

#REZ-2022-0048

BILL NO. Z-22-10-02

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N-54 (Sec. 1 of Washington 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 C1
(Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
of the Code of the City of Fort Wayne, Indiana:

Land situated in the County of Allen, State of Indiana, is described as follows:

PARCEL 1:

A tract of land in the Northeast Quarter of the Southwest Quarter of Section 1, Township
31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to
wit:

Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of
said Section 1; thence West along the South line of the Northeast Quarter of the Southwest
Quarter of said Section 1 a distance of 1226.2 feet to the East right of way line of U.S.
Highway #27; thence North 6 degrees 18 minutes East along the said East right of way line
of U.S. Highway #27, a distance of 160.0 feet to the point of beginning; thence continuing
North 6 degrees 18 minutes East along the said East right of way line of U.S. Highway #27 a
distance of 247.0 feet; thence North 88 degrees 30 minutes East a distance of 245.0 feet;
thence South 6 degrees 18 minutes West a distance of 255.4 feet; thence West a distance
of 245.0 feet to the point of beginning, except the South 10.0 feet for roadway purposes,
and said in previous deed to contain 1.40 acres of land, more or less.

EXCEPTING THEREFROM:

A part of the Northeast Quarter of the Southwest Quarter of Section 1, Township 31 North,
Range 12 East, Allen County, Indiana, and being a part of the land of or formerly owned by
the Mary S. Didrick, Janine M. Didrick Vigil and Anita M. Didrick-Bell (Instrument No. 98-
004852, Office of the Recorder) and being that part of the grantors land lying with the
right of way line depicted on the attached Right of Way Parcel Plat marked Exhibit "B",
described as follows:

Commencing at the Southwest corner of said Section, designated as point "118" on said
plat; thence North 87 degrees 55 minutes 55 seconds East (assumed bearing) 396.305
meters (1,300.21 feet) along the South line of said Section to the Southeast corner of the
Southwest Quarter of the Southwest Quarter of said Section 1; thence North 2 degrees 14
minutes 14 seconds West 465.418 meters (1,526.96 feet) along the East line of said
Quarter-Quarter Section to the prolonged Southern line of the grantors land; thence North

87 degrees 55 minutes 55 seconds East 19.938 meters (65.41 feet) along said prolonged Southern line to the center line of Coldwater Road and the point of beginning of this description; thence North 5 degrees 17 minutes 13 seconds East 71.757 meters (235.42 feet) along said center line to the Northwest corner of the grantors land; thence North 85 degrees 08 minutes 39 seconds East 16.383 meters (53.75 feet) along the Northern line of the grantors land; thence South 6 degrees 25 minutes 58 seconds West 6.337 meters (20.79 feet) to a point designated as "2109" on said plat; thence South 5 degrees 47 minutes 07 seconds West 66.317 meters (217.58 feet) to Southern line of the grantors land; thence South 87 degrees 55 minutes 55 seconds West 15.551 meters (51.02 feet) along said Southern line to the point of beginning and said in previous deed to contain 0.1136 hectares (0.281 acres), more or less. The portion of the above described real estate which is not already embraced within public rights of way said in previous deed to contain 0.0478 hectares (0.118 acres), more or less.

PARCEL II:

The North Ten (10) feet of the following tract of land in the Northeast Quarter of the Southwest Quarter of Section 1, Township 31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to wit: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 1; thence West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 1 a distance of 981.2 feet to the point of beginning; thence continuing West along the said South line of the Northeast Quarter of the Southwest Quarter of said Section 1 a distance of 245.0 feet to the East right of way line of U.S. Highway #27; thence North 6 degrees 18 minutes East along the East right of way line of U.S. Highway #27 a distance of 160.0 feet; thence East and parallel to the South line of the Northeast Quarter of the Southwest Quarter of said Section 1 a distance of 245.0 feet; thence South 6 degrees 18 minutes West a distance of 160.0 feet to the point of beginning.

ALONG WITH:

The South Ten (10) feet of the following tract of land in the Northeast Quarter of the Southwest Quarter of Section 1, Township 31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to wit: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 1; thence West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 1 a distance of 1226.2 feet to the East right of way of U.S. Highway #27; thence North 6 degrees 18 minutes East along the East right of way of U.S. Highway #27, a distance of 160.0 feet to the point of beginning; thence continuing North 6 degrees 18 minutes East along the East right of way of U.S. Highway #27 a distance of 247.0 feet; thence North 88 degrees 30 minutes East a distance of 245.0 feet; thence South 6 degrees 18 minutes West a distance of 247.0 feet; thence North 88 degrees 30 minutes East a distance of 245.0 feet; thence South 6 degrees 18 minutes West a distance of 255.4 feet; thence West a distance of 245.0 feet to the point of beginning. Except that portion conveyed to the County of Allen in Document Number 200075370.

and the symbols of the City of Fort Wayne Zoning Map No. N-54 (Sec. 1 of Washington 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-2022-0048
Bill Number: Z-22-10-02
Council District: 3-Tom Didier

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 1.19 acres from AR/Low Intensity Residential to C1/Professional Office and Personal Services

Location: 9326 Coldwater Road

Reason for Request: To allow for the continuing use as a law office as a permitted use.

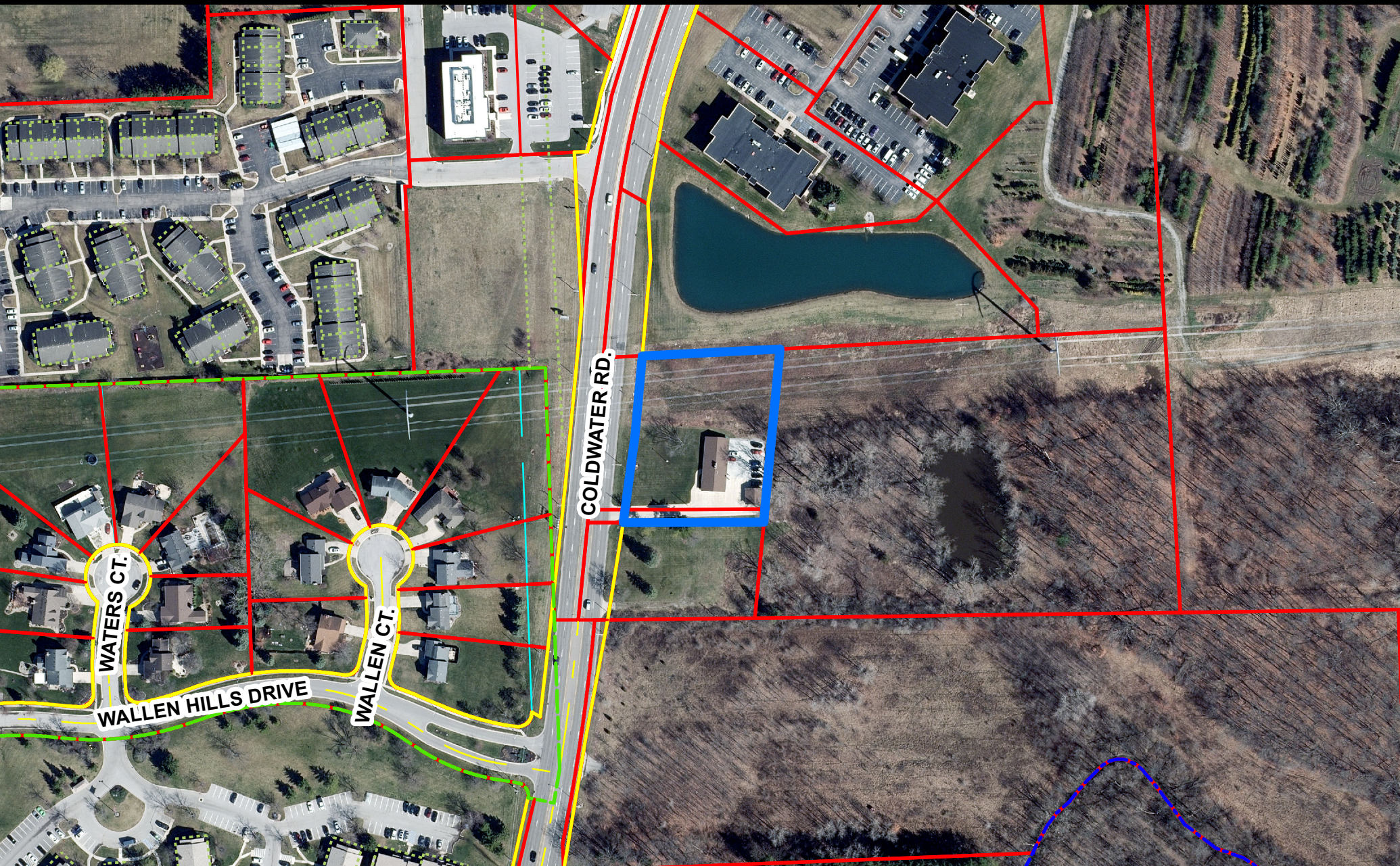
Applicant: RLP Properties

Property Owner: Rex and Sara Patterson

Related Petitions: None

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services zoning district, which will allow the existing business to continue as a permitted use.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may redevelop as such. The existing law office use may continue under a BZA approval but future expansion and investment may be hindered without the appropriate zoning.



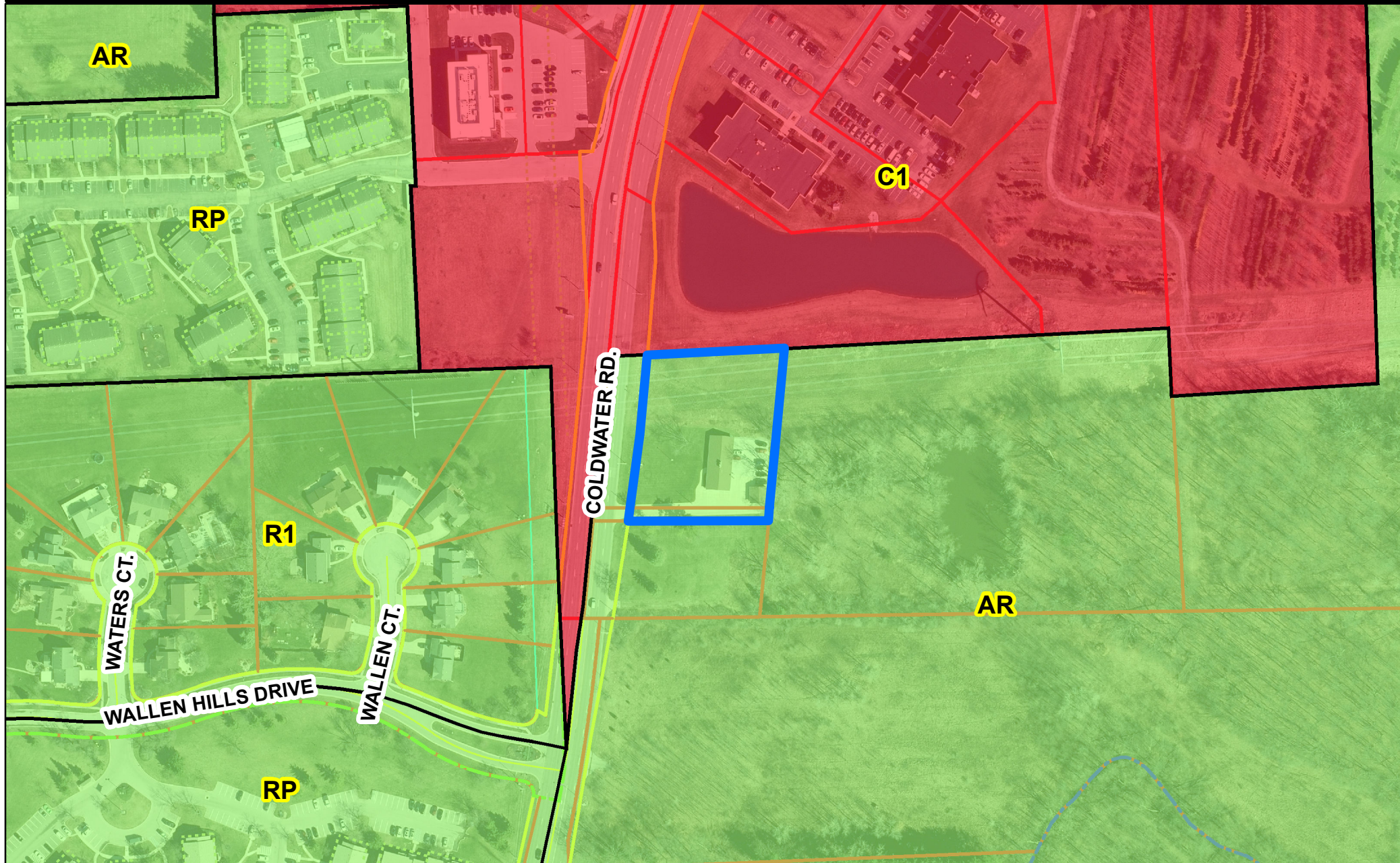
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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 = 200 feet



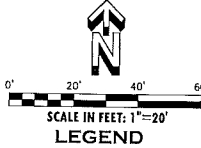
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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/28/2022

0 50 100 Feet



1 inch = 200 feet



Point	Northing	Easting	Elevation	Description
5000	2155951.9870	475299.3850	798.20	Spike Nail Set
5001	2156162.4910	475366.6670	797.89	Spike Nail Set
5002	2156181.3690	475175.6180	802.62	Spike Nail Set

ALL HORIZONTAL COORDINATES ARE ON THE INDIANA EAST STATE PLANE COORDINATE SYSTEM (ZONE 1301). ALL SHOWN ELEVATIONS ARE IN NAVD83 DATUM. THIS DATA WAS OBTAINED BY GPS OBSERVATIONS VIA THE INDOT InCORS NETWORK.

**Required Information
When Calling**

CR07-1
STANDARD
STREET ADDRESS
CITY OR TOWN
STATE OF CALLER
COUNTRY OF CALLER
TITLE
PHONE NUMBER
FAX NUMBER
E-MAIL ADDRESS OR FAX
STREET ADDRESS
STREET ADDRESS
CITY OR TOWN
STATE OF CALLER
COUNTRY OF CALLER
ADDRESS

**For Assistance Call 811 or
800-382-5344 for
Working Day Before Call Day**

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

AFTER 8:00 PM
(CALL 24H)

RED	ELECTRIC
YELLOW	GAS - GAS - STEAM
ORANGE	TELEPHONE / CABLE
BLUE	WATER
GREEN	SEWER
PURPLE	RECLAIMED WATER
PINK	TEMPORARY SURVEY MARKERS
BROWN	PROPOSED CONSTRUCTION

www.call11.com

CERTIFICATION

I hereby certify that this Topographic Survey was prepared under my direct supervision and that to the best of my knowledge and belief the information contained hereon is true and accurately shown.

Fieldwork completed on the 6th day of July, 2021
Certified this 21st day of July, 2021
Prepared for: RLP Properties LLC
Survey Number: 12-001102

Michael C. Vodde

Michael C. Vodde, LSG 21000011



TOPOGRAPHIC SURVEY
The Lands of RLP Properties LLC
9326 Coldwater Rd., Fort Wayne, IN 46825
Part NE 1/4 SW 1/4, Section 1, T. 31 N., R. 12 E
Washington Township, Allen County, IN

SCALE: 1" = 20'	DRAWN BY: E.J.S.
ISSUE DATE: 07/21/2021	CHECKED BY: M.C.V.
PAVED FILE: DRASTY/13-08-125 8326 CULSWATER BL/13-08-125 TOPS.dwg	

TOPOGRAPHIC SURVEY
9326 Coldwater Rd.
Fort Wayne, IN 46825

SURVEY NO.: 12-09-125

SHEET 1 OF 1
TOPO

ANDERSON SURVEYING, INC.
Registered Professional Engineers and Land Surveyors
Irradiant Land Surveying Firm Identification Number 29/A

AS INC.
EST. 1978
CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING

1947 E. Seaside Road
Fort Wayne, IN 46808
Phone: (260) 691-3275
Fax: (260) 691-4623
Toll Free: (888) 453-1724

1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 482-1724
Fax: (260) 482-1724
www.andersonsurveying.com

TOPOGRAPHIC SURVEY
The Lands of RLP Properties LLC
9326 Caldwellwater Rd., Fort Wayne, IN 46825
Part NE 1/4 SW 1/4, Section 1, T. 31 N., R. 12 E.
Washington Township, Allen County, IN

Department of Planning Services
 Rezoning Petition Application

Applicant	Applicant	RLP Properties LLC		
	Address	9326 Coldwater Road		
	City	Fort Wayne	State	Indiana Zip 46825
	Telephone	260-247-8383	E-mail	rexpattersonlaw@gmail.com

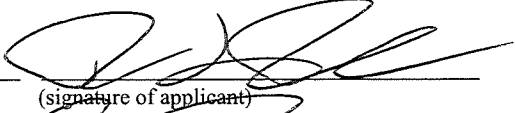
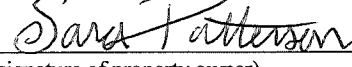
Contact Person	Contact Person	Rex Patterson		
	Address	13854 Aslan Passage		
	City	Fort Wayne	State	Indiana Zip 46845
	Telephone	260-517-9569	E-mail	rex@pattersonlawllc.com

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	9326 Coldwater Road, Fort Wayne, IN		
	Present Zoning	AR	Proposed Zoning	C1 Acreage to be rezoned 1.19 acres
	Proposed density			
	Township name	Washington	Township section #	073
	Purpose of rezoning (attach additional page if necessary) This property was renovated and began being used as a professional office in 2014. Since then, its had a C1 variance that was renewed in 2019 when RLP Properties purchased the property for a law office. The office is looking to grow and add on in the near future.			
	Sewer provider	Fort Wayne	Water provider	Fort Wayne

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 Rezonings 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.

Rex L. Patterson		8/30/2022
(printed name of applicant)	(signature of applicant)	(date)
Rex L. Patterson		8/30/2022
(printed name of property owner)	(signature of property owner)	(date)
Sara M. Patterson		8/30/2022
(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.
8/31/2022	141317	10/10/22	REZ-2022-0048