# City of Fort Wayne Common Council **DIGEST SHEET**

## **Department of Planning Services**

Title of Ordinance: Zoning Map Amendment

Case Number: REZ-2024-0037 Bill Number: Z-24-08-16

Council District: 4 - Dr. Scott Myers

Introduction Date: August 27, 2024

Plan Commission

Public Hearing Date: September 9, 2024 (not heard by Council)

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

Plan Commission

Synopsis of Ordinance: To rezone 0.275 acres from RP/Planned Residential to C1/Professional

Office and Personal Services

Location: 3919 West Jefferson Blvd (Section 8 of Wayne Township)

Reason for Request: To permit additional parking.

Applicant: 3838 North Washington Land Trust and White House on Jefferson

Blvd & Jefferson Point Trust

Property Owner: Zoila Veerula

Related Petitions: None

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal

Services zoning district, which would permit a parking lot once the parcels are combined with the adjacent medical office building or other

C1 permitted use.

Effect of Non-Passage: Property will remain zoned RP/Planned Residential, which does not

permit a parking lot for an office use. The site is landlocked and may be

difficult to redevelop with residential uses.

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#REZ 2024 0037

BILL NO. Z-24-08-16

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-02 (Sec. 8 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 C1/Professional and Personal Services District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

#### LEGAL DESCRIPTION:

#### PARCEL I

A parcel of land situated in LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows: Commencing at the southwest corner of lot 5 in Washington Place Addition to the City of Fort Wayne as recorded in Plat Record 15, page 134 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 00 minutes 00 seconds East along the west line of said lot 5, a distance of 61.20 feet to the southerly corner of a 0.131 acre parcel described in DOC. #2011023557; thence North 19 degrees 38 minutes 02 seconds West along the westerly line of said 0.131 acre parcel, a distance of 75.04 feet to a five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the point of beginning. BEGINNING at the above described point; thence continue North 19 degrees 38 minutes 02 seconds West along said westerly line, a distance of 91.14 feet to a five-eighths inch diameter with D&A Finn No. 0026 identification cap found at the northwesterly corner of said 0.131 acre parcel; thence North 49 degrees 08 minutes 59 seconds East along the northerly line of said 0.131 acre parcel, a distance of 73.82 feet to a one inch pipe found at the northeasterly corner of said 0.131 acre parcel; thence South 00 degrees 00 minutes 00 seconds East along the east line of said 0.131 acre parcel and also being the west line of said lot 5, a distance of 122.36 feet to a five-eighths inch diameter steel pin set with D&A Firm No. 0026 identification cap; thence South 64 degrees 58 minutes 25 seconds West, a distance of 27.83 feet to the point of beginning, containing 0.107 acres of land, more or less.

Together With:

#### PARCEL II

A parcel of land situated in LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows: Commencing at the southwest corner of lot 5 in Washington Place Addition to the City of Fort Wayne as recorded in Plat Record 15, page 134 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 00 minutes 00 seconds East along the west line of said lot 5, a distance of 61.20 feet to the southerly corner of a 0.131 acre parcel described in DOC. #2011023557: thence North 19 degrees 38 minutes 02 seconds West along the westerly line of said 0.131 acre parcel, a distance of 75.04 feet to a five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the point of beginning. BEGINNING at the

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and the symbols of the City of Fort Wayne Zoning Map No. G-02 (Sec. 8 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	·

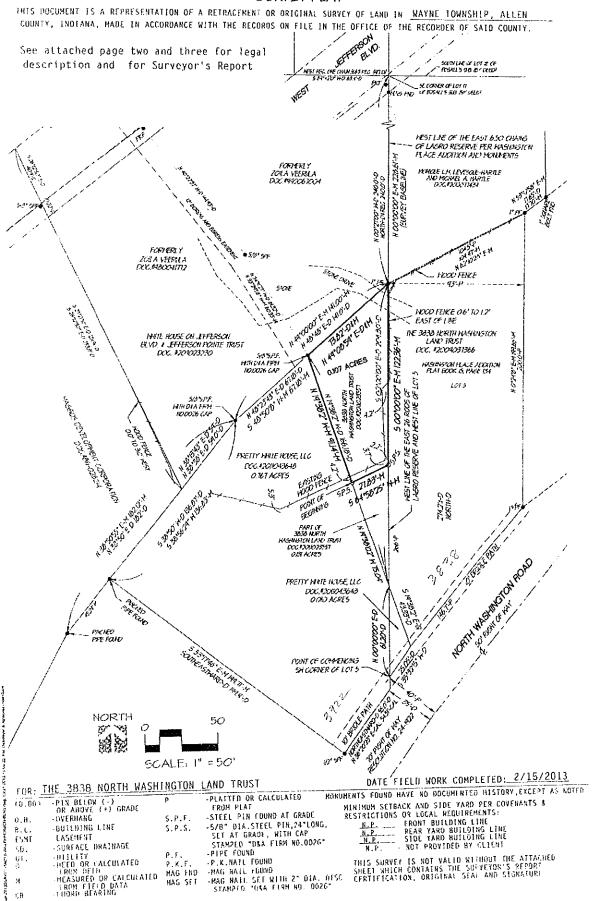
SURVEY # 213084

DICKMEYER & ASSOCIATES ENGINEERS-SURVEYORS, INC.

6018 EAST STATE BOULEYARD FORT WAYNE, INDIANA 46815-7639 OFFICE: 260-749-0125 FAX: 260-749-0921

KERRY D. DICKMEYER, L.S. #80243 BRIAN W. JACQUAY, L.S. #20100090 7 SORM P. SERIVATH, L.S. #20400020

#### SURVEY PLAT



Survey No. 213084

Sheet 2 of 3 Date March 21, 2013

Kerry D. Bickmayer, L.S. #80243

Brian W. Jacquay, L.S. #20100090

Som P. Sinvain, L.S. #20400020

### **DICKMEYER & ASSOCIATES**

Engineers-Surveyors, Inc.

6018 East State Boulevard Fort Wayne, Indiana 46815-7639

Office: 260-749-0125 Fax: 260-749-0921

#### SURVEY PLAT

THIS DOCUMENT IS A REPRESENTATION OF A RETRACEMENT OR ORIGINAL SURVEY OF LAND IN <u>WAYNE TOWNSHIP</u>, ALLEN COUNTY, INDIANA MADE IN ACCORDANCE WITH THE RECORDS ON FILE IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

#### NEW PARCEL DESCRIPTION

A parcel of land situated in LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows: Commencing at the southwest corner of lot 5 in Washington Place Addition to the City of Fort Wayne as recorded in Plat Record 15, page 134 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 00 minutes 00 seconds East along the west line of said lot 5, a distance of 61.20 feet to the southerly corner of a 0.131 acre parcel described in DOC. #2011023557; thence North 19 degrees 38 minutes 02 seconds West along the westerly line of said 0.131 acre parcel, a distance of 75.04 feet to a five-eighths inch diameter steel pin with D&A Firm No. 0026 identification cap set at the point of beginning. BEGINNING at the above described point; thence continue North 19 degrees 38 minutes 02 seconds West along said westerly line, a distance of 91.14 feet to a five-eighths inch diameter with D&A Firm No. 0026 identification cap found at the northwesterly corner of said 0.131 acre parcel; thence North 49 degrees 08 minutes 59 seconds East along the northerly line of said 0.131 acre parcel, a distance of 73.82 feet to a one inch pipe found at the northeasterly corner of said 0.131 acre parcel; thence South 00 degrees 00 minutes 00 seconds East along the east line of said 0.131 acre parcel and also being the west line of said lot 5, a distance of 122.36 feet to a five-eighths inch diameter steel pin set with D&A Firm No. 0026 identification cap; thence South 64 degrees 58 minutes 25 seconds West, a distance of 27.83 feet to the point of beginning, containing 0.107 acres of land, more or less.

# SURVEYOR'S REPORT

IN ACCORDANCE WITH RULE 12 OF TITLE 865 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES OF THE LOCATION OF LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF THE AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS. INCONSISTENCIES IN OCCUPATION OR POSSESSION LINES, DISCREPANCIES OR AMBIGUITIES IN RECORD DESCRIPTIONS AND PLATS, AND RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS. REFER TO THE GRAPHIC PORTION OF THIS SURVEY FOR ADDITIONAL INFORMATION REGARDING THIS DISCUSSION. CONTRACT REQUIREMENTS. THIS SURVEY SO CERTIFIED TO THE NAMED PARTIES BEIOW AND MAY NOT BE RELIED UPON BY ANY OTHER PERSON, PERSONS OR ENTITY FOR ANY PURPOSE. THERE ARE NO INTENDED THIRD PARTY BENEFICIABLES OF THIS SURVEY OR ANY MATTERS CONTAINED HEREON. THE LIABILITY OF THE SURVEYOR AND DICKMEYER & ASSOCIATES ENGINEERS-SURVEYORS, INC. IS LIMITED TO THE PARTIES TO WHICH THE SURVEY IS CERTIFIED AND ONLY AS TO THOSE MATTERS WHICH EXIST UPON THE SURVEYED REAL ESTATE AS TO THE DATE OF CERTIFICATION AND WHICH HAVE BEEN SURVEYED PURSUANT TO THE STANDARDS AND SPECIFICATIONS AS SET FORTH HEREIN.

This is an original survey of a 0.107 acre parcel situated in LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana. This survey was completed without the benefit of a title commitment or abstract of title. A complete title search may reveal facts that may change portions of this survey. Client has requested we provide an original survey of said 0.107 acre parcel. This parcel was subdivided from parent tract described in DOC. #2011023557. The parent tract was previously surveyed by Anderson Surveying, Inc. on August 19, 2008, survey number 95-10-152-2.

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 plat and/or deed location of the subject property relative to the applicable found and accepted as adjacent plat and/or 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 monuments were found during the course of this survey as shown on sheet no. 1. The five-eighths inch diameter steel pins with D&A Firm No. 0026 identification cap found marking the corners of this parcel and the adjoiners are believed to be the monuments as noted on the recorded deed.

Survey No. <u>213084</u> Sheet <u>3 of 3</u>

Kerry D. Dickreeyer, L.S. #80243 Brian W. Jacquay, L.S. #20100090

Som P. Sirivath, I.S. #20400020

# **DICKMEYER & ASSOCIATES**

Engineers-Surveyors, Inc.

6018 East State BoulevarJ Fort Wayne, Indiana 46815-7639 Office: 260-749-0125 Fax: 260-749-0921

#### SURVEYOR'S REPORT

(continued)

Relative to the baseline, the monuments found at northeasterly and northwesterly corners of the subject parcel were accepted as the deeded positions of said corners because they were record monuments and/or were at or within the limits of the relative positional accuracy for this class of survey. The original monuments for this parcel were set as shown on sheet no. 1. **THEORY OF LOCATION:** Based on the monuments found and the comparison of measurements taken between monuments and platted and/or deeded dimensions, the line between the monuments found at the northeasterly corner and the southeasterly corner of the north adjoiner was held as the baseline for this survey. This line was used because the terminal ends appeared to be undisturbed monuments. Also, the bearings 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. This line has been assigned a bearing of North 00 degrees 00 minutes 00 seconds East to correspond with record deed (basis of bearings). It is my opinion that the uncertainty associated with these corners is 0.5 feet based on measurements between monuments versus deeded distances.

- B) OCCUPATION OR POSSESSION LINES: Items, such as fences, indicating occupation or possession lines, are shown on the graphic portion of this survey with dimensions indicating their position relative to the lines and corners of this survey. The dimensions are given to the nearest tenth of a foot to illustrate the difference of the inconsistencies between said occupation or possession lines with the deed or plat line(s). Any uncertainty associated with these items is limited to the significant figures indicated by the dimensions.
- C) CLARITY OR AMBIGUITY OF RECORD DESCRIPTIONS: There was no metes and bounds description shown on Warranty Deed of the north adjoiner (DOC. #207023230). Prior document was used for this survey. There are no apparent discrepancies in the record plat and/or deed in this area. A copy of the plat for Washington Place Addition recorded in Plat Book 15, page 134 and Document Numbers 202077439; 990067004; 980041772; 207023230; 86-028214; 2011043648; 2011023557 and 2009037366 were reviewed and used in the completion of this survey.
- D) RELATIVE POSITIONAL ACCURACY OF MEASUREMENTS: The relative positional accuracy of measurements performed on this survey is within a SUBURBAN Class survey due to random errors in measurement, equipment and trained personnel as defined in I.A.C. 865 1-12-7.

It is not the intent of this survey or Surveyor to determine ownership, rights of ownership nor title of the property.

There are no sideyard or rear yard setbacks given on the record plat and/or 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).

lo.LS20400020

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 TITLE 865 I.A.C. - 1-12.

DATE: March 21, 2013

VALID ONLY WITH ORIGINAL HAND AND SEAL

SURVEY # 213080 SHEET 1 of 3 DATF: March 20, 2013 KERRY D. DICKMEYER, L.S. #S0243

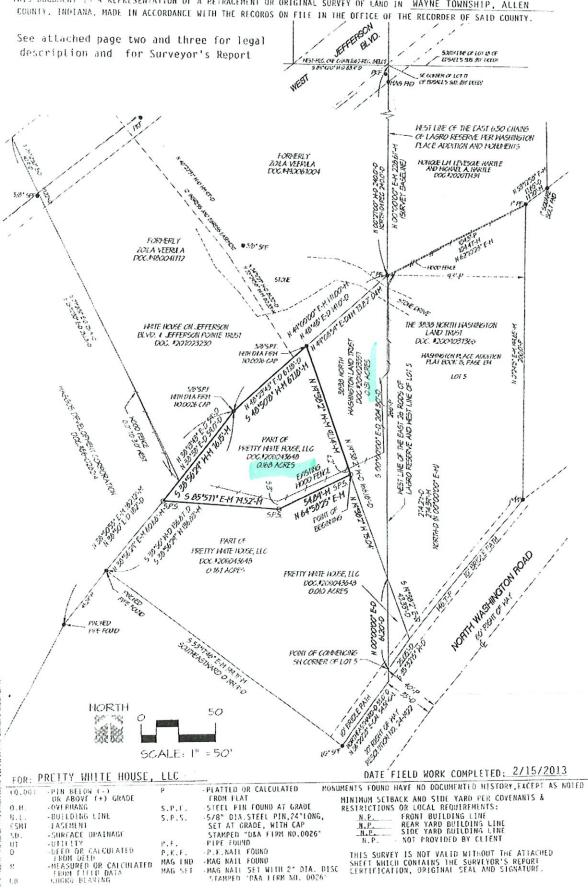
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MAG END MAG SET

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Survey No. 213080

Sheet <u>2</u> of <u>3</u> Date March 20, 2013

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This is an original survey of a 0.168 acre parcel situated in LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana. This survey was completed without the benefit of a title commitment or abstract of title. A complete title search may reveal facts that may change portions of this survey. Client has requested we provide an original survey of said 0.168 acre parcel. This parcel was subdivided from parent tract described in DOC. #2011043648. The parent tract was previously surveyed by Anderson Surveying, Inc. on September 30, 2011, survey number 95-10-152-3.

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Survey No. 213080 Sheet 3 of 3

Kerry D. Dickmayer L.S. #80243 Bhan W. Jacquay, E.S. #20100090

Som P. Sinvath, L.S. #20400020

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6013 East State Boulevard Fort Wayne, Indiana 46815-7639 Office: 260-749-0125 Fax: 260-749-0921

#### SURVEYOR'S REPORT

(continued)

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DATE: March 20, 2013

VALID ONLY WITH ORIGINAL HAND AND SEAL

SIGNATURE







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Prefutivery Size Plan

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Part of the Lago Revers, Jonahy, Allen Cong. Ledwar 319911 Affects Bold Fort Hand, 184694

Part Owners Panak ya Carabbag 6887 LLC

Date: 08-05-2024

Drawn By: Z/IE/SG

Drawn By: ZJE/SG
Checked By: AJC

ob No.: 24123 calc. 1"-20'

Sheet No.: 1 of 1

# No.1 Department of Planning Services Rezoning Petition Application (.107acres)

Applicant	Applicant 3838 North Was  Address 3919 West Jeff City Fort Wayne Telephone 330-715-2005	erson BlvdStateIN	Zip 468	304
Property Ownership	Property Owner <u>3838 North</u> Address <u>1524 Goldspur</u> City Fort Wayne  Telephone <u>330-715-2005</u>	West _StateIN	Zip <u>468</u>	104
Contact Person	Contact Person Philip R. To Address 800 S. Calhoun S City Fort Wayne Telephone 260-420-6000 All staff corresponde	St. _ State <u>IN</u> _ E-mail _ p	Zip_4680	2 com
Request	Allen County Planning Jurisdicti Address of the property 3838 North Present Zoning Residentian poss Purpose of rezoning (attach addition with the Medical Practice at 3919 W. Jefferson Blvd existing parking lot for Sewer provider yes	th Washington R  ed Zoning C-1  al page if necessary)  e of Giri Veeru  d., Fort Wayne,  patients and e	d. Township and Sect  Acreage to be rezor  This property is la, MD and Vindhy and will be and  mployees.	ion LaGro Reserve in Twp.30 N, Rangel2 Ened .107 acre behind and contiguous a Veerula, MD located addition to the
Filing Checklist	Applications will not be accepted unit application.  ☐ Filing fee \$1000.00  ☐ Surveys showing area to be rezo  ☐ Legal Description of parcel to be ☐ Rezoning Criteria (please complete)	ned Exhibit A :	attached t A attached	
ne property Control Ord procedures	stand and agree, upon execution and submist y described in this application; that I/we a dinance as well as all procedures and policion and policies related to the handling and dispour knowledge; and that	igree to abide by all pro es of the Fort Wavne and	visions of the Allen County Allen County Plan Commiss	Zoning and Subdivision
	Veerula ne of applicant)	(signature of applicant)		(date)
	Veerula ne of property owner)	(signature of property	were I	(date) 8.7. 2024
THE N CO	7-7-24 140	ceipt No. Hearing I  O G G G  ices • 200 East Berry Suite I  0) 449-7682 • www.allenc	4 REZ-624.0031	2 e.org

# No.2 Department of Planning Services Rezoning Petition Application (.168 acres)

	Applicant White House on Jefferson Blvd. & Jefferson Point Trust
ant	Address 3919 West Jefferson Blvd.
Applicant	City Fort Wayne State IN Zip 46804
Αp	Telephone 330-715-2005 E-mail 2veerula@yahoo.com
Property Ownership	Property Owner White House on Jefferson Blvd. & Jefferson Point Trust  Zoila Veerula, President  Address 1524 Goldspur West
opei	City Fort Wayne State IN Zip 46804
P. P.	Telephone 330-715-2005 E-mail <u>2veerula@yahoo.com</u>
Contact Person	Contact PersonPhilip R. Terrill, Attorney  Address800 S. Calhoun St.  City _Fort WayneStateINZip46802  Telephone260-420-6000
Request	Address of the property 3922 North Washington Rd. Township and Section Twp.30 N, Range 1:  Present Zoning Res. Proposed Zoning C-1 Acreage to be rezoned .168 acre  Purpose of rezoning (attach additional page if necessary) This property is behind and contiguous with the Medical Practice of Giri Veerula, MD and Vindhya Veerula, MD, located at 3919 W. Jefferson Blvd., Fort Wayne, and will be an addition to the existing parking lot for patients and employees.  Sewer provider yes Water provider yes
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 Exhibit A attached  ☐ Legal Description of parcel to be rezoned Exhibit A attached  ☐ Rezoning Criteria (please complete attached document) Exhibit B Site Plan; Exhibit C Plat
Control Ord Procedures	rstand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of ty described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision dinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions as those provisions, and policies related to the handling and disposition of this application; that the above information is true and accurate to the four knowledge; and that
	Veerula 3 0 2 4
	Veerula me of applicant)  Veerula me of property owner)  (signature of property owner)  (signature of property owner)  (date)  8.7.2024  (date)
	Veerula Jose Vance 8.7.2024
orinted nam	ne of property owner) (signature of property owner) (date)
THE N CO	Received Receipt No. Hearing Date Petition No.  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

# DEPARTMENT OF PLANNING SERVICES REZONING PETITION APPLICATION

One piece of property containing 2 separate legal descriptions that are contiguous with each other and contiguous with the Veerula Medical Practice of Gary Veerula, M.D. and Vindhya Veerula, M.D., at their medical practice facility at 3919 West Jefferson Boulevard, Fort Wayne, Indiana 46804, which are as follow:

No. 1: 3838 North Washington Land Trust (.107 acres)
Owned by Zoila Veerula

No. 2: White House on Jefferson Blvd. & Jefferson Point Trust (.168 acres)
Owned by Zoila Veerula

The rezoning application includes these 2 separate legal descriptions of .107 acres owned by 3838 North Washington Land Trust and next to and contiguous with a .168 acre tract owned by White House on Jefferson Blvd. & Jefferson Point Trust, all of which is next to and will be part of an additional parking facility for said medical practice facility at 3919 West Jefferson Boulevard, Fort Wayne.

Respectfully submitted,

Philip R. Terrill, Attorney #826-02

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Phone: 260-420-6000 Fax: 260-424-6000

ATTORNEY FOR ZOILA VEERULA