
Doc. #2007063509

Borchelt, Phillip W & Jane S
Doc. #880009726

Borchelt, Reta L & Edwin D Co-Trust
Doc. #2012034720

This drawing is not intended to be
represented as a Retracement or
Original Boundary Survey, a Route
Survey, or a Surveyor Location
Report as defined in 865 IAC 1-12.

DABEC
D.A. Brown Engineering Consultants
5491 County Road 427 PO Box 389 Auburn, IN 46706
Phone: (260) 925 - 2020 Fax: (260) 925 - 1212
www.dabrownengineering.com
Job No: 2203-02

Maplecrest Road

S0°32'42"W 568.00ft

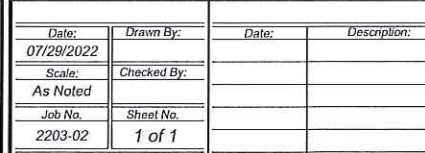
S0°32'42"W 225.00ft

N0°21'54"E 225.00ft

S89°42'38"E 734.90ft

Allen County, Indiana

(NOT TO SCALE)



K:\2022\2203-02\Primary Development Plan\Primary_DevPlan.dwg, Saved by: toddo, 7/29/2022 12:09:34 PM, 1:1