

#REZ-2023-0044

BILL NO. Z-23-09-11

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. H-11 (Sec. 16 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 a I2 (General
Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

A PART OF THE NORTH WEST ¼ OF THE SOUTH WEST ¼ OF SECTION 16,
TOWNSHIP 30 NORTH, RANGE 12 EAST AS FOLLOWS, BEGINNING AT
THE WEST ¼ CORNER OF SECTION 16, TOWNSHIP 30 NORTH, RANGE 12
EAST RUNNING ALONG THE ¼ LINE OF SAID SECTION 12 - 766 CHAINS
TO A STONE; THENCE SOUTH 11-60 CHAINS TO A STONE; THENCE WEST
12.86 CHAINS TO A STONE; ON THE WEST LINE OF SAID SECTION;
THENCE NORTH 11.57 CHAINS ALONG THE WEST LINE OF SAID SECTION
TO THE PLACE OF BEGINNING. THE ABOVE DESCRIBED TRACT TO
CONTAIN 14.84 ACRES. EXCEPT THAT PART THEREOF CONVEYED FOR
RIGHT OF WAY PURPOSES IN DOCUMENT NUMBER 70-05322.

and the symbols of the City of Fort Wayne Zoning Map No. H-11 (Sec. 16 of Wayne
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-2023-0044
Bill Number: Z-23-09-11
Council District: 5 -Geoff Paddock

Introduction Date: September 12, 2023

Plan Commission
Public Hearing Date: September 11, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone property from R1/Single Family Residential to I2/General Industrial

Location: 3633 Nuttman Avenue

Reason for Request: To allow for a machining, metal fabrication, and warehousing industrial building.

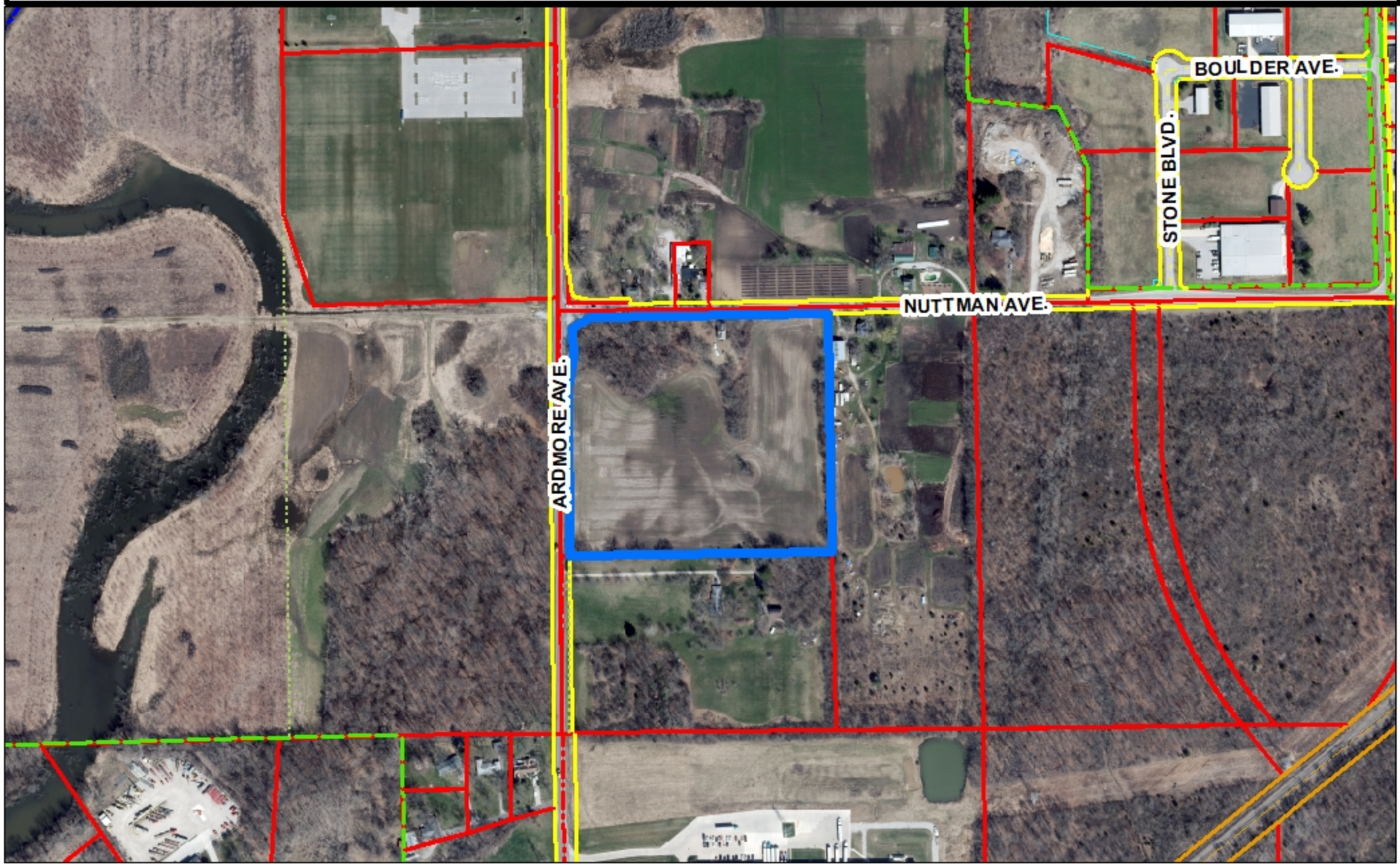
Applicant: Murray Property Management, LLC

Property Owner: Lloyd Garrett E & Marilyn J c/o Patricia Snyder

Related Petitions: Primary Development Plan – Murray Equipment Building

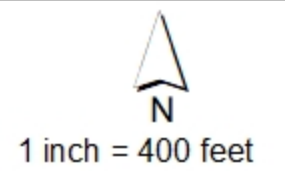
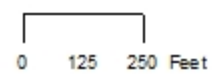
Effect of Passage: Property will be rezoned to the I2/General Industrial zoning district, which allows for a machining, metal fabrication, and warehousing industrial building.

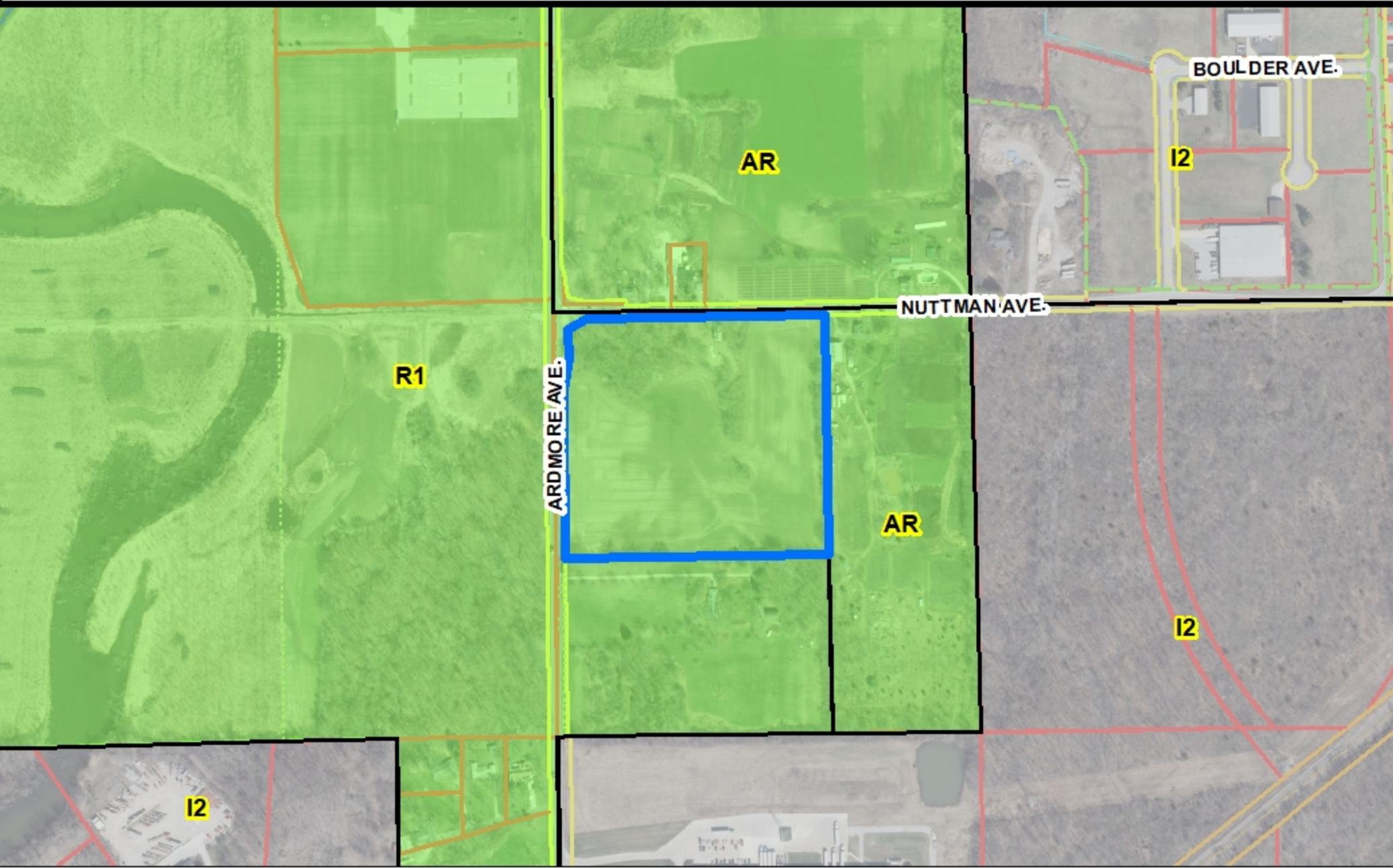
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which supports single family development.



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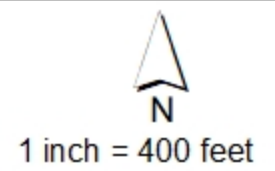
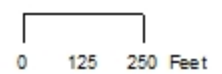
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/10/2023





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Department of Planning Services

Rezoning Petition Application

Applicant

Applicant Murray Property Management, LLC
 Address 2515 Charleston Place
 City Fort Wayne State IN Zip 46808
 Telephone 260-484-0382 E-mail dmurray@murrayequipment.com

Property Ownership

Property Owner Garrett E. Lloyd Estate, Patricia Snyder, Personal Representative
 Address 1360 W. Sheckler Road
 City Columbia City State IN Zip 46725
 Telephone 260-609-2011 E-mail cpsnyder1360@gmail.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 3633 Nuttman Ave. Township and Section Wayne 16
 Present Zoning AR R1 Proposed Zoning I2 Acreage to be rezoned 14.84
 Purpose of rezoning (attach additional page if necessary) to allow for the construction of a building for machining, metal fabrication and warehousing for Murray Equipment, Inc.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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

Murray Property Management, LLC
 (printed name of applicant)

(signature of applicant)
 DocuSigned by:

7/19/2023
 (date)

Garrett E. Lloyd Estate
 (printed name of property owner)

Patricia J. Snyder
 (signature of property owner)

7/20/2023
 (date)



Received	Receipt No.	Hearing Date	Petition No.
8-1-23	143772	9-11-23	REZ-2023-0044

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



Rezoning Petition REZ-2023-_____; R1 to I2
Fort Wayne Plan Commission
September 17, 2023 Public Hearing
14.84 acres at southeast corner of Nuttman Ave. and Ardmore Ave.
Section 16, Wayne Township

Rezoning Criteria:

1. The Comprehensive Plan

The current comprehensive plan for Fort Wayne, *All In Allen: Moving Forward Together*, effective March 13, 2023 (the “Comprehensive Plan”), incorporates the policy of adjacent growth expressed in the two previous Comprehensive Plans for the jurisdiction. The subject parcel is 530 feet north of and 450 feet west of a large area currently zoned I2. Additionally, $\frac{3}{4}$ of Section 16 of Wayne Township (120 out of a total of 160 acres) where this property is located is zoned I2. The subject property is within the Urban Infill Area noted on the Future Growth and Development Map in the Comprehensive Plan (p. 53). Finally, the subject parcel is served by public sewer and water infrastructure is available, further supporting the policy of sustainable growth in area where such services are available.

2. Current conditions and the character of current structures and uses in the district

The overriding character of this area is a mixture of agricultural, residential and industrial zoning and uses, along with recreational uses to the west. The proposed zoning and use are in keeping with that character. The proposal does not seek to create a new “footprint” of industrial zoning in an area where little or no industrial zoning exists.

3. The most desirable use for which the land in the district is adapted

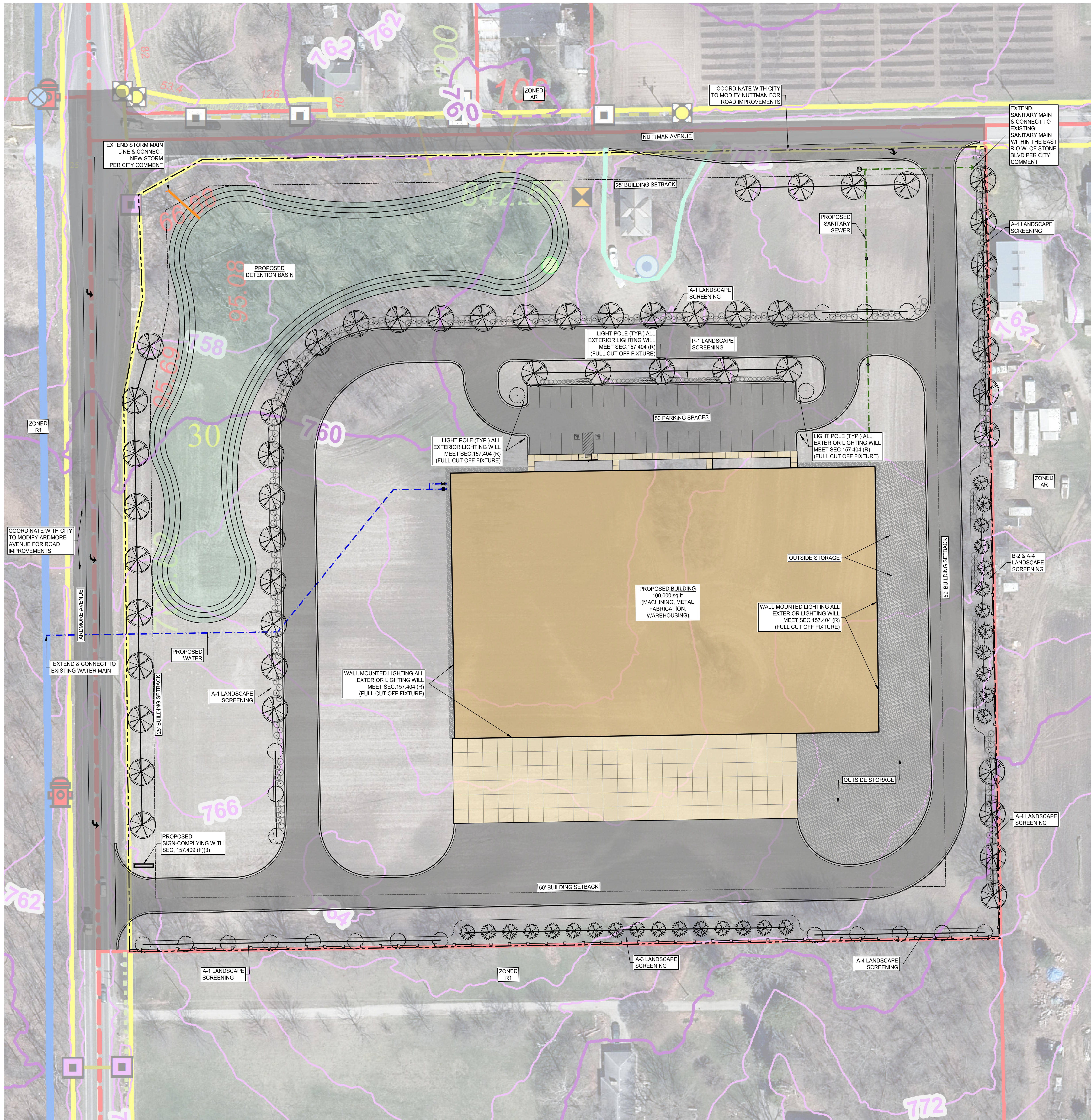
The area within a half mile radius of the intersection of Nuttman and Ardmore avenues features considerable industrial zoning and uses. For example, there are the Stonewall and Engle Ridge Industrial parks to the south, and various industrial developments along Freeman Street north of Nuttman Avenue, east of this site. The subject property is within a corridor of industrial zoning that projects southwest from Fort Wayne along the railroad lines to the Fort Wayne International Airport. Existing development patterns show that industrial uses are desirable on and around the subject property.

4. The conservation of property values throughout the jurisdiction

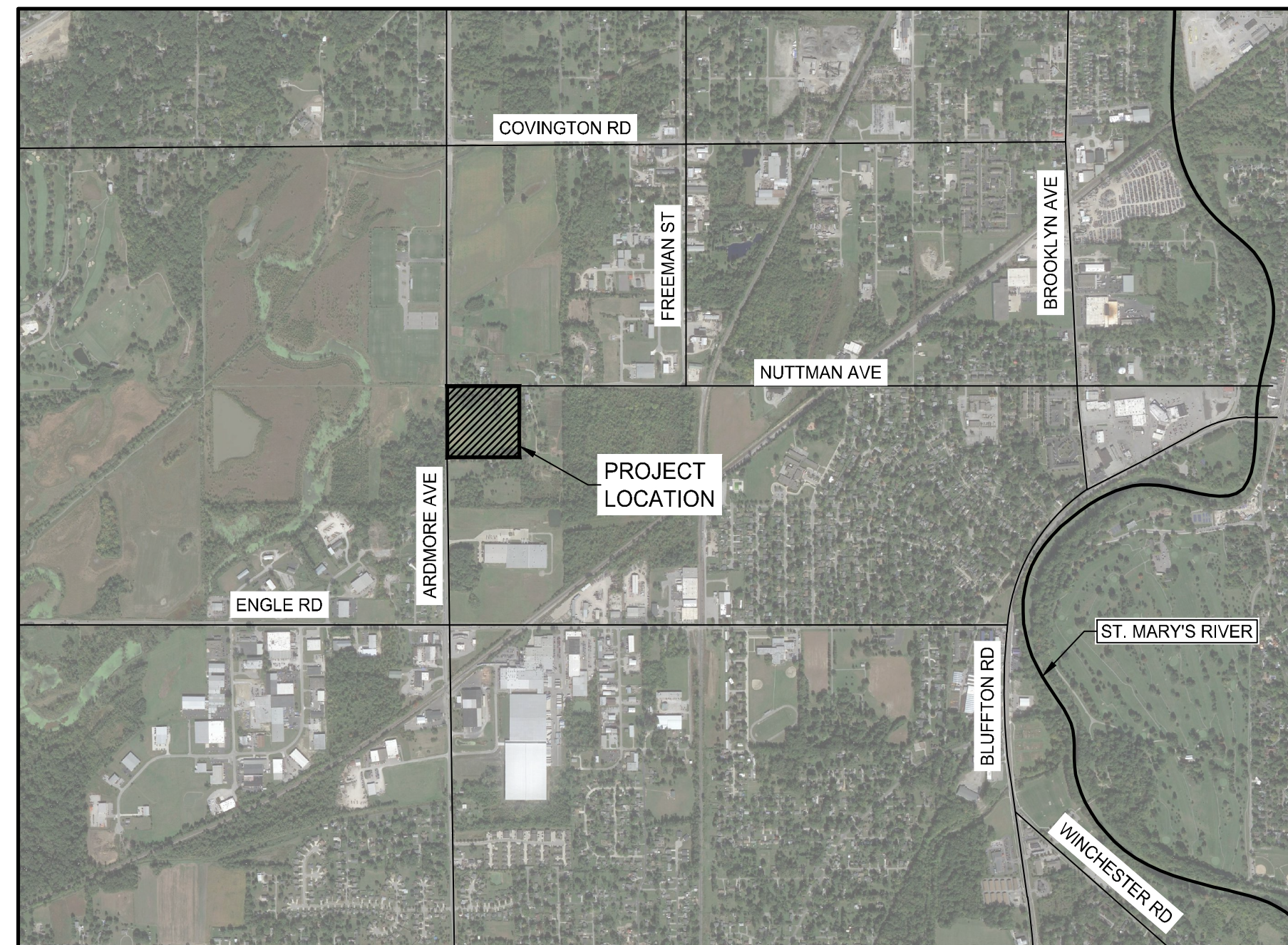
Property values throughout the jurisdiction are maintained when growth occurs in areas like this where neighboring properties are developed in a like manner, public sewer and water are available, and development plans are provided to ensure the proposed development is compatible with the area.

5. Responsible development and growth

Responsible development and growth occurs when growth is adjacent to similar uses and is served by existing utility infrastructure, as this site is. Responsible development and growth is shown when it conforms to the Comprehensive Plan, is consistent with current growth patterns, and represents the highest and best use of the property, as described in the responses to the criteria in Items 1 through 4 above.



Primary Development Plan
1"=40.0'



LOCATION MAP
SCALE: NOT TO SCALE

PROPOSED LEGEND:

	STORM INLET / MANHOLE		STORM SEWER
	STORM END SECTION		WATER LINE
	STORM TRASH RACK		SANITARY SEWER
	SANITARY MANHOLE		OVERALL DEVELOPMENT PARCEL
	SANITARY CLEANOUT		
	GATE VALVE		
	PIV		
	FIRE HYDRANT		
	SIGN		
	HANDICAP SYMBOL		

OWNER

MURRAY EQUIPMENT INC.
2515 CHARLESTON PLACE
FORT WAYNE, IN 46808
PH: (260) 484-0382
CONTACT: Dan Murray

CONTRACTOR

FELDERMAN DESIGN-BUILD
5620 COVENTRY LANE
FORT WAYNE, IN 46804
PH: (260) 434-4000
CONTACT: Todd Adams

ENGINEER - CIVIL

ENGINEERING RESOURCES
4175 NEW VISION DRIVE
FORT WAYNE, IN 46845
PH: (260) 451-9740
CONTACT: MARK REINHARD
EMAIL: mark@eri.consulting

LAYOUT LEGEND:

	PROPOSED ASPHALT PAVEMENT
	EXISTING ROAD
	PROPOSED CONCRETE PAVING
	PROPOSED BUILDING
	PROPOSED DETENTION BASIN
	STONE

LOT INFORMATION

CURRENT ZONING	R1
PROPOSED ZONING	I2
CURRENT USE	UNDEVELOPED
DEVELOPMENT PLAN AREA	14.84

BUILDING SETBACKS

	NORTH PROPERTY LINE	EAST PROPERTY LINE	SOUTH PROPERTY LINE	WEST PROPERTY LINE
REQUIRED	25'-0"	50'-0"	50'-0"	25'-0"

FLOOD INSURANCE RATE MAP (FIRM):

ALLEN COUNTY, INDIANA AND INCORPORATED AREAS
FIRM MAP NUMBERS: 18003C02806
PANEL 290 OF 495
DATED AUGUST 3, 2009
ZONE "X"

BUILDING INFORMATION - PARCEL #1

PROPOSED SINGLE STORY BUILDING FLOOR SQUARE FOOTAGE	APPROX. 100,000 SF	
BUILDING HEIGHT	30'-0"	REQUIRED: 50' MAX PER SEC 157.223 (E)1)

PARKING SUMMARY - PARCEL #1

	REQUIRED PARKING COUNT	PROPOSED PARKING COUNT
APPROX. 100,000 SQ. FT.	1 PER LARGEST SHIFT (40 EMPLOYEE)	50 SPACES



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Murray Equipment, Inc.

3633 Nuttman Avenue,
Fort Wayne, IN 46802



ERI PROJECT NUMBER: 6008

ISSUE DATE: 07.31.2023

REVISIONS
NO. DATE DESCRIPTION

PRIMARY DEVELOPMENT PLAN

PD1

Out

Indiana National Bank & Trust Co. of Fort Wayne

159025

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

Mail Tax Bill to:
5215 Nuttman Avenue
Fort Wayne, Ind. 46804

WARRANTY DEED 76- 32244

This Indenture witnesseth that Letha A. Falls, unmarried and over the full age of majority

of Allen County in the State of Indiana

Convey and warrant to Garrett E. Lloyd and Marilyn J. Lloyd, husband and wife, and each over the full age of majority,

of Allen County in the State of Indiana
for and in consideration of One Dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

A part of the North West $\frac{1}{4}$ of the South West $\frac{1}{4}$ of Section 16, Township 30 North, Range 12 East, as follows, beginning at the West $\frac{1}{4}$ Corner of Section 16, Township 30 North, Range 12 East running along the $\frac{1}{4}$ line of said Section 12.766 chains to a stone; thence south 11.60 chains to a stone; thence west 12.86 chains to a stone; on the west line of said Section; thence North 11.57 chains along the west line of said Section to the place of beginning. The above described tract to contain 14.84 acres. EXCEPT that part thereof conveyed for right of way purposes in Document Number 70-05322.

Subject to 1976 Fall taxes due and payable in November 1977, and all subsequent taxes and assessments.

1976 DEC 22 AM 9:28
ALLEN COUNTY RECORDER
J. C. Smith

State of Indiana, Allen County, ss:
Before me, the undersigned, a Notary Public in and for said County and State, this 16th day of December 1976
personally appeared:

Letha A. Falls, unmarried and over the full age of majority,

Dated this 16th Day of December 1976

Letha A. Falls Seal
Letha A. Falls Seal

DULY ENTERED FOR TAXATION Seal
DEC 21 1976 Seal

Jan D. Uebelacker Seal
AUDITOR OF ALLEN COUNTY Seal

Instrument J 11,250 Seal

In witness whereof, the undersigned, a Notary Public in and for said County and State, at Fort Wayne, Indiana, this 16th day of December 1976
Julia M. Perry, Notary Public

This instrument prepared by J. Robert Arnold, Attorney at Law

MAIL TO:

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