

#REZ 2024 0019

BILL NO. Z-24-04-29

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N-06 (Sec. 01 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 R2/Two
Family Residential District under the terms of Chapter 157 Title XV of the Code of the City of
Fort Wayne, Indiana:

LEGAL DESCRIPTION:

LOT NUMBER 358 IN HANNA'S ADDITION TO THE CITY OF FORT
WAYNE, ACCORDING TO THE PLAT THEROF, IN THE OFFICE OF THE
RECORDER OF ALLEN COUNTY, INDIANA

and the symbols of the City of Fort Wayne Zoning Map No. N-06 (Sec. 01 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-2024-0019
Bill Number: Z-24-04-29
Council District: 5 – Geoff Paddock

Introduction Date: April 23, 2024

Plan Commission
Public Hearing Date: May 13, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 0.20 acre from C3/General Commercial to R2/Two Family Residential

Location: 835 E Wayne Street, northwest corner of its intersection with Harmar Street (Section 1 of Wayne Township)

Reason for Request: To permit to a single-family residential structure.

Applicant: JT King of Royal Investments

Property Owner: Royal Developments LLC

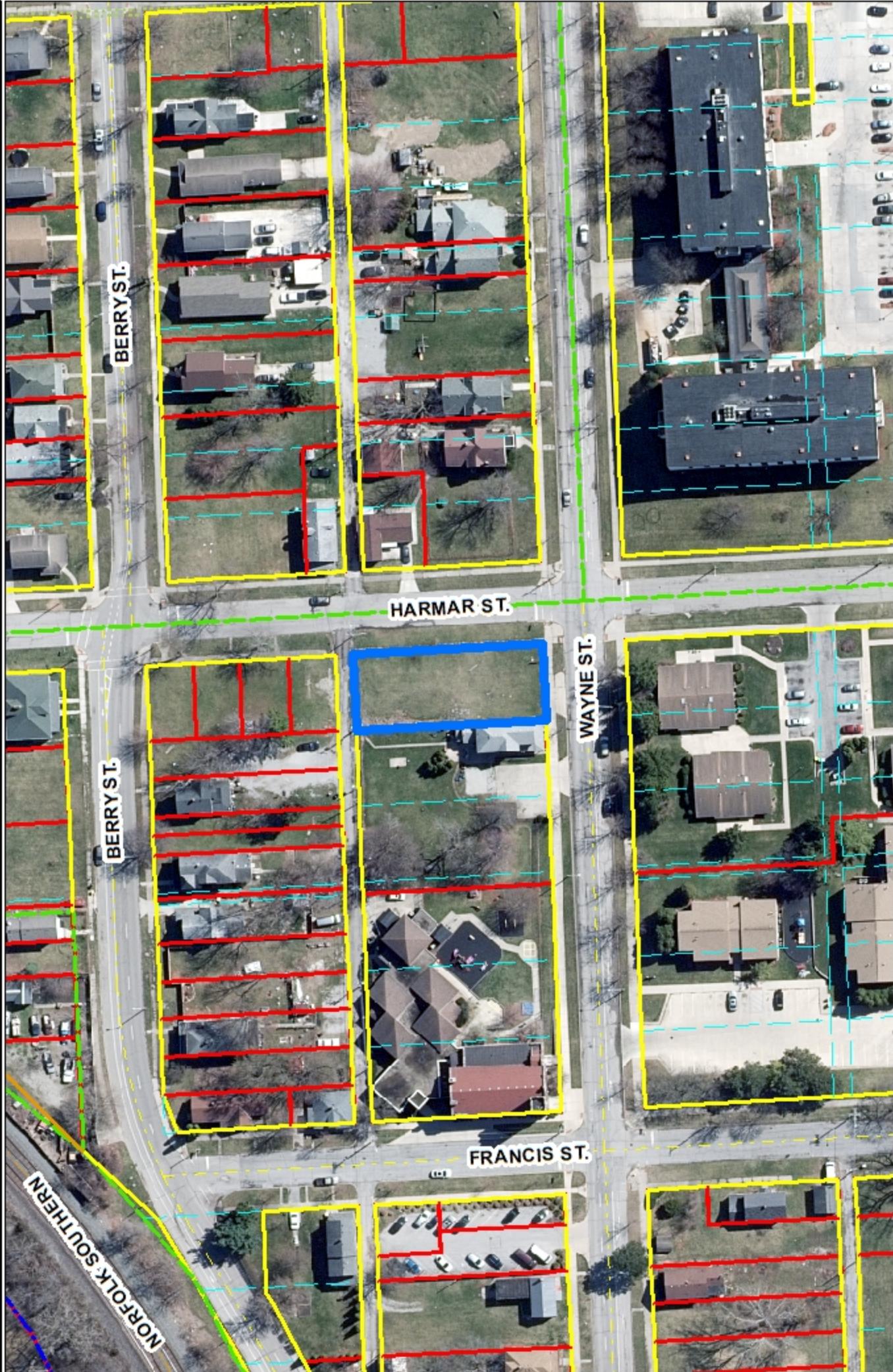
Related Petitions: none

Effect of Passage: Property will be rezoned to the R2/Two Family Residential zoning district, which will allow for a single-family residential structure.

Effect of Non-Passage: The property will remain zoned C3/General Commercial which does not permit a single-family residential structure. The site will continue with existing uses, and may be redeveloped with areas for a variety of commercial uses including certain high intensity uses not permitted in C1 and C2 districts.



Rezoning Petition REZ-2024-0019 - Royal Investments

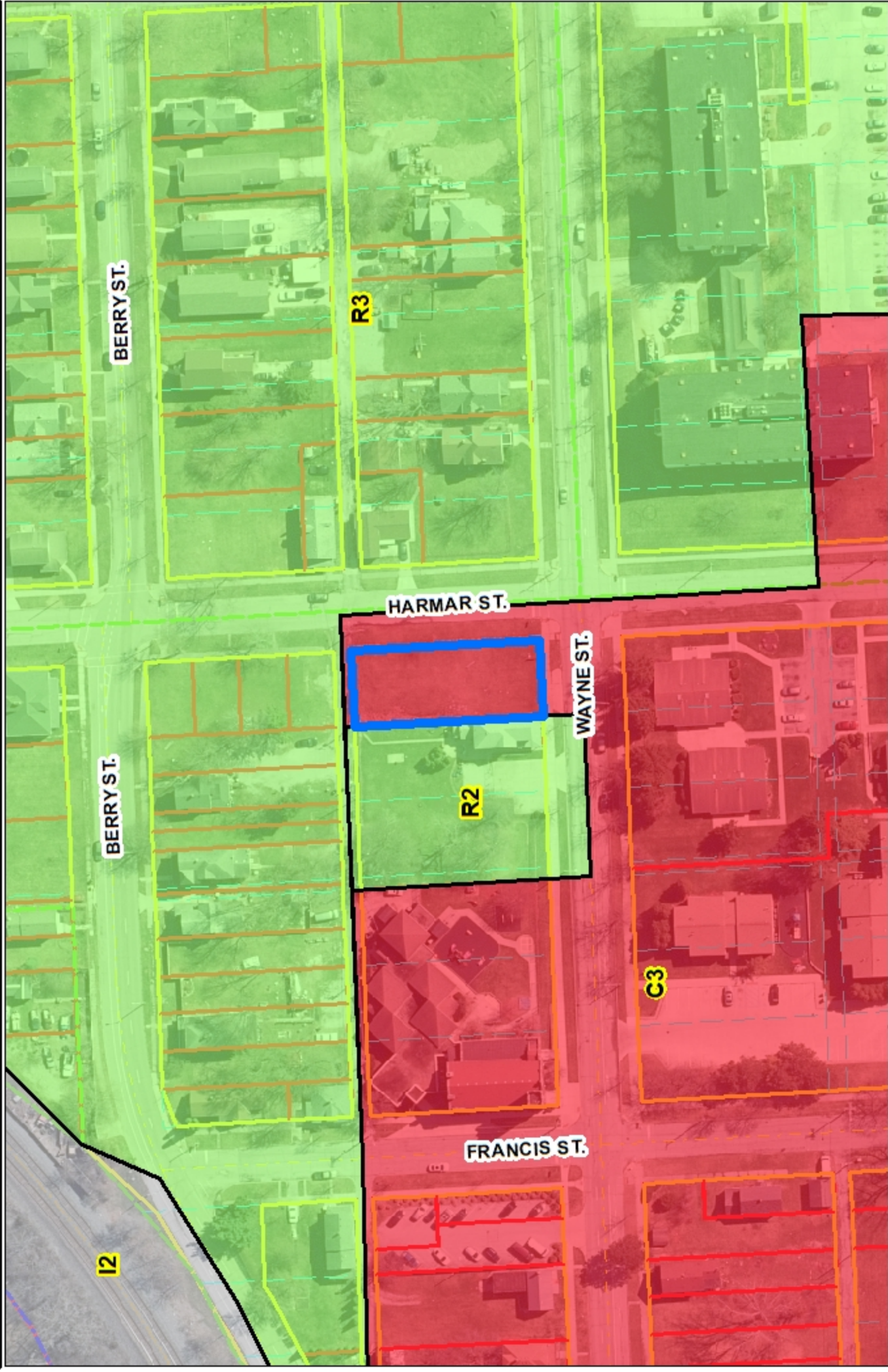


Although every effort has been made to ensure the accuracy of the information contained herein, the City of Indianapolis and its staff assume no responsibility for any errors or omissions in this map. The information is provided for informational purposes only and should not be used for any other purpose. The City of Indianapolis 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 Indiana System, Indiana East
Photos and Contours: Spring 2009
Date: 4/15/2024

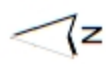


Rezoning Petition REZ-2024-0019 - Royal Investments



Although every effort has been made to ensure the accuracy of the information contained herein, the City of Allen does not warrant the accuracy of the information contained herein and 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 2019
Date: 4/15/2024



1 inch = 100 feet

TOPOGRAPHIC AND BOUNDARY SURVEY

The undersigned Land Surveyor, registered under the laws of the State of Indiana, hereby certifies that he has made a resurvey of the real estate depicted and described below. Measurements were made and monuments perpetuated as shown, in conformity with the record thereof in the Office of the Recorder of ALLEN County, Indiana. No encroachments existed, except as noted. The description of the real estate is as follows, to wit:

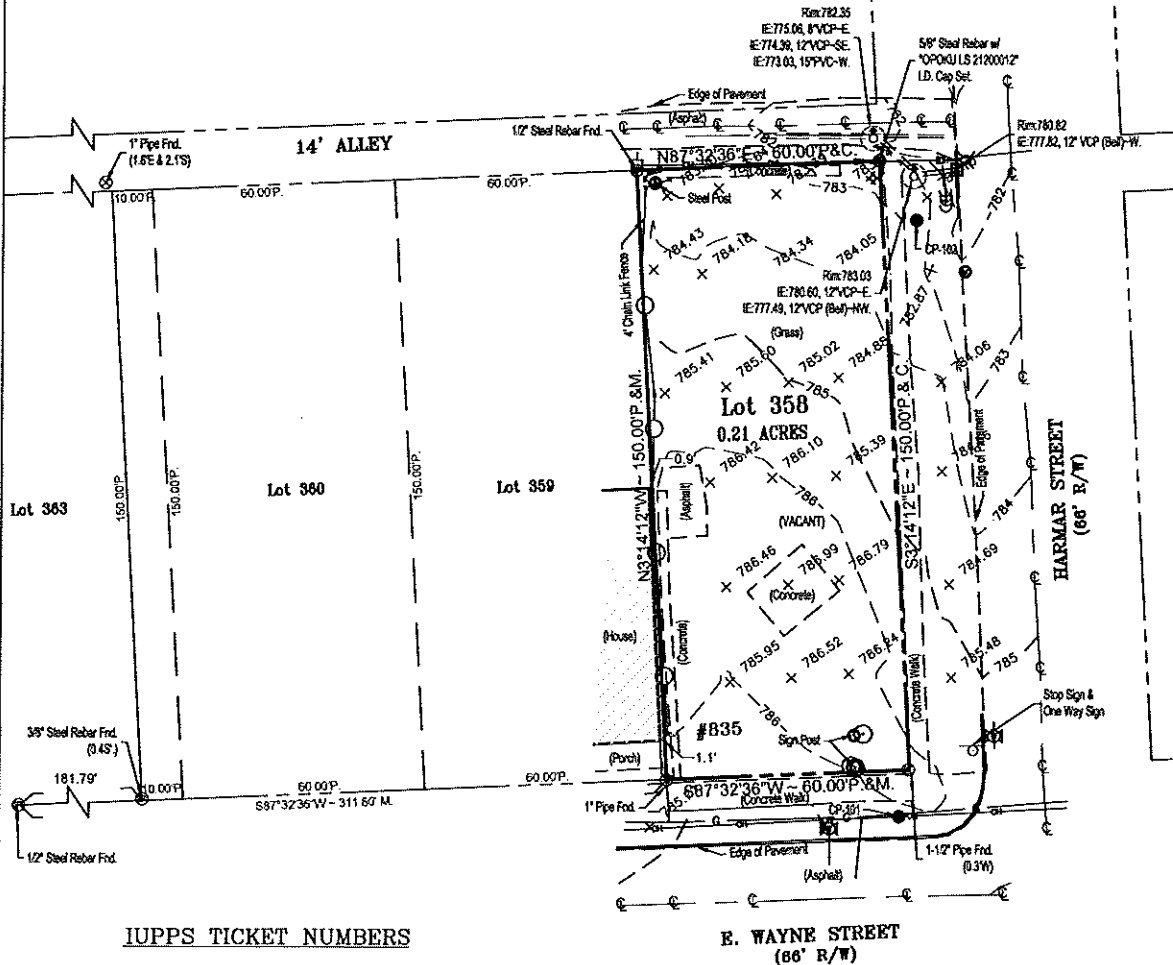
LOT NUMBER 358 IN HANNA'S ADDITION TO THE CITY OF FORT WAYNE, ACCORDING TO THE PLAT THEREOF, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

BENCHMARK INFORMATION

USGS BENCHMARK
USGS STATION DESIGNATION: R 332
PID: MD0640
ELEVATION: 773.09 (NAVD 88)

CONTROL POINT INFORMATION

CP#101	CP#102
3/8" STEEL REBAR	3/8" STEEL REBAR
NORTHING: 2124597.935	NORTHING: 2124744.555
EASTING: 477064.578	EASTING: 477068.026
ELEVATION: 786.00	ELEVATION: 783.18

**IUPPS TICKET NUMBERS**

2312070709

UTILITY CONTACTS

GAS
NIPSCO
1501 Hale Ave.
Fort Wayne, IN 46802
Contact: Dave Schaafsma
utltycoordination@nsource.com

ELECTRIC
AEP
J. Jay Marlow
260-408-3447

TELEPHONE
Frontier
8001 W. Jefferson Blvd.
Fort Wayne, IN 46804
Contact: Mark Winters
260-413-0986
mark.winters@ftr.com

FIBER OPTICS
in Fiber Network
5520 W 76th St
Indianapolis, IN 46268



LEGEND
P - PLAT
M - MEASURED
C - CALCULATED

WATER, SEWER & TRAFFIC LIGHTS, STREETLIGHTS
City of Fort Wayne
200 E. Berry St., Suite 210
Fort Wayne, IN 46802
Contact: Mario Trevino
260-427-2696
Mario.trevino@cityoffortwayne.org

CABLE TV
Comcast
720 Taylor St.
Fort Wayne, IN 46802
Contact: John Gayday
260-458-5107
john.gayday@cable.comcast.com

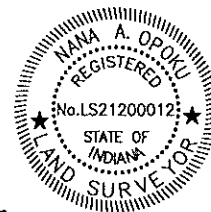
FIBER OPTICS
in Fiber Network
5520 W 76th St
Indianapolis, IN 46268
317-777-7119
swright@dfn.com

FIBER OPTICS
Fort Wayne Community Schools
1200 S Clinton St.
FL Wayne, IN 46802
(260) 467-1000

For: Royal Development
Job No. 23110177
Date of Fieldwork: 11/11/2023

IN WITNESS WHEREOF, I HERETO PLACE MY HAND AND SEAL THIS 14TH DAY OF DECEMBER, 2023.
I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC, Article 1, Rule 12, Section 1 thru 29.

Nana A. Opoku PLS 21200012



SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the following opinion is submitted regarding the various uncertainties in the locations of the lines and corners established on this parcel as a result of: A) Availability and condition of reference monuments; B) Discrepancies in the record descriptions and plats; C) Inconsistencies in lines of occupation; D) Relative Positional Accuracy;

An electronic total station and data collector were used to collect data for physical location of pavement and parcel corner monumentation was accomplished employing the total station using standard radial surveying techniques and dual GPS receivers. The bearing used as basis for this survey was derived by dual frequency GPS receivers connected to INDOT CORS Network.

INTENT: This is a retracement and topographic survey of Lot 358 in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana. This survey was completed without the benefit of title commitment. Client has requested we provide survey of said Lot 358.

A) **AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS:**

In our field research for this survey, we located a sufficient number of adjacent monuments (as shown on the graphic segment of this survey), which in our opinion, provided us with enough data to verify or reestablish the deed location of the subject property relative to the applicable found and accepted as adjacent deed boundaries. Unless noted otherwise on this survey, all found monuments are flush with the ground, in good material condition and firmly set in the ground. Various sized monuments were found during the course of this survey. We have no documented history for these monuments except as noted.

THEORY OF LOCATION:

Based on the monuments found and the comparison of measurements taken between monuments and deeded dimensions, found monuments and deed bearings and distances were held to establish the subject lot. A best fit line among found monuments was used to establish the South line of the subject lot and was used as the baseline for this survey. This line was used because the terminal ends appeared to be undisturbed, monuments which had virtually the same distance as given on the deed. Found monuments were held to establish the West line of the subject lot. A plat distance of 150 feet was held from the established South line to establish the North line thereof. A plat distance of 60 feet was held from the established West line to establish the East line thereof. Also, the angular and distance relationships to adjacent monuments were within the limits of the relative positional accuracy for this class of survey when compared to data given on the record deed and/or plat. It is my opinion that the uncertainty associated with these corners is 0.3 feet based on measurements between monuments versus deeded and/or platted distances.

B) **DISCREPANCIES IN THE RECORD DESCRIPTIONS AND PLATS:**

There are no apparent discrepancies in the record deeds or plats in this area. A copy of the plat of East Part of Hanna's Addition to the City of Fort Wayne recorded in Plat Book OA, page 17 in the Office of the Recorder of Allen County, Indiana. Copies of the documents shown were reviewed and used in the completion of this survey.

C) **RELATIVE POSITIONAL ACCURACY:**

The calculated Relative Positional Accuracy due to random errors in measurement of the corners of this survey is within the specifications for a Suburban Survey as defined in IAC 865

There are no front yard, side yard or rear yard setbacks given on the record deed and written evidence of setbacks has not been provided to this office as required by State Statute 865 IAC 1-12-13 (12) & (13).

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law" Nana Opoku

**Department of Planning Services
Rezoning Petition Application**

Applicant

Applicant Royal Developments / John King
Address PO Box 11653
City Fort Wayne State IN Zip 46859
Telephone 260-450-1065 E-mail jt@royaldevelopments.com

Property Ownership

Property Owner Royal Developments
Address 835 E Wayne Street
City Fort Wayne State IN Zip 46803
Telephone 260-450-1065 E-mail jt@royaldevelopments.com

Contact Person

Contact Person JT King
Address 1823 Griswold Dr
City Fort Wayne State IN Zip 46805
Telephone 260-450-1065 E-mail jt@royaldevelopments.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 835 E Wayne Street Township and Section Wayne
Present Zoning C3 Proposed Zoning R2 Acreage to be rezoned 0.71
Purpose of rezoning (attach additional page if necessary) See Attached
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 (please complete attached document)

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

John King
(printed name of applicant)

[Signature]
(signature of applicant)

4/4/24
(date)

Royal Developments LLC
(printed name of property owner)

[Signature]
(signature of property owner)

4/4/24
(date)



Received	Receipt No.	Hearing Date	Petition No.
4-2-24	—	5-13-24	REZ-2024-0019

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



1. The Comprehensive Plan;

This rezoning of 835 E Wayne Street from C3 to R2 perfectly aligns with the comprehensive plan, as we are ambitiously addressing the challenging endeavor of infill development by meticulously crafting locally sourced, high-quality residences that will undoubtedly enrich the community's urban fabric

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

The property is currently an empty lot, free of all obstructions to build and has already undergone and cleared environmental testing. The advantage of this property is its location surrounded mostly by residential zoning.

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

This land would be best used to build a single family home instead of a commercial application. It's next to an R2 zoned parcel with a single-family residence to the west and a vacant R3 zoned parcel to the north. Across Harmar to the east, there are R3 zoned parcels with single-family residences. To the south, the property is owned by the Fort Wayne Housing Authority.

4. The conservation of property values throughout the jurisdiction;

Rezoning 835 E Wayne Street from C3 to R2, as proposed, is in accordance with the Comprehensive Plan and is expected to positively impact property values throughout the jurisdiction. The current condition of the property is an empty lot, suitable for residential development, and surrounded mainly by residential zoning. Given its location and the character of neighboring structures, the most desirable use for the land is residential, particularly for single-family homes.

5. Responsible development and growth;

The proposal aligns seamlessly with the Comprehensive Plan, embracing the vision of infill development to enrich the urban landscape with locally sourced, high-quality residences. This strategy not only meets the demand for housing but also fosters community cohesion and revitalization.