

1 **#REZ-2023-0030**

2 **BILL NO. Z-23-06-32**

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4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. L-14 (Sec. 35 of Washington Township)**

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
8 INDIANA:

9 SECTION 1. That the area described as follows is hereby designated a UC (Urban
10 Corridor) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 The East 100 feet of Lot Numbered 3 in Huffman's Addition to the City of Fort Wayne,
13 Indiana, as recorded in Deed Record Y, Pages 348-349 in the Office of the Recorder of
14 Allen County, Indiana.

15 and the symbols of the City of Fort Wayne Zoning Map No. L-14 (Sec. 35 of Washington
16 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
17 Wayne, Indiana is hereby changed accordingly.

18 SECTION 2. If a written commitment is a condition of the Plan Commission's
19 recommendation for the adoption of the rezoning, or if a written commitment is modified and
20 approved by the Common Council as part of the zone map amendment, that written
21 commitment is hereby approved and is hereby incorporated by reference.
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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-2023-0030
Bill Number: Z-23-06-32
Council District: 5-Geoff Paddock

Introduction Date: June 27, 2023

Plan Commission
Public Hearing Date: July 10, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.11 acres from R2/Two Family to UC/Urban Corridor

Location: 1705 Wells Street

Reason for Request: To allow for downstairs to be used as a coffee shop, and to match existing corridor zoning district.

Applicant: Nicole Wall

Property Owner: Nicole Wall

Related Petitions: none

Effect of Passage: Property will be rezoned to the UC/Urban Corridor zoning district, which permits a mix of residential and light commercial uses.

Effect of Non-Passage: The property will remain zoned R2/Two Family Residential and may continue as a single or two family home.



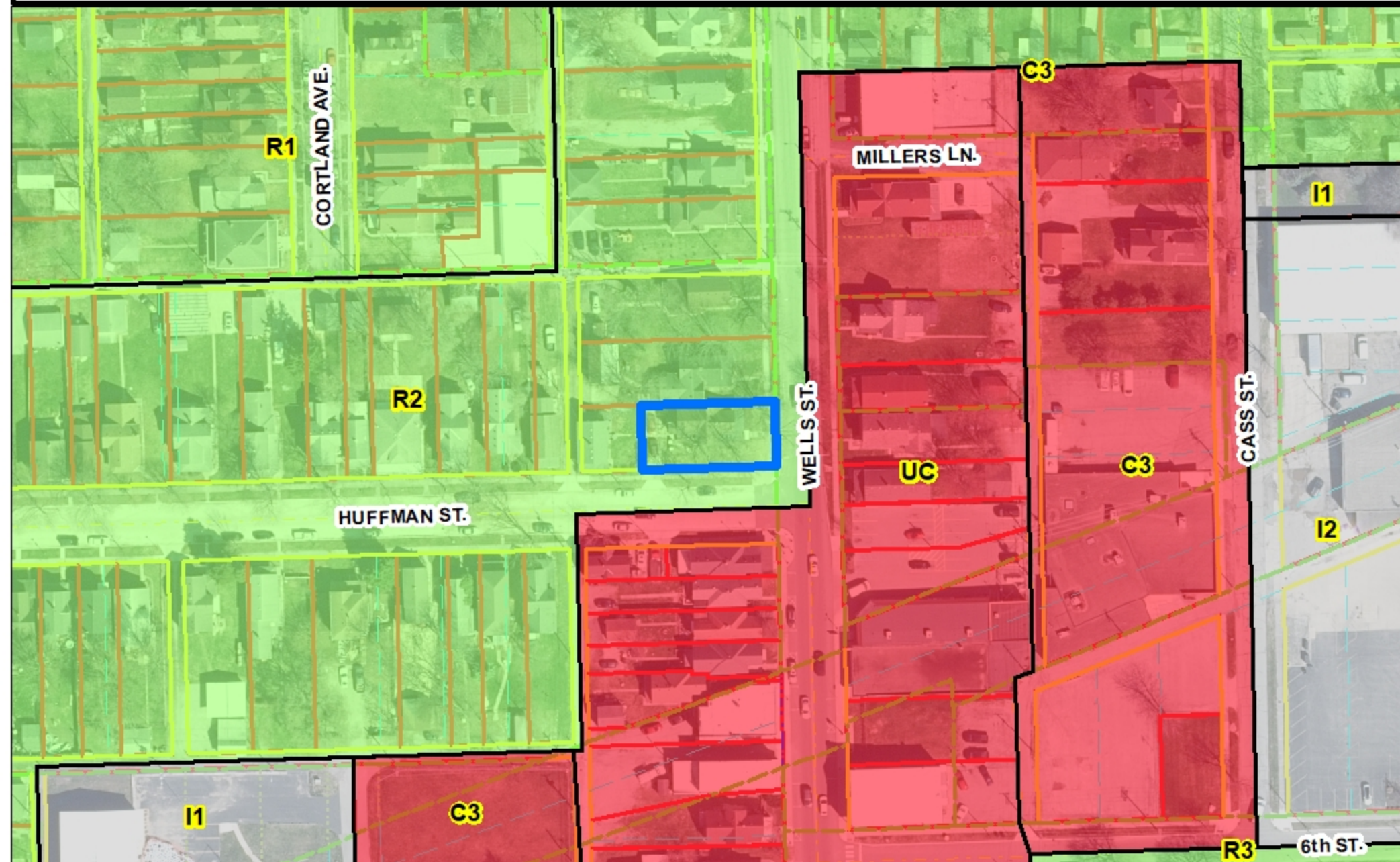
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/22/2023

0 50 100 Feet



1 inch = 100 feet



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0 50 100 Feet



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Department of Planning Services Rezoning Petition Application

Applicant
Applicant Nicole S. Wall
Address 8810 Laurel Hurst Pl.
City Fort Wayne State IN Zip 46835
Telephone 260-580-3671 E-mail NikiSWall@gmail.com

Property Ownership
Property Owner Nicole S. Wall
Address 1705 N. Wells St.
City Fort Wayne State IN Zip 46807
Telephone 260-580-3671 E-mail NikiSWall@gmail.com

Contact Person
Contact Person Nicole S. Wall
Address 8810 Laurel Hurst Pl.
City Fort Wayne State IN Zip 46835
Telephone 260-580-3671 E-mail NikiSWall@gmail.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 1705 N. Wells St. Township and Section Wayne/074 Ft Wayne (9145)
Present Zoning R2 Proposed Zoning UC Acreage to be rezoned .11
Purpose of rezoning (attach additional page if necessary) Retail - multi use

Sewer provider City Utilities Water provider City Utilities

Filing Checklist
Applications will not be accepted unless the following filing requirements are submitted with this application.
☐ Filing fee \$1000.00
☐ Surveys showing area to be rezoned
☐ Legal Description of parcel to be rezoned
☐ Rezoning Criteria (see attached checklist)

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 Fort Wayne and Allen County Plan Commissions 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

Nicole S. Wall Nhwa 6/6/23
(printed name of applicant) (signature of applicant) (date)
Nicole S. Wall Nhwa 6/6/23
(printed name of property owner) (signature of property owner) (date)



Received <u>6/6/23</u>	Receipt No. <u>143375</u>	Hearing Date <u>7/10/23</u>	Petition No. <u>Re2-2023-0030</u>
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Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



SURVEYOR'S REPORT

Date/Job No.: November 3, 2022 #22-6263
Job for: Book
Legal Description: Part of Lot 3 Huffman's Addition
Address: 1705 N. Wells Street

1) In accordance with Title 865, Article 1, Rule 12, Section 1 through 30, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- A) Degree of Precision and Accuracy;
- B) Variances in the reference monuments;
- C) Discrepancies in record descriptions and plats;
- D) Inconsistencies in lines of occupation;

The acceptable relative positional accuracy of the corners of the subject tract established on this survey is within the specifications for a Suburban Survey as defined in IAC 865.

- 1. No Variances in the reference monuments.
- 2. Discrepancies in record descriptions and plats of 0.3 ft. exists along the North property line of the West adjoiner.
- 3. No Inconsistencies in lines of occupation

The commitment for title insurance was not provided at the time of this report. An abstract or title search may reveal additional information affecting this property. This survey is subject to any facts and or easements that may be disclosed by said full and accurate title search. *Donovan Surveying, Inc.* should be notified of any additions or revisions that may be required.

The survey has been prepared to facilitate the transfer of this property and is not to be used for other purposes without the written permission of *Donovan Surveying, Inc.* Copies of this survey may be used for archival purposes only. This document is not valid without the original hand and seal and full remittance.

2) Distances between property corners conform to the dimensions on the recorded plat.

A specific type of monument is not called for on the recorded plat of this subdivision. Therefore, none of the survey monuments found can, with any reliability, be called original. Monuments found appear to be in general uniformity with the recorded plat. The boundary lines are established using monuments by common report.

The basis of bearings for this survey are GPS bearings tied to the State Plane Coordinate System, as supplied by Indiana Department of Transportation (INDOT) INCORS network, Geodetic Datum: NAD83

Subsurface and environmental conditions were not examined or considered to be part of this survey.

This survey and report does not investigate the possibility of unwritten rights. It is not the intent of this survey or Professional Surveyor to determine ownership, rights of ownership nor title of the property.

This survey is the opinion of a licensed Professional Surveyor in the State of Indiana as to the actual location of the lines and corners called for on the deed description/plat. This opinion is based on logic, relevant field and research evidence and established Standard of Care

The purpose of this survey is a retracement of a platted lot.

The Southwest and Southeast property corners are located 13.9 ft. North of the 32 ft. wide pavement of Huffman St.
The Northeast and Southeast property corners are located 14.9 ft. West of the 30 ft. wide pavement of Wells. St.

The Northeast property corner is located 50.00 ft. (measured & plat) South of a 3/8-inch iron pin found at the Northeast corner of Lot No. 2.

The Southwest property corner is located 45.00 ft. (measured & plat) East of a 3/8-inch iron pin found at the Southwest corner of Lot No. 3.

The Northwest property corner is located 44.70 ft. measured, 45.00 ft. recorded, East of a 5/8-inch iron pin with C&D Firm No. 0026 cap found at the Northwest corner of Lot No. 3.

A survey dated 1-8-03 by KW Harris on Lot No. 3 was used as a reference.

A survey dated 8-5-76 by JR Donovan on Lot No. 3 was used as a reference.