

1 **#REZ-2023-0047**

2 **BILL NO. Z-23-09-24**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. K-46 (Sec. 10 of Washington Township)**

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

10 SECTION 1. That the area described as follows is hereby designated an R2 (Two
11 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
12 of Fort Wayne, Indiana:

13 Part of Lots Numbered 2, 3, and 4 in Hollywood Acres, as recorded in Plat Record 7,
14 page 71, in the Office of the Recorder of Allen County, Indiana, being more
15 particularly described as follows, to-wit:

16 Beginning at a #5 rebar at the Northwest corner of said Lot Number 3; thence South
17 02 degrees 33 minutes 48 seconds East (GPS grid bearing and basis for all bearings
18 in this description), on and along the West line of said Lot Number 3, a distance of
19 85.42 feet to a #5 rebar; thence North 87 degrees 54 minutes 36 seconds East, a
20 distance of 150.00 feet to a #5 rebar; thence South 02 degrees 33 minutes 48 seconds
21 East and parallel to the West line of said Lots Numbered 2 and 3, a distance of
22 110.00 feet to a #5 rebar on the South line of a base tract of real estate described in a
23 deed to CD Investments LLC, in Document Number 2020059961 in the Office of the
24 Recorder of Allen County, Indiana; thence North 87 degrees 54 minutes 36 seconds
25 East, on and along said South line, a distance of 500.00 feet to a #5 rebar at the
26 Southeast corner thereof, being a point on the East line of said Lot Number 2; thence
27 North 02 degrees 33 minutes 48 seconds West, on and along the East line of said
28 Lots Numbered 2, 3 and 4, a distance of 325.84 feet to a #5 rebar at the Northeast
29 corner of said Lot Number 4; thence South 87 degrees 57 minutes 08 seconds West,
30 on and along the North line of said Lot Number 4, a distance of 82.14 feet to a #5
 rebar; thence South 56 degrees 36 minutes 57 seconds West, a distance of 48.05 feet
 to a #5 rebar; thence South 87 degrees 57 minutes 08 seconds West and parallel with
 the North line of said Lot Number 4, a distance of 526.80 feet to a #5 rebar on the
 West line of said Lot Number 4, being a point South 02 degrees 40 minutes 01
 seconds East, a distance of 25.00 feet from the Northwest corner of said Lot Number
 4; thence South 02 degrees 40 minutes 01 seconds East, on and along said West line,
 a distance of 105.90 feet to the true point of beginning, containing 4.173 acres of
 land, and subject to all easements of record.

1
2 and the symbols of the City of Fort Wayne Zoning Map No. K-46 (Sec. 10 of Washington
3 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
4 Wayne, Indiana is hereby changed accordingly.

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

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 _____
Council Member

13
14
15 APPROVED AS TO FORM AND LEGALITY:

16 _____
17 Malak Heiny, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0047
Bill Number: Z-23-09-24
Council District: 3-Tom Didier

Introduction Date: September 26, 2023

Plan Commission
Public Hearing Date: October 9, 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 4.2 acres from R1/Single Family Residential to R2/Two Family Residential

Location: 7426 and 7504 Woodbine Avenue

Reason for Request: To permit the platting of a 32-lot attached single family subdivision.

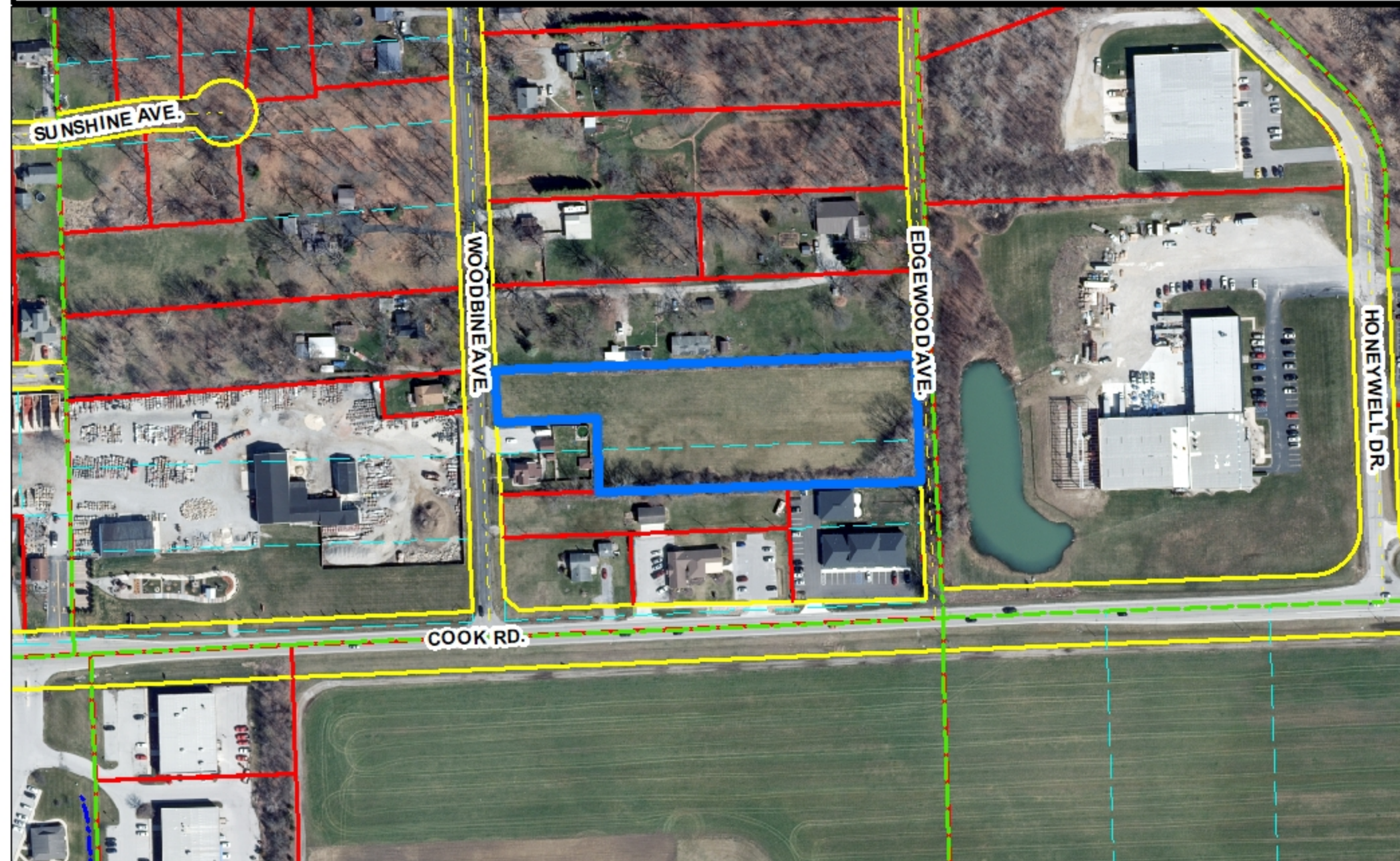
Applicant: CD Investments, LLC

Property Owner: David Stockert II

Related Petitions: Primary Plat, The Villas of Hollywood Heights

Effect of Passage: Property will be rezoned to the R2/Two Family Residential zoning district, which permits attached single family platted subdivisions.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and may develop with detached single family homes or subdivisions.



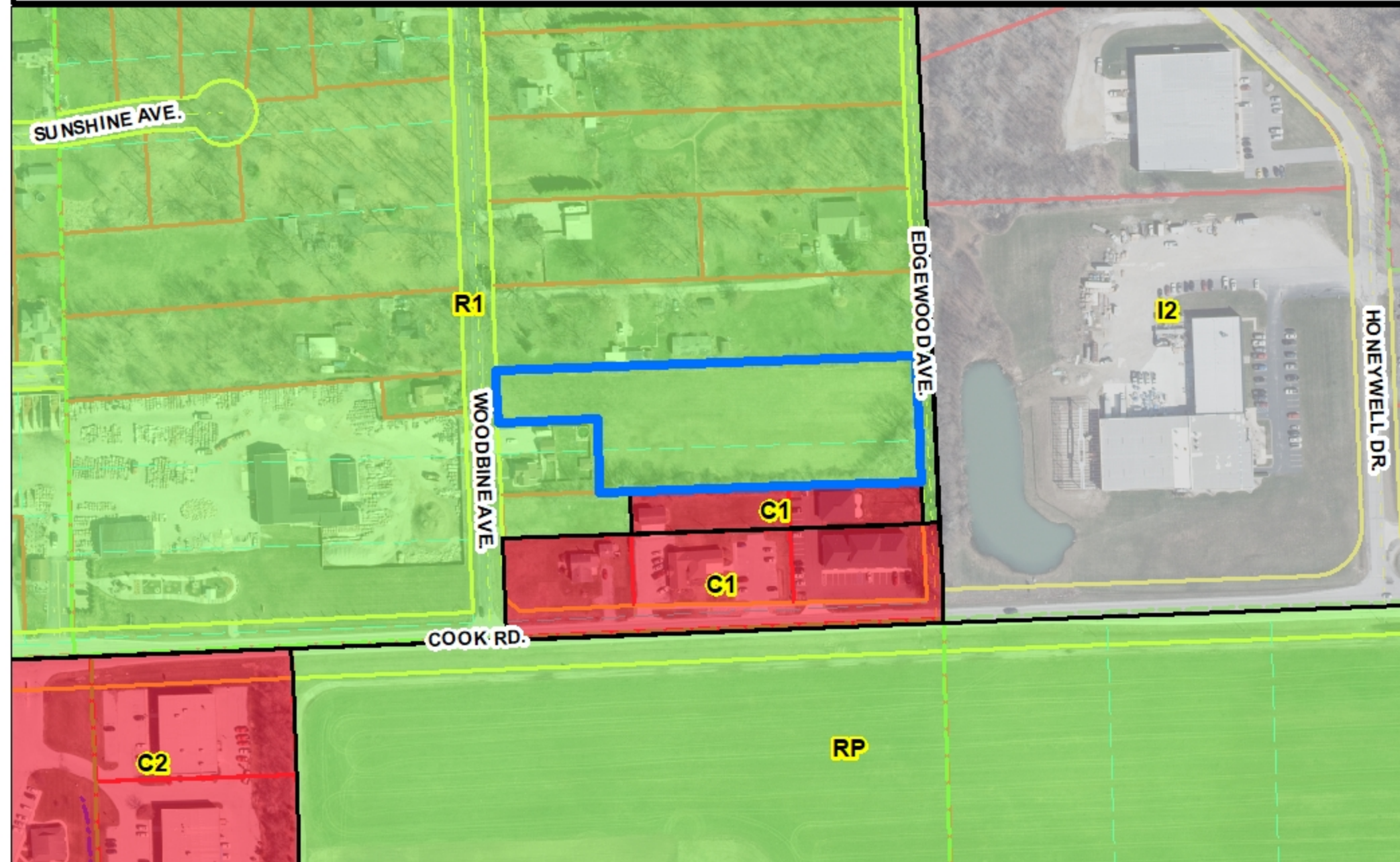
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/19/2023

0 125 250 Feet



1 inch = 200 feet



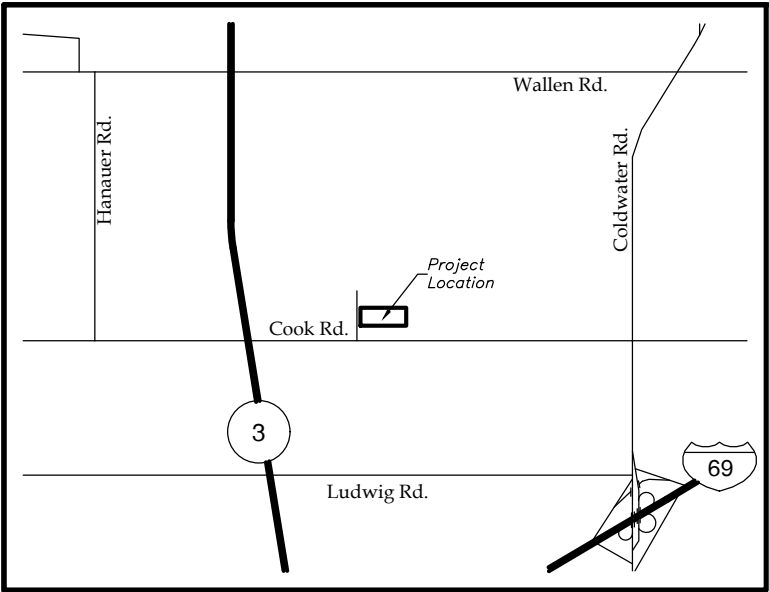
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0 125 250 Feet



1 inch = 200 feet



Location Map

Primary Plat of:

THE VILLAS OF HOLLYWOOD HEIGHTS

A subdivision of part of Lots Numbered 2, 3 and 4 in Hollywood Acres to the City of Fort Wayne, Indiana.

Developer:
CD Investments LLC
606 Woodland Springs Place
Fort Wayne, IN 46825
Tel: (260) 410-2722

Surveyor:
Sauer Land Surveying, Inc.
14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Tel: 260/469-3300

DESCRIPTION:

Part of Lots Numbered 2, 3, and 4 in Hollywood Acres, as recorded in Plat Record 7, page 71, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows, to-wit:

Beginning at a #5 rebar at the Northwest corner of said Lot Number 3; thence South 02 degrees 33 minutes 48 seconds East (GPS grid bearing and basis for all bearings in this description), on and along the West line of said Lot Number 3, a distance of 85.42 feet to a #5 rebar; thence North 87 degrees 54 minutes 36 seconds East, a distance of 150.00 feet to a #5 rebar; thence South 02 degrees 33 minutes 48 seconds East and parallel to the West line of said Lots Numbered 2 and 3, a distance of 110.00 feet to a #5 rebar on the South line of a base tract of real estate described in a deed to CD Investments LLC, in Document Number 2020059961 in the Office of the Recorder of Allen County, Indiana; thence North 87 degrees 54 minutes 36 seconds East, on and along said South line, a distance of 500.00 feet to a #5 rebar at the Southeast corner thereof, being a point on the East line of said Lot Number 2; thence North 02 degrees 33 minutes 48 seconds West, on and along the East line of said Lots Numbered 2, 3 and 4, a distance of 325.84 feet to a #5 rebar at the Northeast corner of said Lot Number 4; thence South 87 degrees 57 minutes 08 seconds West, on and along the North line of said Lot Number 4, a distance of 82.14 feet to a #5 rebar; thence South 56 degrees 36 minutes 57 seconds West, a distance of 48.05 feet to a #5 rebar; thence South 87 degrees 57 minutes 08 seconds West and parallel with the North line of said Lot Number 4, a distance of 526.80 feet to a #5 rebar on the West line of said Lot Number 4, being a point South 02 degrees 40 minutes 01 seconds East, a distance of 25.00 feet from the Northwest corner of said Lot Number 4; thence South 02 degrees 40 minutes 01 seconds East, on and along said West line, a distance of 105.90 feet to the true point of beginning, containing 4.173 acres of land, and subject to all easements of record.

AREA TABLE

LOT	AREA (SF)
1	3738
2	3660
3	3660
4	3660
5	3660
6	3660
7	3680
8	3784
9	3846
10	3846
11	3845
12	3844
13	3844
14	3842
15	3666
16	3172
17	4960
18	8901
19	6539
20	4749
21	5160
22	4690
23	3712
24	3813
25	3813
26	3813
27	3813
28	3813
29	3821
30	3886
31	3987
32	4079
BLOCK "A"	600
BLOCK "B"	14832
BLOCK "C"	3189
STREET R/W	30200

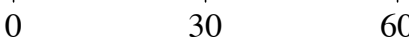
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	150.00'	19.24'	19.24'	S 88°19'08" E	122°21'17"
C2	150.00'	19.24'	19.24'	S 89°22'42" W	175°50'50"

Symbol Legend

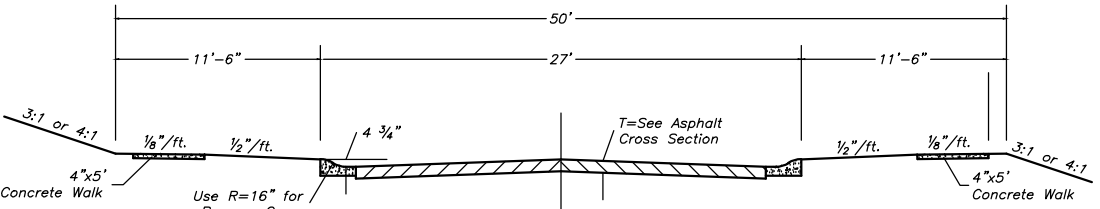
- Inlet
- Manhole
- Fire Hydrant
- Proposed Detention Area
- Proposed Street Light
- Proposed Sanitary Sewer
- Proposed Storm Sewer
- Proposed Water Lines
- Existing Sanitary Sewer
- Existing Storm Sewer
- Existing Water Lines
- Existing Overhead Electric



SCALE IN FEET:



Original Map Scale: 1"=30'
Date: August 24, 2023



Note: All sidewalks through driveways shall be at a 1/8" per ft. cross-slope

TYPICAL STREET CROSS-SECTION

Not to Scale

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant CD Investments, LLC
Address 606 Woodland Springs Place
City Fort Wayne State IN Zip 46825
Telephone 260-410-2722 E-mail clinerobert64@gmail.com

Contact Person
Contact Person same
Address _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

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 7426 & 7504 Woodbine Avenue
Present Zoning R1 Proposed Zoning R2 Acreage to be rezoned 4.173 acres
Proposed density 7.7 units per acre
Township name Washington Township section # 10
Purpose of rezoning (attach additional page if necessary) _____
To permit the platting of a 32 lot subdivision named The Villas of Hollywood Heights
Sewer provider City of Fort Wayne Water provider City of 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.

CD Investments, LLC

(printed name of applicant)



(signature of applicant)

9-5-23

(date)

David A. Stockert II

(printed name of property owner)

STOCKERT, DAVID ALLEN
Digitally signed by STOCKERT, DAVID ALLEN
DN: cn=STOCKERT, DAVID ALLEN, o=Allen County, ou=Allen County, email=stockert.david@allencounty.in.gov, c=US

(signature of property owner)

09/01/2023

(date)

(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

(signature of property owner)

(date)

Received <u>9/5/23</u>	Receipt No. <u>143991</u>	Hearing Date <u>10/9/23</u>	Petition No. <u>REZ-2023-0047</u>
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(printed name of property owner)

(signature of property owner)

(date)