

#REZ-2025-0010

BILL NO. Z-25-03-15

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. DD27 (Sec. 28 of Aboite 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 R3/Multiple Family Residential District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

Development parcel @ 11328 US 24 West - (Deed #2012036734 and part of #2017052439)

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 6,296.57 feet and a chord of 457.69 feet bearing South 82 degrees 52 minutes 07 seconds West (all bearings based on the Indiana East State Plane Coordinate System (NAD'83)(2011)), an arc length of 457.79 feet; thence North 26 degrees 28 minutes 55 seconds West, 294.66 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 11.018 acres, more or less, and being subject to easements and rights of way of record.

1 and the symbols of the City of Fort Wayne Zoning Map No. DD27 (Sec. 28 of Aboite Township), as
2 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is
3 hereby changed accordingly.

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

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

10
11 _____
12 Council Member

13 APPROVED AS TO FORM AND LEGALITY:

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15 _____
16 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-2025-0010
Bill Number: Z-25-03-15
Council District: 4 – Dr. Scott Myers

Introduction Date: March 25, 2025

Plan Commission
Public Hearing Date: April 14, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 10.988 acres from R2/Two Family Residential to R3/Multiple Family Residential

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

Reason for Request: To permit a residential development of 9 duplexes and three single family structures.

Applicant: JRM Realty LLC

Property Owner: JRM Realty LLC

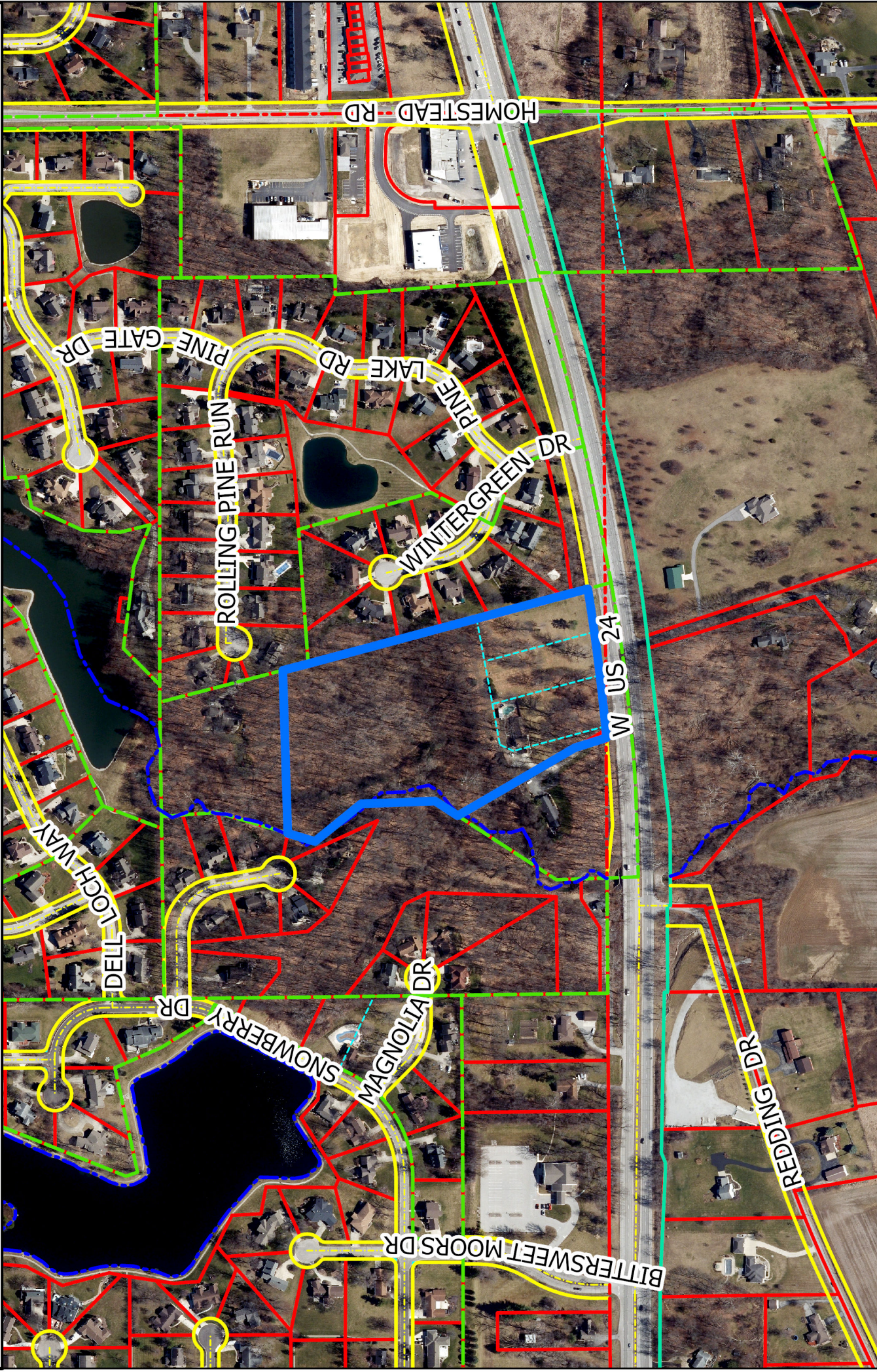
Related Petitions: Primary Development Plan – Oak Bluff Villas

Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which would permit multiple residential structures on a single parcel.

Effect of Non-Passage: Property will remain zoned R2/Two Family Residential, which does not permit multiple structures on a single parcel. The site may develop with single family residential or two family residential, on individual lots.

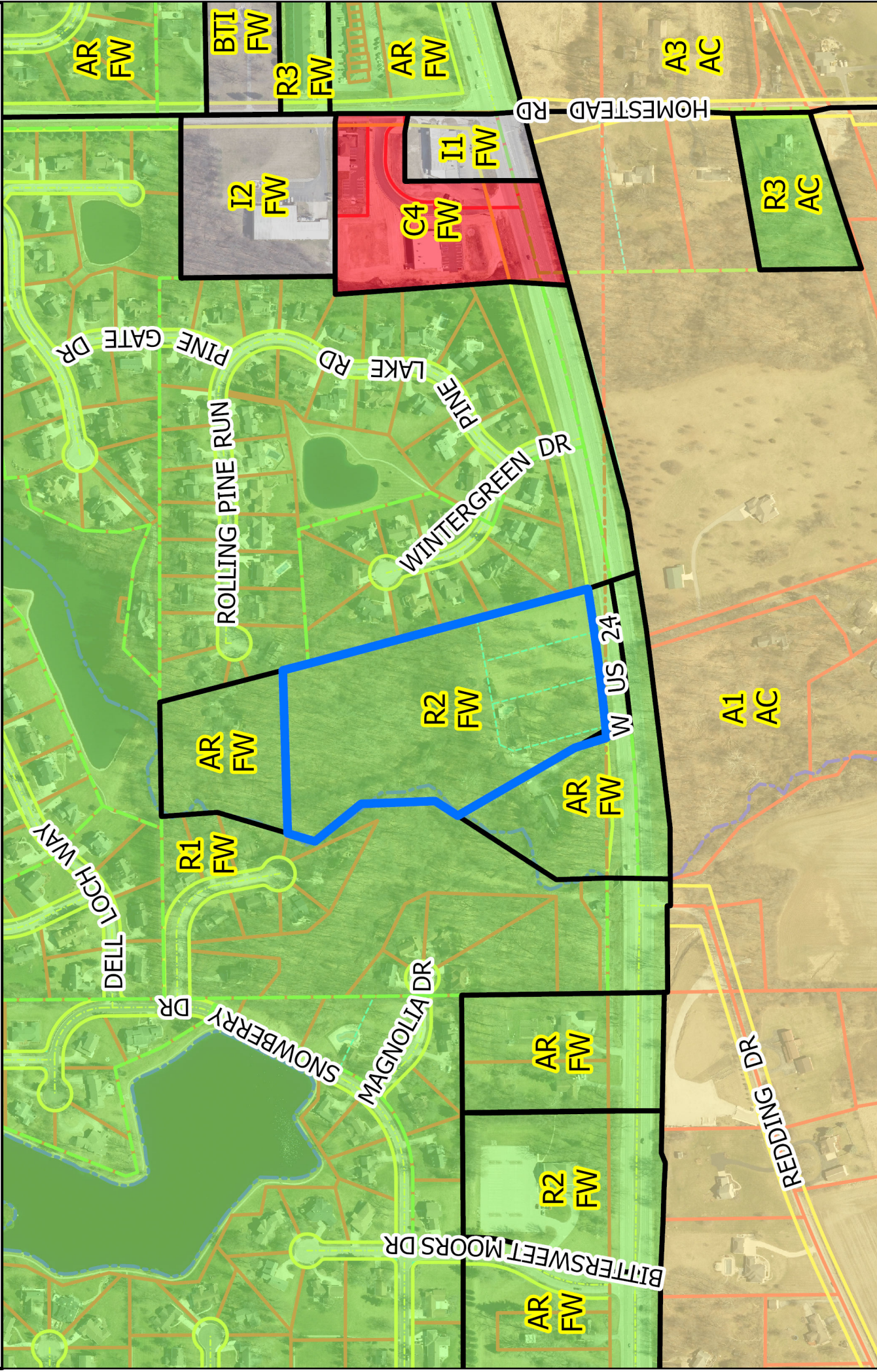


Rezoning Petition REZ-2025-0010 and Primary Development Plan PDP-2025-0010- Oak Bluff Villas



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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 3/11/2025



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 North American Datum 1983
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 Date: 3/11/2025



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 46818
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 Highway 24 West Township and Section Aboite - 28
Present Zoning R2 Proposed Zoning R3 Acreage to be rezoned 10.988 ac
Purpose of rezoning (attach additional page if necessary) _____
To facilitate a multiple family complex of residential duplex house with private access.

Sewer provider AQUA INDIANA Water provider 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 (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

James Ray Mutton
(printed name of applicant)

[Signature]
(signature of applicant)

2.2.25
(date)

(printed name of property owner)

(signature of property owner)

(date)



Received <u>4 Mar 25</u>	Receipt No. <u>127117</u>	Hearing Date <u>4.14.25</u>	Petition No. <u>REZ-2025-0010</u>
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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



Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

(1) The Comprehensive Plan;

As outlined in 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) Current conditions and the character of current structures and uses in the district;

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 21 units on 10.998 acres is less than 1.9 units per acre.

(3) 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) The conservation of 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) 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.

COMPLETE FILING TO INCLUDE:

- ☒ Filing Fee
- ☒ Complete application signed by property owner*
- ☒ Legal description (in Word document format)*
- ☒ Boundary/Utility Survey*
- ☒ Rezoning Criteria *
- ☐ Written Commitment (if applicable)*

**All documents may be digital*

