

#REZ-2022-0047

BILL NO. Z-22-10-01

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. V-42 (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 a C2 (Limited
Commercial) 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 15, Township 31 North, Range 13 East
of the Second Principal Meridian in Allen County, Indiana, more particularly
described as follows:

Commencing at the Northwest corner of said Northwest Quarter, also being the
intersection of the centerline of Maplecrest Road with the centerline of Rothman
Road; thence South 89 degrees 00 minutes 48 seconds East (deed bearing), a
distance of 511.89 feet along the North line of said Northwest Quarter and
centerline of said Rothman Road to the East line of a 7.01 acre tract recorded as
Instrument No. 88-0000139 in the Office of the Recorder of Allen County,
Indiana; thence South 00 degrees 24 minutes 02 seconds East, a distance of 45.33
feet along said East line, and parallel with the West line of said Northwest
Quarter to the South right of way line of said Rothman Road as conveyed to the
County of Allen and recorded as Instrument No. 96-0010555 in the Office of the
Recorder of Allen County, Indiana, said point being the point of beginning of the
herein described tract; thence continuing South 00 degrees 24 minutes 02 seconds
East, a distance of 571.99 feet continuing along the East line of said 7.01 acre tract,
and parallel with the West line of said Northwest Quarter to the South line of
said 7.01 acre tract; thence North 84 degrees 23 minutes 16 seconds West, a
distance of 235.24 feet along said South line; thence North 00 degrees 24
minutes 02 seconds West, a distance of 200.00 feet parallel with the West line of
said Northwest Quarter; thence North 84 degrees 23 minutes 16 seconds West, a
distance of 219.00 feet parallel with the South line of said 7.01 acre tract to the
East right of way line of said Maplecrest Road as conveyed to the County of
Allen and recorded as Instrument No. 96-0010555 in the Office of the Recorder of
Allen County, Indiana; thence North 00 degrees 24 minutes 02 seconds West, a

1 distance of 282.17 feet along said right of way line, being parallel with and 60 feet
2 distant from the West line of said Northwest Quarter; thence North 49 degrees
3 17 minutes 12 seconds East, a distance of 50.32 feet (50.46 feet deed) continuing
4 along said right of way line; thence North 85 degrees 16 minutes 34 seconds East,
5 a distance of 100.50 feet continuing along said right of way line; thence South 89
6 degrees 00 minutes 48 seconds East, a distance of 200.00 feet continuing along
7 said right of way line; thence North 86 degrees 05 minutes 15 seconds East, a
8 distance of 113.43 feet (113.40 feet deed) continuing along said right of way line
to the point of beginning, said described tract said in previous deed to contain
4.619 acres (201,192.127 square feet), more or less, subject to easements of
record.

9 EXCEPTING THEREFROM: Part of the Northwest Quarter of Section 15,
10 Township 31 North, Range 13 East of the Second Principal Meridian in Allen
County, Indiana, more particularly described as follows:

11 Commencing at the Northwest corner of said Northwest Quarter, also being the
12 intersection of the centerline of Maplecrest Road with the centerline of Rothman
13 Road; thence South 89 degrees 00 minutes 48 seconds East (deed bearing), a
14 distance of 511.89 feet along the North line of said Northwest Quarter and centerline
15 of said Rothman Road to the East line of a 7.01 acre tract recorded as Instrument No.
16 88-0000139 in the Office of the Recorder of Allen County, Indiana; thence South 00
17 degrees 24 minutes 02 seconds East, a distance of 45.33 feet along said East line, and
18 parallel with the West line of said Northwest Quarter to the South right of way line of
19 said Rothman Road as conveyed to This page is only a part of a 2016 ALTA®
20 Commitment for Title Insurance issued by Metropolitan Title of Indiana, LLC, as
21 issuing Agent for First American Title Insurance Company. This Commitment is not
22 valid without the Notice; the Commitment to Issue Policy; the Commitment
23 Conditions; Schedule A; Schedule B, Part I- Requirements; Schedule B, Part II-
24 Exceptions. Copyright 2006-2016 American Land Title Association. All rights
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26 licensees and ALTA members in good standing as of the date of use. All other uses
27 are prohibited. Reprinted under license from the American Land Title Association.
28 Form 50004718 (8-23-18) Page 11 of 11 ALTA Commitment for Title Insurance (8-
29 1-16) Indiana County of Allen and recorded as Instrument No. 96-0010555 in the
30 Office of the Recorder of Allen County, Indiana, said point being the point of
beginning of the herein described tract; thence continuing South 00 degrees 24
minutes 02 seconds East, a distance of 324.5 feet; thence South 89 degrees 45
minutes West a distance of 136.43 feet; thence North 00 degrees 15 minutes West a
distance of 316.97 feet to a point on the South right of way line of Rothman Road;
thence North 89 degrees 00 minutes 48 seconds East along said right of way line a
distance of 22.38 feet; thence North 86 degrees 05 minutes 15 seconds East along
said right of way line a distance of 113.43 feet to the point of beginning, said in

survey to contain 1.0 acres, more or less.

ALSO EXCEPTING THEREFROM: Part of the Northwest Quarter of Section 15, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter, also being the intersection of the centerline of Maplecrest Road with the centerline of Rothman Road; thence South 03 degrees 09 minutes 24 seconds East (state plane bearing and basis of bearings to follow) along the West line of said Northwest Quarter and within the right-of-way of said Maplecrest Road, a distance of 375.85 feet to the Westerly extension of the North line of an existing 1.00 acre tract described in Document Number 990060166 in the Office of the Recorder of Allen County, Indiana; thence South 87 degrees 09 minutes 13 seconds East along said North line, a distance of 60.31 feet to the East right-of-way line of said Maplecrest Road as conveyed to the County of Allen and recorded as Document Number 96001055 in the Office of the Recorder of Allen County, Indiana; thence continuing along said North line South 87 degrees 09 minutes 13 seconds East, a distance of 70.50 feet to a 5/8-inch rebar with "Firm #0027" identification cap found at the POINT OF BEGINNING of the herein described tract; thence North 85 degrees 27 minutes 27 seconds East, a distance of 147.73 feet to a 5/8-inch rebar with "Firm #0027" identification cap found; thence South 03 degrees 09 minutes 59 seconds East, a distance of 19.10 feet to a 5/8-inch rebar with "Firm #0027" identification cap found at the Northwest corner of said existing 1.00 acre tract; thence North 87 degrees 09 minutes 13 seconds West along the North line of said existing 1.00 acre tract, a distance of 148.50 feet to the Point of Beginning. Containing 0.03 acres (1,411 square feet), more or less. Subject to easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. V-42 (Sec. 15 of St. Joseph Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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:

Malak Heiny, City Attorney

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0047
Bill Number: Z-22-10-01
Council District: 2-Russ Jehl

Introduction Date: October 11, 2022

Plan Commission
Public Hearing Date: October 10, 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 3.6 acres from C1/Professional Office and Personal Services to C2/Limited Commercial

Location: 6400 Rothman Road

Reason for Request: To allow for the construction of a new pet boarding and vet facility.

Applicant: NVA RE, LLC

Property Owner: Friends and Family Members, LLC

Related Petitions: Primary Development Plan, Pet Suites and Vet Clinic

Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will allow for the construction of a pet boarding and vet facility.

Effect of Non-Passage: The property will remain zoned C1/Professional Office and Personal Services and may be used for office type uses.



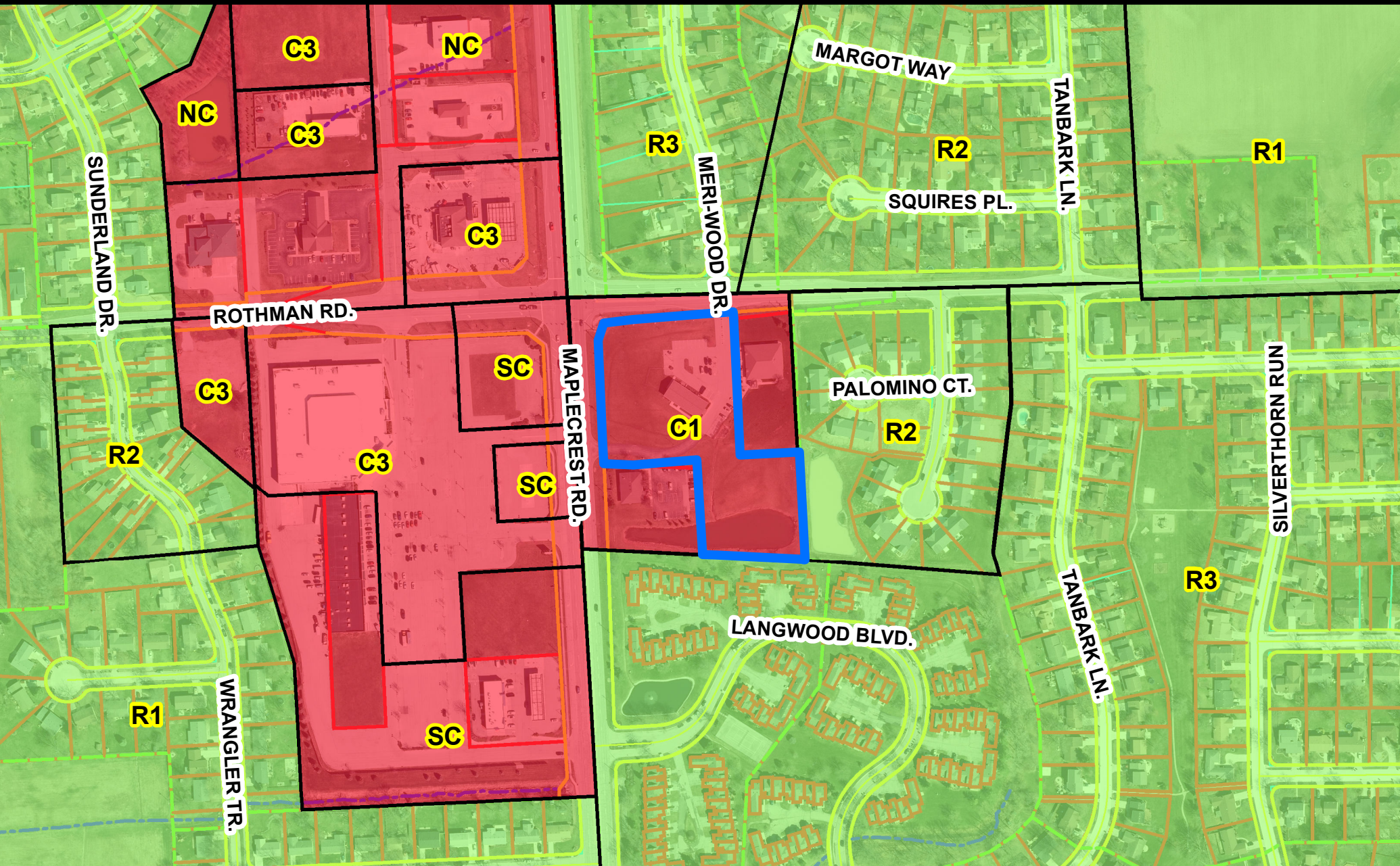
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/28/2022

0 50 100 Feet



1 inch = 300 feet



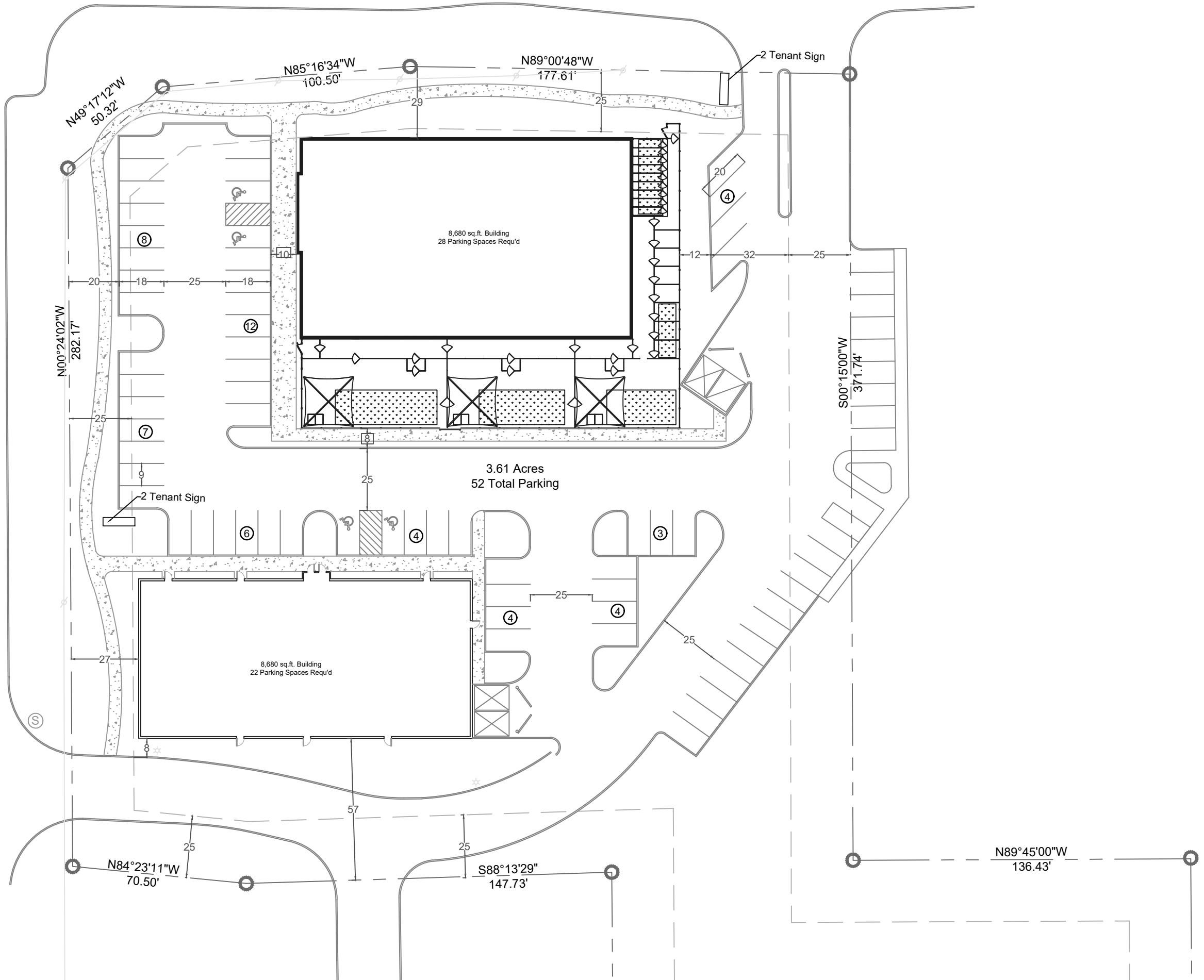
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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Photos and Contours: Spring 2009
Date: 9/28/2022

0 50 100 Feet



1 inch = 300 feet



JOB LOCATION:
Fort Wayne, IN

SHEET NAME:
Site Plan

PLANS FOR:
Fort Wayne

ROZIER
CONSTRUCTION

10 Lamar Blvd. Hattiesburg, MS 39402, Phone: (601) 296-0802

DRAWN BY:
MGG

DATE:
07/13/2022

SCALE:
1:40

SHEET NAME:
C1





**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant NVA RE, LLC
Address 29229 Canwood Street, Suite 100
City Agoura Hills State CA Zip 91301
Telephone _____ E-mail alison@podlaskilegal.com

Contact Person
Contact Person Alison Podlaski
Address 803 S. Calhoun St. Suite 110
City Fort Wayne State IN Zip 46802
Telephone 260-782-1712 ext:219 E-mail Alison@podlaskilegal.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 6400 Rothman Rd.
Present Zoning C1 Proposed Zoning C2 Acreage to be rezoned ~3.6
Proposed density _____ units per acre
Township name St. Joseph Township section # 072
Purpose of rezoning (attach additional page if necessary) See Exhibit "A"

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.

See Exhibit "B"

(printed name of applicant) (signature of applicant) (date)

See Exhibit "B"

(printed name of property owner) (signature of property owner) (date)

See Exhibit "B"

(printed name of property owner) (signature of property owner) (date)

See Exhibit "B"

(printed name of property owner) (signature of property owner) (date)

Received <u>9-2-22</u>	Receipt No. <u>141350</u>	Hearing Date <u>10-10-22</u>	Petition No. <u>PDP-2022-0029</u>
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