

1 **#REZ 2024 0004**

2 **BILL NO. Z-24-02-15**

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

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. DD-27 (Sec. 28 of Aboite Township)**

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

9 SECTION 1. That the area described as follows is hereby designated a C3 (General
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 LEGAL DESCRIPTION

13 2024 R2 REZONING PARCEL / OAK BLUFF VILLAS DEVELOPMENT PARCEL @
14 11328 US 24 WEST (DEED #2012036734)

15 Lots 2, 3, 4 and part of Lot 1, all in Maple Dells Addition, recorded in Plat Book 20, page
16 116 as found in the Office of the Recorder of Allen County, Indiana, and being part of the
17 South Half of the Southeast Quarter of Section 28 Township 30 North, Range 11 East, Allen
 County, Indiana, described as follows:

18 Beginning at the Southeast corner of Lot 4 in said Maple Dells Addition, said corner being
19 on the Northerly right-of-way line of U.S. Highway #24 (F.A. Project No.98 – Sec. B {3}-
20 1939); thence Southwesterly, on said Northerly right-of-way line, being 70.00 feet
21 Northwesterly of and parallel with the center-line of said U.S. Highway #24 and being a
22 curve to the right having a radius of 6,296.57 feet and a chord of 423.49 feet bearing South
23 82 degrees 42 minutes 46 seconds West (all bearings based on Geodetic North - Indiana
24 State Plane East), an arc length of 423.57 feet; thence North 38 degrees 00 minutes 55
25 seconds West, 159.50 feet; thence North 26 degrees 28 minutes 55 seconds West, 150.80
26 feet; thence North 24 degrees 32 minutes 55 seconds West, 190.10 feet; thence South 53
27 degrees 58 minutes 05 seconds West, 62.80 feet to the East line of Bittersweet Woods,
28 recorded in Plat Book 43, pages 118-123; thence on the Easterly boundary of said
29 Bittersweet Woods by the following 4 courses: thence North 33 degrees 21 minutes 38
30 seconds East, 135.40 feet; thence North 01 degree 47 minutes 22 seconds West, 220.70 feet;
 thence North 38 degrees 43 minutes 22 seconds West, 177.30 feet; thence North 16 degrees
 56 minutes 38 seconds East, 84.60 feet to the Southeast corner of Lot 10 in said Bittersweet
 Woods, said corner also being the Southwest corner of a 1.196-acre parcel, known as "Parcel
 IV" of Document #2017008394; thence North 87 degrees 13 minutes 38 seconds East, on
 the South line of said 1.196-acre parcel, 233.10 feet to the Southeast corner thereof; thence
 North 88 degrees 55 minutes 45 seconds East, on the South line of a 1.037-acre parcel

1 known as "Parcel II" of said Document #2017008394, a distance of 252.67 feet to a point on
2 the East line of Lot 1 of said Maple Dells; thence South 15 degrees 14 minutes 51 seconds
3 East, on said East line, said East line also being the West line of Pine Hollow Section I and II
4 as respectively recorded in Plat Book 46 pages 139-143 and Plat Book 48, pages 96-99, a
5 distance of 945.10 feet to the Point of Beginning, containing 10.946 acres, more or less, and
6 being subject to easements and rights of way of record.

7 and the symbols of the City of Fort Wayne Zoning Map No. DD-27 (Sec. 28 of Aboite
8 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
9 Wayne, Indiana is hereby changed accordingly.

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

14 SECTION 3. That this Ordinance shall be in full force and effect from and after its
15 passage and approval by the Mayor.

16 _____
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY:

19 _____
20 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-2024-0004
Bill Number: Z-24-02-15
Council District: 4 – Dr. Scott Myers

Introduction Date: February 27, 2024

Plan Commission
Public Hearing Date: March 11, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 10.946 acres from AR/Low Intensity Residential to R2/Two Family Residential

Location: 11328 W US 24 (Section 28 of Aboite Township)

Reason for Request: To permit a 16-unit attached single-family subdivision

Applicant: JRM Realty, LLC

Property Owner: JRM Realty, LLC

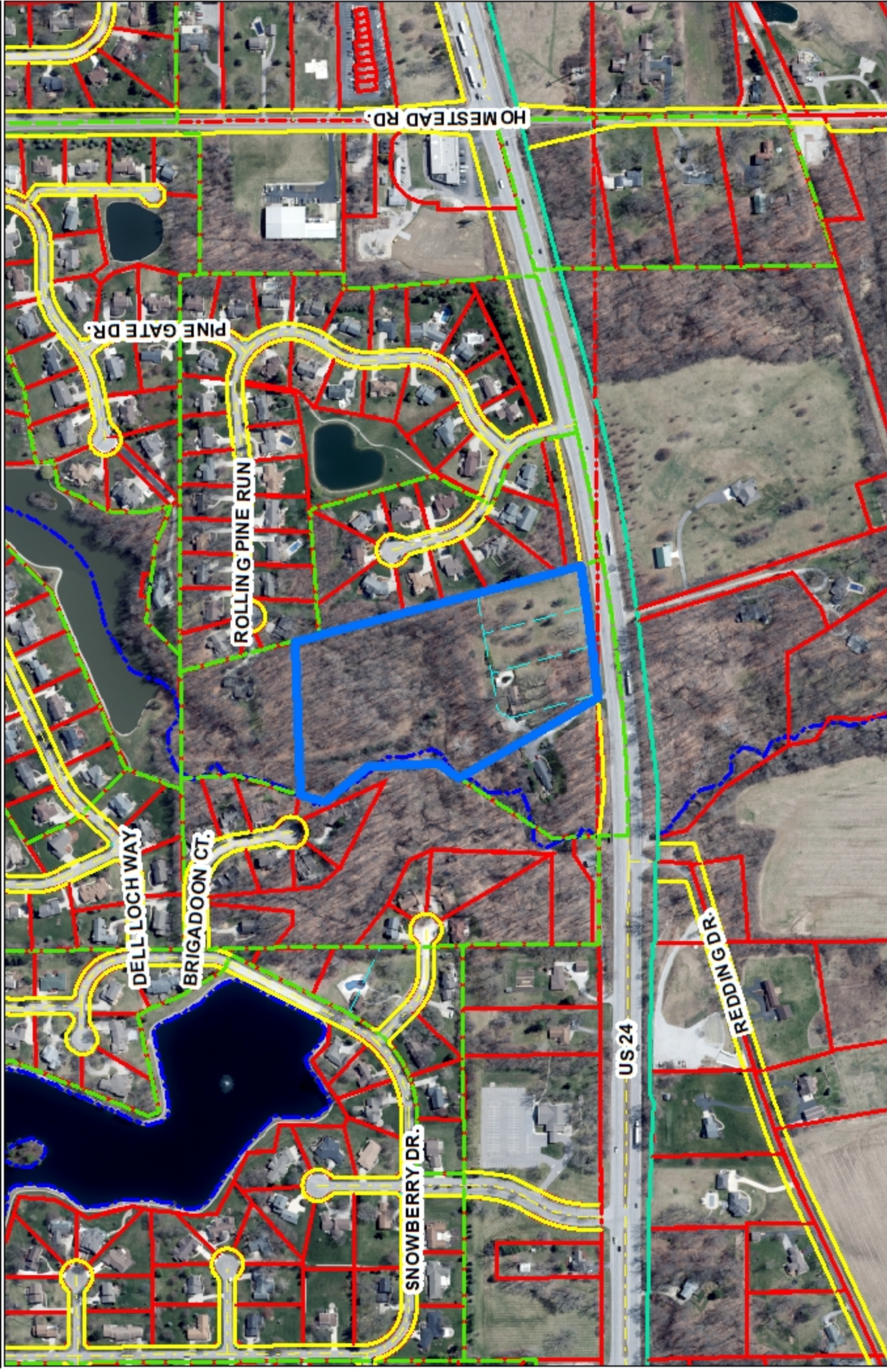
Related Petitions: Primary Plat – Oak Bluff Villas

Effect of Passage: Property will be rezoned to the R2/Two Family Residential zoning district, which will allow for an attached single-family subdivision and similar uses.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential, which does not permit an attached single-family subdivision. The site will continue with existing uses, and may be redeveloped with both low intensity residential and agricultural uses where adequate infrastructure is available.



Rezoning Petition REZ-2024-0004 and Primary Plat PP-2024-0003 - Oak Bluff Villas



Although every effort has been made to ensure the accuracy of the information contained herein, the City of Allen and its staff assume no responsibility for any errors or omissions in this map. The information is provided for informational purposes only and should not be used for any other purpose. The City of Allen is not responsible for any errors or omissions in this map. The information is provided for informational purposes only and should not be used for any other purpose.

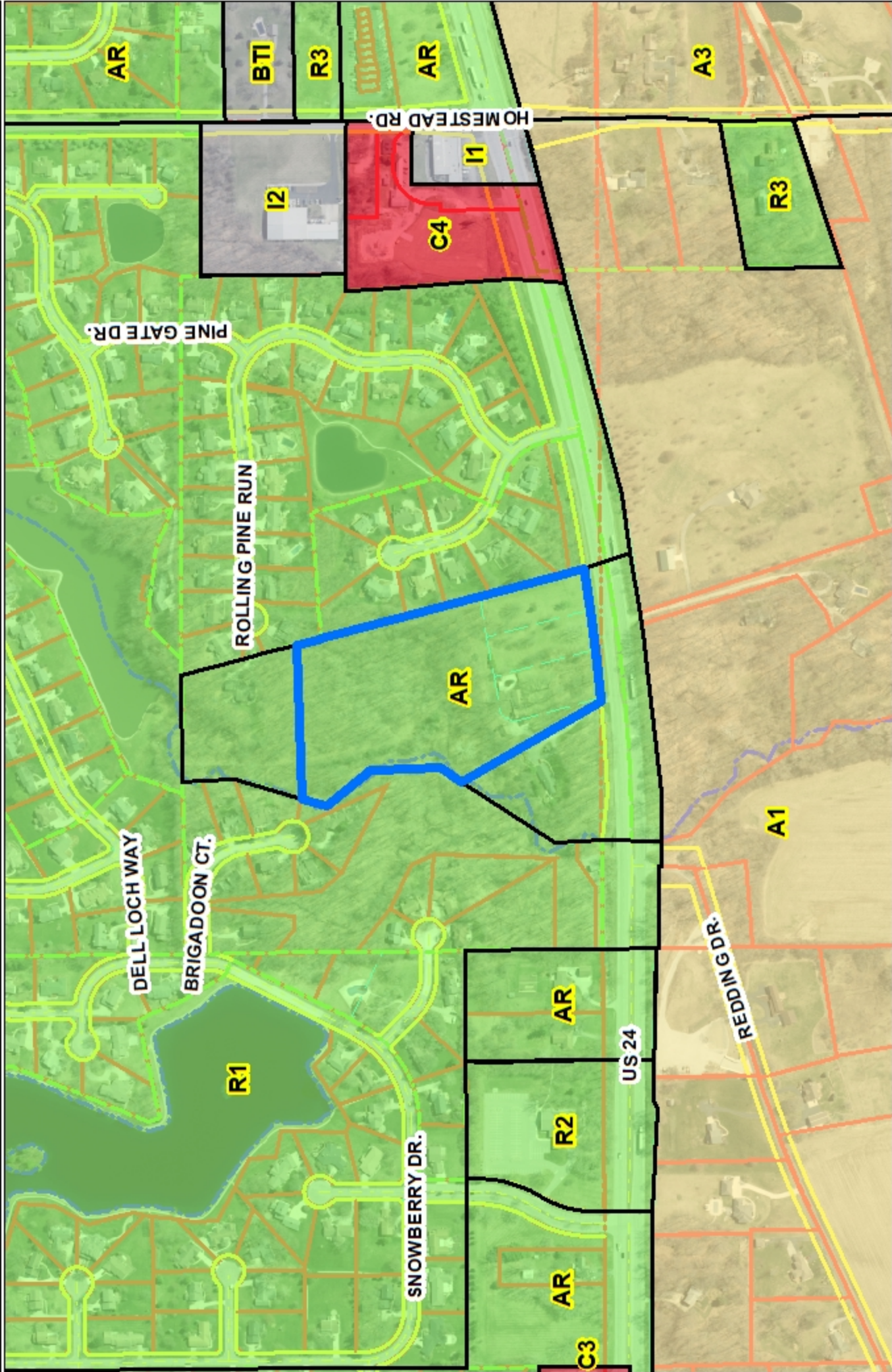
North American Datum 1983
State Plane, Central Texas System, Indiana East
Photos and Contours: Spring 2009
Date: 2/14/2024



1 inch = 400 feet



Rezoning Petition REZ-2024-0004 and Primary Plat PP-2024-0003 - Oak Bluff Villas



Although every effort has been made to ensure the accuracy of the information contained herein, the City of Allen, Indiana, and its Board of Zoning Appeals, disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane, Central Indiana System, Indiana East
Photos and Contours: Spring 2009
Date: 2/14/2024



1 inch = 400 feet

Department of Planning Services Rezoning Petition Application

Applicant
Applicant JRM REALTY LLC
Address 5324 GOSHEN ROAD
City FORT WAYNE State IN Zip 46818
Telephone 260.410.3295 E-mail jim@muttonpower.com

Property Ownership
Property Owner SAME
Address _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

Contact Person
Contact Person Kevin McDermit - Loughheed & Associates
Address 1009 S Hadley Road
City Fort Wayne State IN Zip 46804
Telephone 260.432.3665 E-mail krmcdermit@comcast.net

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 11328 US 24 West Township and Section Aboite - sec 28
Present Zoning AR Proposed Zoning R2 Acreage to be rezoned 10.946 acres
Purpose of rezoning (attach additional page if necessary) Residential Duplex Villa Subdivision

Sewer provider Aqua Indiana 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

Jim Mutton (printed name of applicant) [Signature] (signature of applicant) 1.29.24 (date)
Jim Mutton/JRM Realty (printed name of property owner) [Signature] (signature of property owner) 1.29.24 (date)



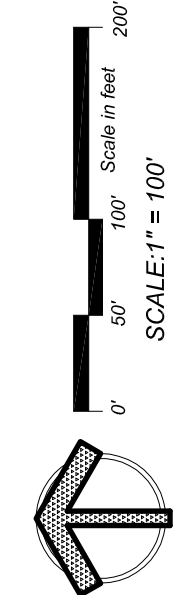
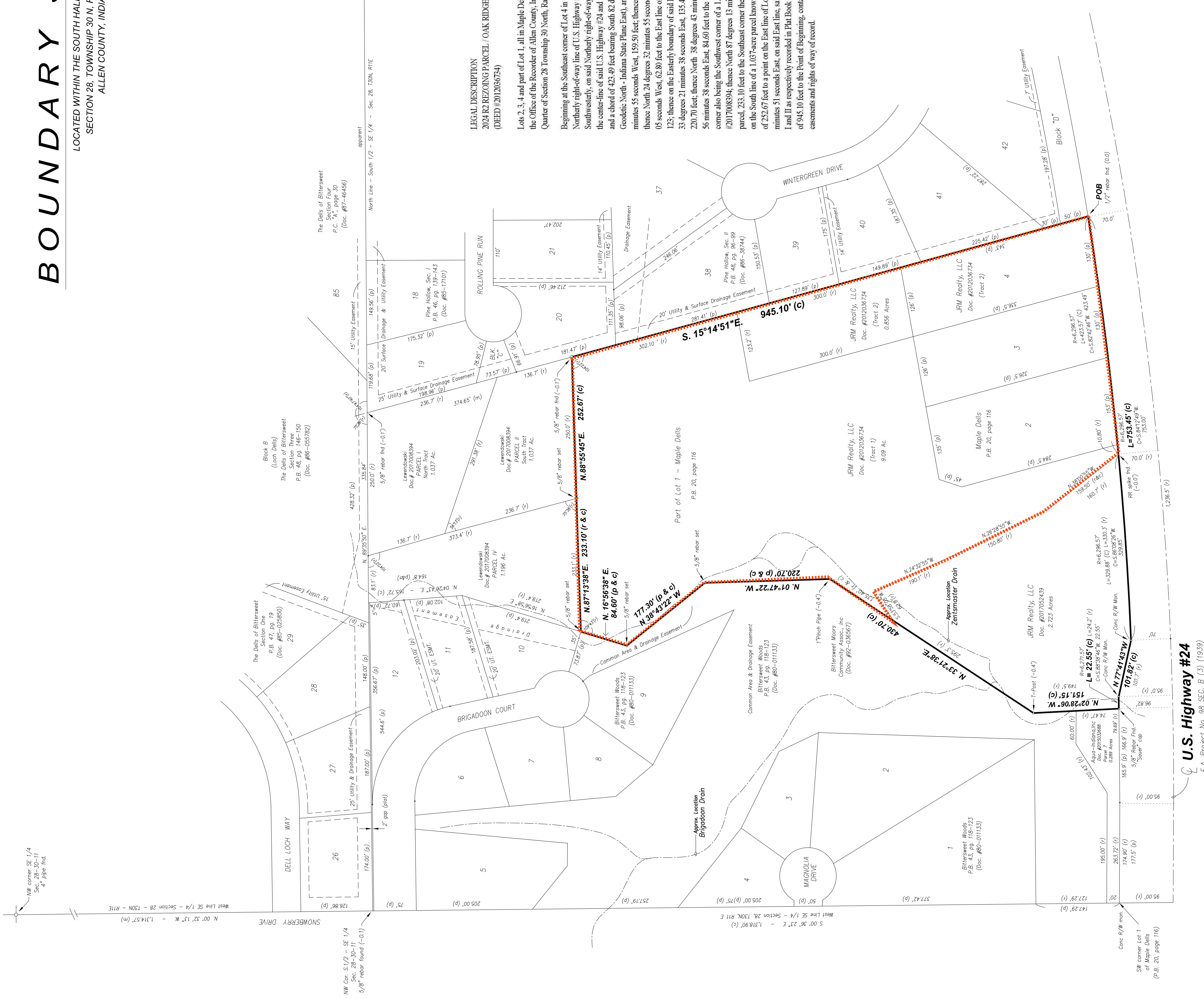
Received 2-1-24	Receipt No. 144772	Hearing Date 3-11-24	Petition No. REZ-2024-0004
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Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



BOUNDARY SURVEY

LOCATED WITHIN THE SOUTH HALF OF THE SE 1/4,
SECTION 28, TOWNSHIP 30 N, RANGE 11 E,
ALLEN COUNTY, INDIANA



- LEGEND
- (m) MEASURED
 - (r) RECORDED
 - (b) CALCULATED
 - (p) PLATTED INFORMATION

LEGAL DESCRIPTION

Lots 2, 3, 4 and part of Lot 1, all in Maple Dells Addition, recorded in Plat Book 20, page 116 as found in the Office of the Recorder of Allen County, Indiana, and being part of the South Half of the Southeast Quarter of Section 28 Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

Beginning at the Southeast corner of Lot 4 in said Maple Dells Addition, said corner being on the Northern right-of-way line of U.S. Highway #24 (F.A. Project No. 98 – Sec. B (3)-1939), thence Southwesterly, on said Northern right-of-way line, being 70.00 feet Northwesterly of and parallel with the center-line of said U.S. Highway #24 and being a curve to the right having a radius of 6,286.57 feet and a chord of 118.68 feet, bearing S. 88°55'45" E. 233.10' (r & c), thence North 16°56'38" E. 84.60' (p & c), thence North 01°47'22" W. 430.70' (p & c), thence North 33°29'38" E. 151.15' feet, thence North 43 minutes 43 seconds West, 177.30 feet, thence North 16 degrees 56 minutes 38 seconds East, 84.60 feet to the Southeast corner of Lot 10 in said Bittersweet Woods, said corner also being the Southwest corner of a 1.196-acre parcel, known as "Parcel I", as shown on the Plat Book 20, page 116, recorded in the Office of the Recorder of Allen County, Indiana, under the name of JRM Realty, LLC, Document #2017052439, a distance of 252.67 feet to a point on the East line of Lot 1 of said Maple Dells, thence South 15 degrees 14 minutes 51 seconds East, on said East line, said East line also being the West line of Pine Hollow Section I and II as shown on the Plat Book 46, pages 139-143 and Plat Book 48, pages 96-99, a distance of 945.10 feet to the Point of Beginning, containing 1.037 acres, more or less, and being subject to easements and rights of way of record.

SURVEYOR'S REPORT

FOR THE EXCLUSIVE USE OF: JRM Realty, LLC

This report and the accompanying survey plat have been prepared in accordance with Title 36, Article 1, Rule 13, Sec. 1-29, and all amendments thereto, of the Indiana Administrative Code, which establishes the minimum standards for the practice of land surveying.

Monuments set are 5/8 inch round by 24 inch long steel rebar with yellow plastic caps stamped "GOLDS 29500017" and are set flush with the ground surface unless otherwise noted. Found monument types and their depths are shown on the survey drawing.

Title report was not provided at time of survey. A title search could reveal easements or rights of way not shown on the survey drawing.

The subject survey is a replacement and combination of real estate described in Document #201208734 and Document #2017052439, as found in the Office of the Recorder of Allen County, Indiana.

THEORY OF LOCATION:

The basis for bearings for the subject survey was a Geodetic bearing system based on Indiana State Plane East Coordinate System. The Southern Indiana subject survey, also being the Northern right-of-way line of U.S. Highway #24 (F.A. Project No. 98 – Sec. B (3)-1939), was established by the intersection of the center-line of said U.S. Highway #24 at the SE corner of Lot 4 of Maple Dells Addition, recorded in Plat Book 20, page 116, a railroad spike found 10.8 feet Southwesterly of the SW corner of Lot 2 (being the Southeast corner of a 2.723-acre parcel described in Document #2017052439) and existing concrete highway monuments found near the Southwest corner of the subject survey, also being the Eastern line of Bittersweet Woods (Plat Book 43, pages 116-123) was re-established by the Western line of the subject survey, also being the Western line of said Bittersweet Woods and along the rear lines of Lots 9-12 and establishing a "best-fit" position.

The North line of the subject survey, also being the South line of real estate described in Document #2017008394 was established by existing survey monuments found (see survey drawing).

The East line of the subject survey, also being the West line of Pine Hollow, Sections I and II (Plat Book 46, pages 139-143 and Plat Book 48, pages 96-99) was established by the intersection of the center-line of said U.S. Highway #24 at the SE corner of Lot 4 of Maple Dells Addition, recorded in Plat Book 20, page 116, and existing 5/8" rebar found at the NE and SE corners of said Northernly adjoining real estate described in Document #2017008394.

The uncertainty in the lines and corners found or established by this survey are as follows:

- (A) Availability and condition of reference monuments:
 - No uncertainty was created by the above-mentioned documents.
 - Reference monuments found on the subject property and on adjacent properties are shown on the survey drawing. Due to variations in the type of said reference monuments and/or variations depicted on the survey drawing as "measured" versus "recorded" angular or distance measurements uncertainty in said reference monuments is 2.15 feet North-South and 2.5 feet East-West.
- (B) Occupation or possession lines:
 - No uncertainty was created by visible occupation lines (fences, hedge rows, etc.) that were evident at the time of the survey.
- (C) Clarity or ambiguity of the record description and/or adjoiner's descriptions:
 - No uncertainty was created by the above-mentioned documents.
- (D) The Relative Positional Precision of this survey falls under the classification of a "Rural" survey.
 - Random errors in measurement = 0.26 feet (79 millimeters) plus 200 parts per million as specified in Section 7 of said Rule 12.

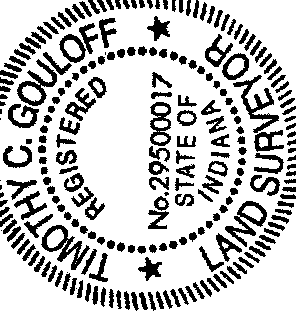
SURVEYOR'S CERTIFICATION

This survey was performed by, or under the responsible direction of the undersigned registered land surveyor and to the best of said registered land surveyor's knowledge and belief, said survey was executed according to the applicable survey requirements of 665 AC-1-12-1 thru 25.

Field work for this survey was performed on January 9, 2018.

DATED THIS 18th DAY OF JANUARY, 2018.

Timothy C. Gouloff
Timothy C. Gouloff, R.L.S. 29500017



LEGAL DESCRIPTION

2024 R2 REZOING PARCEL / OAK BLUFF DEVELOPMENT PARCEL @ 11328 US 24
WEST (DEED #2012036734)

Lots 2, 3, 4 and part of Lot 1, all in Maple Dells Addition, recorded in Plat Book 20, page 116 as found in the Office of the Recorder of Allen County, Indiana, and being part of the South Half of the Southeast Quarter of Section 28 Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

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1. The project to be a "PLAZED" 16 lot residential "VILLAMINIUM" subdivision on 10,946 acres. With a density of 1.46 units per acre, duplex units are proposed with common walls straddling lot lines so that each unit could be sold individually.
2. The Primary Part is being submitted together with a rezoning petition to change the zoning from the AR1 to R2 to allow for the proposed duplex construction. The site development for the project will be done in one phase. But the existing home and out building will remain initially on a separate lot as shown.

3. Lot criteria:
3.1. AREA: all lots are proposed to exceed the minimum lot size of 6,000 sf. The maximum lot is x sf.

- 3.2. **WIDTH:** All lots meet the minimum lot width of 50' at the front building line. Some lots are proposed with a front building line exceeding the minimum 25' required to establish the minimum building line width. All lots for a frontage along the street right of way of 25' or greater.
4. Access is proposed via a new City Street with an approach off of US Highway 24 West.

- 4.1. Onsite streets are proposed within platted 50' wide right of ways to be dedicated to the City of Fort Wayne.
- 4.2. Temporary Construction Access could be with the existing drive that is shared with the neighboring property to the west that is owned by this project's developer.

5. The proposed duplex units will be 3 bedroom with 2 car garages.
6. All units will have at least a 2 car garage and space in the drive for 2 cars.

6.1. Additional neighborhood parking is proposed off of the street in the cul-de-sac area.

7. Recreation Space

7.1. Block B is proposed to include a Pickleball Court and additional parking for home owners use.

7.2. Block C will have walking trails that can be accessed by a sidewalk from the street to the common area located between lots 6 and 7.

8. The proposed stormwater outlet is an existing culvert under the drive that will remain to the neighboring property to the west. That culvert drains via a natural drainage way to the Zentsmaster drain on the developer's western neighboring property. A surface drainage easement will be granted over that natural drainage way.

9. Sanitary sewage will be to an extension of Aqua Indiana public sewer located on site.

10. Water service and fire protection will be by extension of existing City of Fort Wayne water mains located near the southeast corner of the development property.

11. Street Lighting will be City Street Lights in accordance with their standards, review and approval. Fixtures to be full cut-off and shielded.

[illegible]

- Field work for this survey was performed on January 9, 2018.
- Boundary Survey DATED THIS 18th DAY OF JANUARY, 2018.

OWNER / DEVELOPER:
JRM REALTY LLC
JIM MUTTON, MEMBER
5324 GOSHEN ROAD
FORT WAYNE, IN 46818
260 410-3295

PRESENTATION FORMAT OF PRIMARY PLAT FOR

OAK BLUFF VILLAS
AT 11328 US 24 WEST

FORT WAYNE, INDIANA

LOCATED WITHIN ABOITE TOWNSHIP IN THE SOUTH HALF OF THE SE 1/4, SECTION 28, TOWNSHIP 30 N, RANGE 11 E



SCALE: 1"=50'

DATE: JAN 31 2024

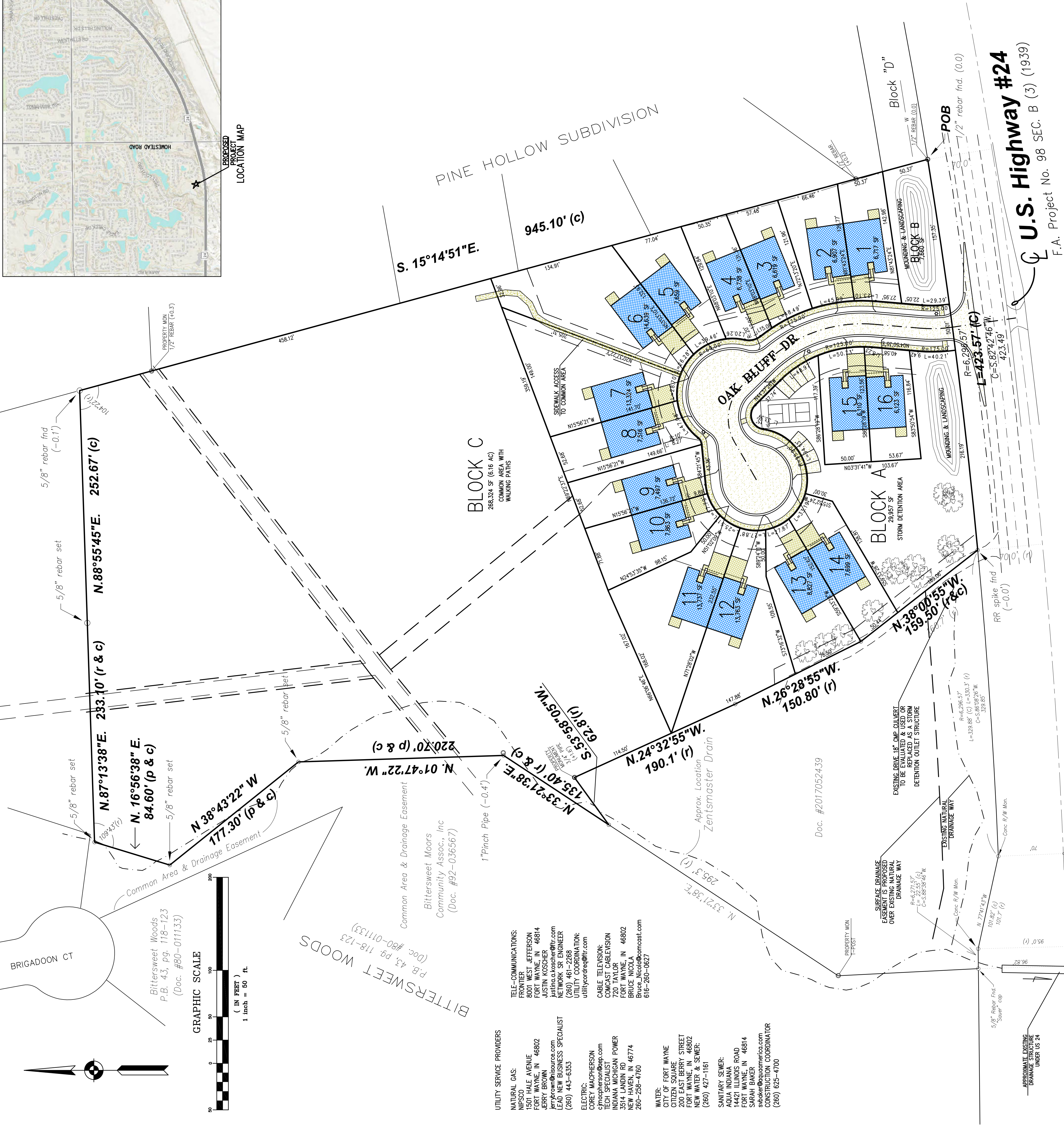
RAWN BY

PRIMARY PLAT

HEET



Kevin McDevitt





DEVELOPMENT NOTES

2. The primary unit that is being subdivided together with a rezoning petition to change the zoning from the AR to R2 to allow for the proposed duplex construction. The site development for the project will be done in one phase. But the existing home and out building will remain initially on a separate lot as shown.
3. Lot criteria:
 - 3.1. AFE: all lots are proposed to exceed the minimum lot size of 6,000 sf. The maximum lot is 10,946 sf.
 - 3.2. WIDTH: All lots meet the minimum lot width of 50' at the front building line. Some lots are proposed with a front building line exceeding the minimum 25' required to establish the minimum building line width. All lots for a frontage along the street right of way of 25' or greater.
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 11. Street Lighting will be City Street Lighting in accordance with their standards, review and approval. Fixtures to be full cut-off and shielded.

LEGAL DESCRIPTION

[illegible]

Boundary and Topographic Surveying has been provided by:



6415 MUTUAL DRIVE FORT WAYNE, IN 46825

260.424.5362
www.gowightman.com

As G-J's job # 20170040 with:

- Field work for this survey was performed on January 9, 2018.

- Boundary Survey DATED THIS 18th DAY OF JANUARY, 2018.

OWNER / DEVELOPER:

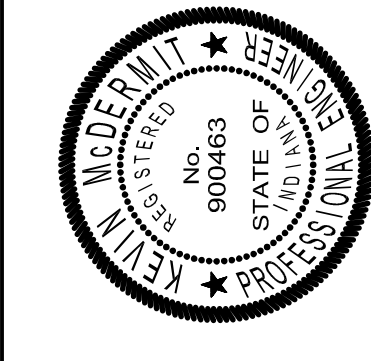
JRM REALTY LLC
JIM MUTTON, MEMBER
5324 GOSHEN ROAD
FORT WAYNE, IN 46818
260 410-3295

PRIMARY PLAT FOR

OAK BLUFF VILLAS
AT 11328 US 24 WEST

FORT WAYNE, INDIANA

LOCATED WITHIN ABOITE TOWNSHIP IN THE SOUTH HALF OF THE SE 1/4, SECTION 28, TOWNSHIP 30 N, RANGE 11 E



LOUGHEED & ASSOCIATES, INC.
CONSULTING ENVIRONMENTAL & CIVIL ENGINEERS
1009 SOUTH HADLEY ROAD * FORT WAYNE, INDIANA 46804
(260) 432-3665 ** krmcdermitt@comcast.net

Highway #24

U.S. Highway 98 SEC. B (3) (1939)
F.A. Project No.

PRIMARY PLAT

HEET

Department of Planning Services Rezoning Questionnaire

Project Name

OAK BLUFF VILLAS

Please complete all questions below. These questions are the rezoning criteria our Plan Commissions consider when making a formal recommendation to the respective local unit of government for a final vote. Please include this with your rezoning application.

1. Is this rezoning petition in substantial compliance with the All In Allen Comprehensive Plan?

The development is an area mapped as an "Urban Infill Area". That is prioritized for future growth and development in the All In Allen Comprehensive Plan. The development area has a "Complete Neighborhood Index Score of 6.

2. Will the current conditions and character of current structures and uses be affected?

The proposed residential use will not affect the surrounding residential use. Substantial open area is proposed for the development giving a density similar to other surrounding residential developments. The project's density of 16 units on 10.946 acres is less than 1.5 units per acre.

3. Is this the most desirable use for which the land in the district is adapted?

With the surrounding residential uses this project maximizes the potential for providing a residential product that is in demand.

4. Will this rezoning proposal conserve the property values throughout the jurisdiction?

Replacing the existing residence that was constructed in the 1950's with multiple modern residences will increase the property value. And therefor will not have an impact on surrounding property values.

5. Does this rezoning proposal demonstrate responsible development and growth?

The project is an in fill development with infrastructure existing on site for: access via a 4 lane highway with a capacity for traffic, sanitary sewer on site with capacity, City water stubbed to the property for future extension, and surface drainage features adjacent with capacity for runoff.

I/We understand and agree, upon execution and submission of 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.

James Ray Mutton

(printed name of applicant)

James R. Mutton

(signature of applicant)

2-7-24

(date)

JRM Realty / James R. Mutton

(printed name of property owner)

James R. Mutton

(signature of property owner)

2.7.24

(date)

FACT SHEET

Case #REZ-2024-0004 Bill # Z-24-02-15 Project Start: February 2024

PROPOSAL:	Rezoning Petition REZ-2024-0004 – Oak Bluff Villas
APPLICANT:	JRM Realty, LLC
REQUEST:	To rezone property from AR/Low Intensity Residential to R2/Two Family Residential for a 16-unit attached single-family subdivision 11328 W US 24, 450 feet west of its intersection with Wintergreen Drive (Section 28 of Aboite Township)
LOCATION:	
LAND AREA:	10.95 acre
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R2/Two Family Residential
COUNCIL DISTRICT:	4 – Dr. Scott Myers
SPONSOR:	Fort Wayne Plan Commission

March 11, 2024 Public Hearing

- Six people spoke in opposition or with concerns.
- No one spoke in support.
- Paul Sauerteig and Amos Norman were absent.

March 18, 2024 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Ryan Neumeister and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

9-0 MOTION PASSED

- All members were present.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
March 25, 2024

PROJECT SUMMARY

The applicant is requesting to rezone 10.95 acres from AR/Low Intensity Residential to R2/Two-Family Residential and to approve a primary plat for a 16-lot attached single family subdivision. The site today has a single-family home on the southern portion of the property with the rest being wooded. The property was originally a part of Maple Dells subdivision that was platted in 1954, but was not developed. The property is adjacent to single family subdivisions and metes and bounds residential homes to the north, east, and west. The properties on the south side of W US 24 are within Allen County jurisdiction and are zoned A1/Agriculture.

The submitted primary plat shows 16 lots of one access point of W US 24. The site features one cul-de-sac with an “eyebrow”, a walking trail, a proposed pickleball court and three common areas. The northern half of the site does not have any proposed lots and staff believes a portion will remain wooded. The attached single-family plat product has been more common with new development in Allen County. The product allows a more dense product by eliminating the requirement of eliminating the requirement of 10 feet (5 feet per lot) between single family homes.

COMPREHENSIVE PLAN REVIEW:

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area.
The following Goal would be applicable:
LUD 1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

Overall Land Use Policies

- Staff determined the following Land Use Policy would be applicable and supportive of this request:
LUD Policy 1 – Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

Generalized Future Land Use Map

- The project site is located within the Suburban Neighborhood land use category. The R2/Two Family Residential zoning district is considered compatible with the comprehensive plan. Adjacent properties are a mixture of Suburban Neighborhood to the north, east, and west. And Rural Residential on the south side of W US 24.

Land Use Related Action Steps

- HN. 1 .1.2 Encourage smart growth development practices to support efficient use of land and resources.

Compatibility Matrix

- This proposed use would fall into R2/Two Family Residential which is considered compatible with Suburban Neighborhood and Rural Residential.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Kevin McDermitt, representing the developer, presented the request as outlined above.

Public Comments:

Lee Pomerantz (7203 Wintergreen Dr) – Concerns with deceleration lane; drainage; flood easement maint.

Melinda Thomas (11719 Indigo Dr) – Concerns with safety; blind spots; dangerous highway.

Stan Parrish (11291 US Hwy 24 West) – Concerns with deceleration lane; safety; visibility. Also wrote letter.

Jeff Haley (11510 Brigadoon Ct) – Concerns with loss of wildlife.

Kurt Drummond (11303 US 24 West) – Concerns with school bus stops; sunrise/sunset visibility dangerous curve; deceleration land too short.

Rick Sheets (7001 Pine Gate Dr) – Concerns with privacy; wildlife; light and noise pollution; safety.

Closing Comments:

Kevin McDermitt: Developer working with INDOT, but has not received specifics yet. All surface drainage will be going to the south and will out-fall to Zentsmaster Regulated Drain. Development is for senior citizens, so buses for children should not be a problem.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

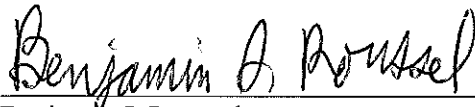
Rezoning Petition REZ-2024-0004

APPLICANT:	JRM Realty, LLC
REQUEST:	To rezone property from AR/Low Intensity Residential to R2/Two Family Residential for a 16-lot attached single family development.
LOCATION:	11328 W US 24, 450 feet west of its intersection with Wintergreen Drive (Section 28 of Aboite Township)
LAND AREA:	10.95 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R2/Two Family Residential

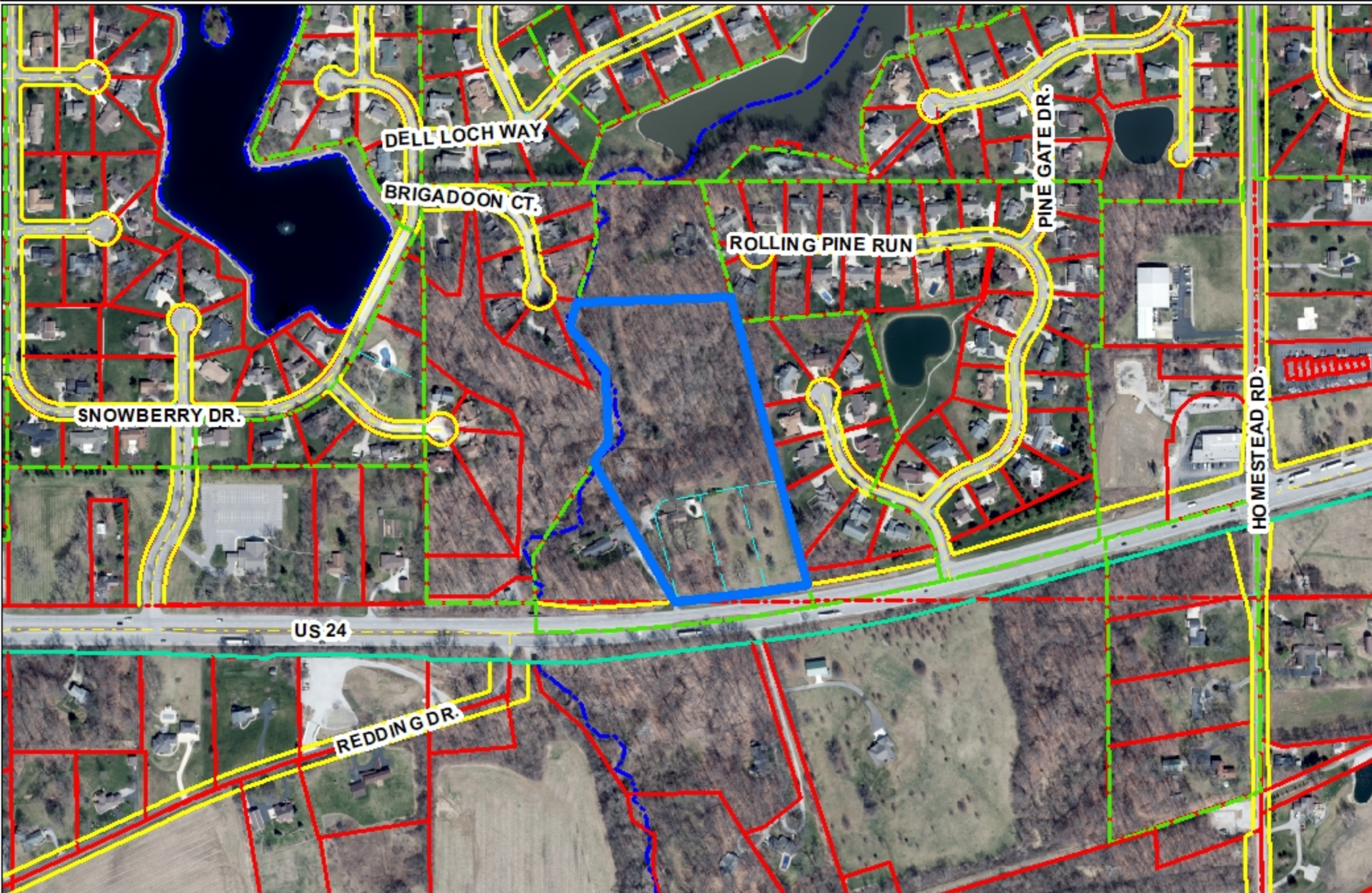
The Plan Commission recommends that Rezoning Petition REZ-2024-0004 be returned to Council, with a “Do Pass” recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The project is located in the Urban Infill Area where infill development is encouraged. The R2/Two Family Residential zoning district is considered compatible with surrounding residential development according to the comprehensive plan.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. This area is currently well developed with single family subdivisions of varying densities. The proposed rezoning continues development patterns on the north side of W US 24.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow investment into one of the remaining single family homes along W US 24. The adjacent area is almost fully developed with this parcel being one of the last remaining parcels undeveloped in the area.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site. The applicant will work with reviewing agencies to ensure all City of Fort Wayne drainage requirements are met.

These findings approved by the Fort Wayne Plan Commission on March 18, 2024.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

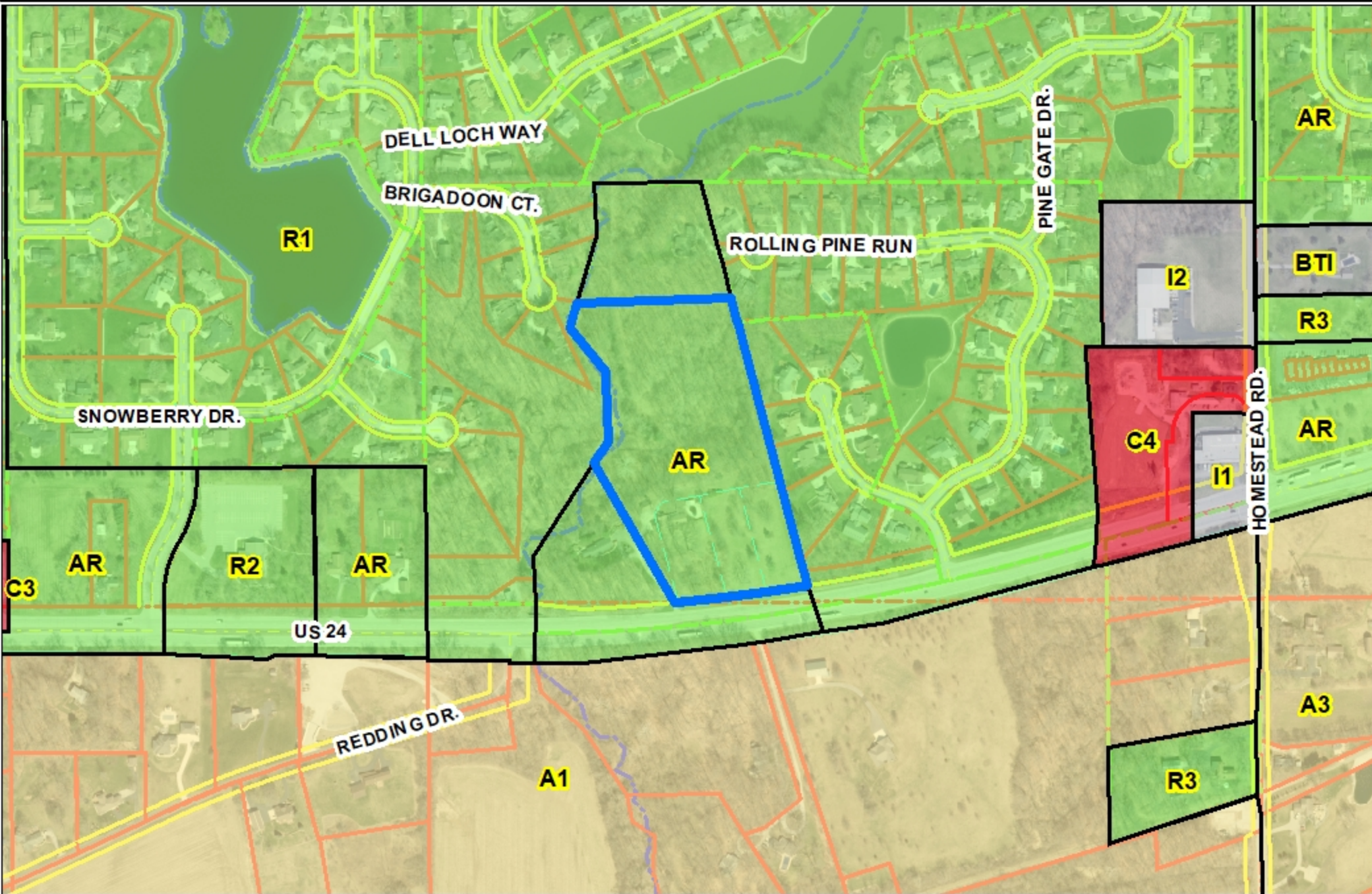


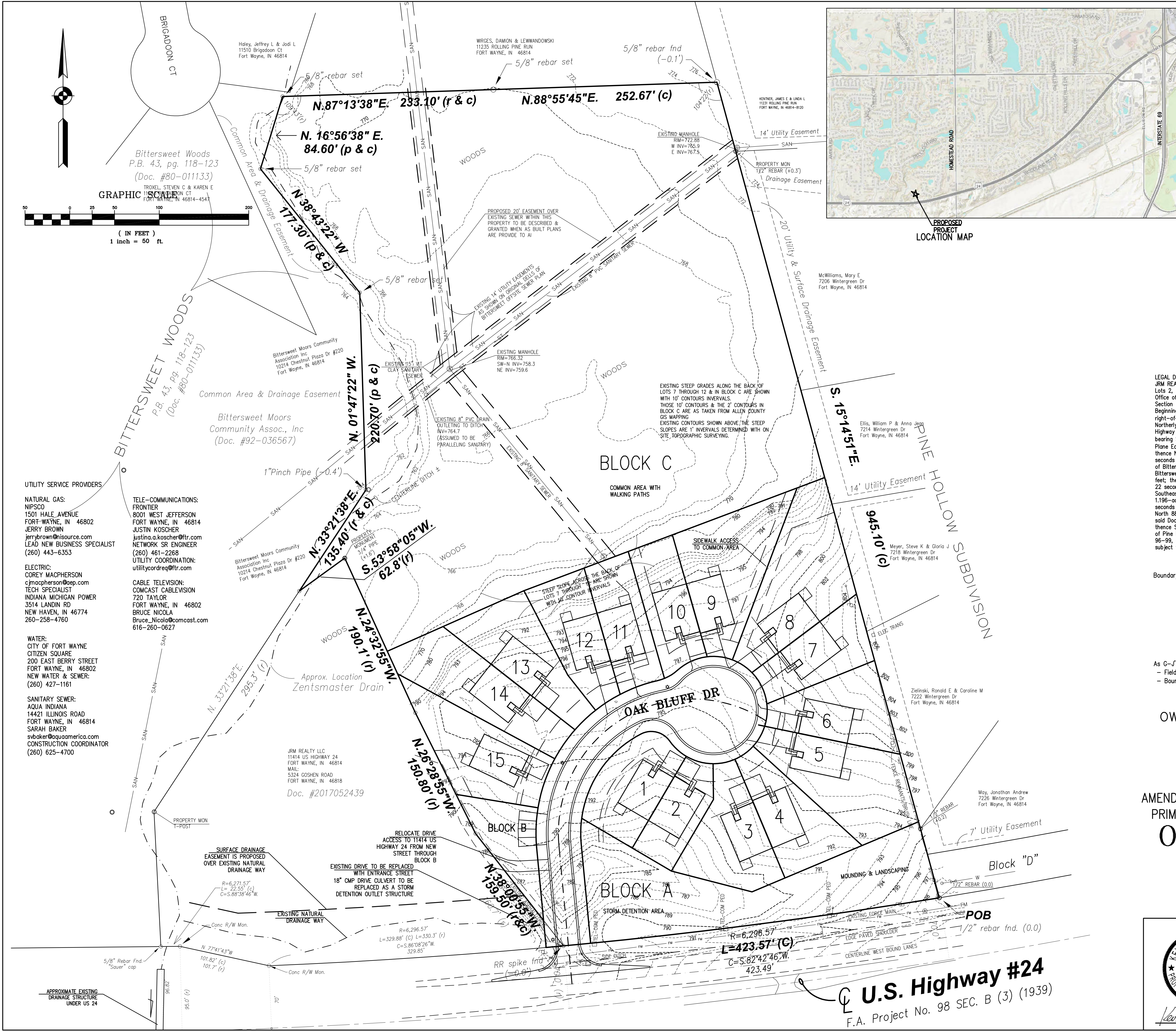
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 2/14/2024



1 inch = 400 feet





- DEVELOPMENT NOTES
- The project to be a "PLATTED" 16 lot residential "VILLAMINIUM" subdivision on 10.946 acres. With a density of 1.46 units per acre. Duplex units are proposed with common walls straddling lot lines so that each unit could be sold individually.
 - The Primary Plat is being submitted together with a rezoning petition to change the zoning from the AR to R2 to allow for the proposed duplex construction. The site development for the project will be done in one phase. But the existing home and out building will remain initially on a separate lot as shown.
 - Lot criteria:
 - AREA: all lots are proposed to exceed the minimum lot size of 6,000 sf. The maximum lot is x sf.
 - WIDTH: All lots meet the minimum lot width of 50' at the front building line. Some lots are proposed with a front building line exceeding the minimum 25' required to establish the minimum building line width. All lots for a frontage along the street right of way of 25' or greater.
 - Access is proposed via a new City Street with an approach off of US Highway 24 West.
 - Onsite streets are proposed within platted 50' wide right of ways to be dedicated to the City of Fort Wayne.
 - Temporary Construction Access could be with the existing drive that is shared with the neighboring property to the west that is owned by this project's developer.
 - The proposed duplex units will be 3 bedroom with 2 car garages.
 - All units will have at least a 2 car garage and space in the drive for 2 cars.
 - Additional neighborhood parking is proposed off of the street in the cul-de-sac area.
 - Recreation Space
 - Block B is proposed to include a Pickleball Court and additional parking for home owners use.
 - Block C will have walking trails that can be accessed by a sidewalk from the street to the common area located between lots 6 and 7.
 - The proposed stormwater outlet is an existing culvert under the drive that will remain to the neighboring property to the west. That culvert drains via a natural drainage way to the Zentsmaster drain on the developer's western neighboring property. A surface drainage easement will be granted over that natural drainage way.
 - Sanitary sewage will be to an extension of Aqua Indiana public sewer located on site.
 - Water service and fire protection will be by extension of existing City of Fort Wayne water mains located near the southeast corner of the development property.
 - Street Lighting will be City Street Lights in accordance with their standards, review and approval. Fixtures to be full cut-off and shielded.

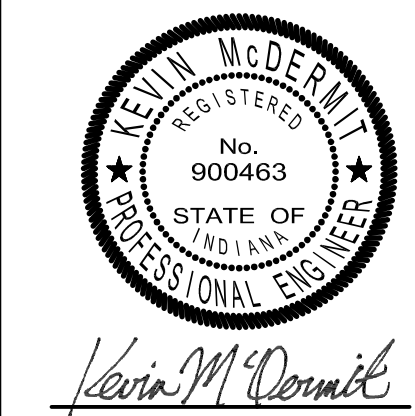
LEGAL DESCRIPTION
JRM REALTY LLC PROPERTY 11328 US 24 WEST
Lots 2, 3, 4 and part of Lot 1, all in Maple Dells Addition, recorded in Plat Book 20, page 116 as found in the Office of the Recorder of Allen County, Indiana, and being part of the South Half of the Southeast Quarter of Section 28 Township 30 North, Range 11 East, Allen County, Indiana, described as follows:
Beginning at the Southeast corner of Lot 4 in said Maple Dells Addition, said corner being on the Northerly right-of-way line of U.S. Highway #24 (F.A. Project No.98 - Sec. B [3]-1939); thence Southwesterly, on said Northerly right-of-way line, being 70.00 feet Northwesterly of and parallel with the center-line of said U.S. Highway #24 and being a curve to the right having a radius of 6,298.57 feet and a chord of 423.49 feet bearing South 82 degrees 42 minutes 46 seconds West (all bearings based on Geodetic North - Indiana State Plane East), on an arc length of 423.57 feet; thence North 38 degrees 00 minutes 55 seconds West, 159.50 feet; thence North 26 degrees 28 minutes 55 seconds West, 150.80 feet; thence North 24 degrees 32 minutes 55 seconds West, 190.10 feet; thence South 53 degrees 58 minutes 05 seconds West, 62.80 feet to the East line of Bittersweet Woods, recorded in Plat Book 43, pages 118-123; thence on the Easterly boundary of said Bittersweet Woods by the following 4 courses: thence North 33 degrees 21 minutes 38 seconds East, 135.40 feet; thence North 01 degree 47 minutes 22 seconds West, 220.70 feet; thence North 38 degrees 43 minutes 22 seconds West, 177.30 feet; thence North 16 degrees 56 minutes 38 seconds East, 84.60 feet to the Southeast corner of Lot 10 in said Bittersweet Woods, said corner also being the Southwest corner of a 1.196-acre parcel, known as 'Parcel IV' of Document #2017008394; thence North 87 degrees 13 minutes 38 seconds East, on the South line of said 1.196-acre parcel, 233.10 feet to the Southeast corner thereof; thence North 88 degrees 55 minutes 45 seconds East, on the South line of a 1.037-acre parcel known as 'Parcel II' of said Document #2017008394, a distance of 252.67 feet to a point on the East line of Lot 1 of said Maple Dells; thence South 15 degrees 14 minutes 51 seconds East, on said East line, said East line also being the West line of Pine Hollow Section I and II as respectively recorded in Plat Book 46 pages 139-143 and Plat Book 48, pages 96-99, a distance of 945.10 feet to the Point of Beginning, containing 10.946 acres, more or less, and being subject to easements and rights of way of record.

Boundary and Topographic Surveying has been provided by:

As G-J's job # 20170040 with:
- Field work for this survey was performed on January 9, 2018.
- Boundary Survey DATED THIS 18th DAY OF JANUARY, 2018.

OWNER / DEVELOPER:
JRM REALTY LLC
JIM MUTTON, MEMBER
5324 GOSHEN ROAD
FORT WAYNE, IN 46818
260 410-3295

AMENDED AS SKETCH PLAT 3-13-2024
PRIMARY PLAT FOR
OAK BLUFF VILLAS
AT 11328 US 24 WEST
FORT WAYNE, INDIANA
LOCATED WITHIN ABOITE TOWNSHIP IN THE SOUTH HALF
OF THE SE 1/4, SECTION 28, TOWNSHIP 30 N, RANGE 11 E



LOUGHEED & ASSOCIATES, INC.	
CONSULTING ENVIRONMENTAL & CIVIL ENGINEERS 1009 SOUTH HADLEY ROAD * FORT WAYNE, INDIANA 46804 (260) 432-3665 * * krmcdermit@comcast.net	
SCALE: 1"=50'	
DATE: JAN 31, 2024	
DRAWN BY: KRM	
PRIMARY PLAT	SHEET 1