

2 1 #REZ-2013-0019

2 BILL NO. Z-13-02-17

3 ZONING MAP ORDINANCE NO. Z- 9-13

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. O-54 (Sec. 1 of Washington Township)

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

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


11 A parcel of land located in the Southeast One-Quarter of Section 1, Township 31
12 North, Range 12 East, Allen County, Indiana, more particularly described as follows:
13 Beginning at the South Quarter corner of said Section 1; thence along the West line
14 of said Southeast One-Quarter, North 0 degree, 59 minutes, 55 seconds East
15 (assumed bearing base), a distance of 640.20 feet to the Northeast corner of a 6.417-
16 acre parcel described in Document #990070550 as found in the Office of the
17 Recorder of Allen County, Indiana; thence South 88 degrees, 27 minutes, 53 seconds
18 East, on the Easterly projection of the North line of said 6.417-acre parcel, a distance
19 of 386.75 feet to a 5/8 inch rebar capped "GOU"; thence South 1 degree, 15 minutes,
20 53 seconds West, a distance of 638.37 feet to the South line of said Southeast One-
21 Quarter; thence along said South line, North 88 degrees, 44 minutes, 07 seconds
22 West, a distance of 383.77 feet to the point of beginning. Parcel contains 5.654 acres,
23 more or less.

24 and the symbols of the City of Fort Wayne Zoning Map No. O-54 (Sec. 1 of Washington
25 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
26 Wayne, Indiana is hereby changed accordingly.

27 SECTION 2. That this Ordinance shall be in full force and effect from and after its
28 passage and approval by the Mayor.

29 
30 Council Member

APPROVED AS TO FORM AND LEGALITY:

31 
32 Carol T. Helton, City Attorney

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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2013-0019
Bill Number: Z-13-02-17
Council District: 2 – Russell Jehl

Introduction Date: February 26, 2013

**Plan Commission
Public Hearing Date:** March 11, 2013

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

Synopsis of Ordinance: To rezone approximately 5.65 acres of property from AR-Low Intensity
Residential to R2-Attached Single Family and Two Family Residential

Location: 1000 Block of East Wallen Road, across from entrance to Manor Park
Addition

Reason for Request: To develop a single-family subdivision for 50 lots, attached to the existing
Hunters Knoll duplex subdivision.

Applicant: Performance Property, LLC

Property Owner: Perry Brucker

Related Petitions: Primary Plat, Water Park Villas

Effect of Passage: Property will be rezoned to R2-Attached Single Family and Two Family
Residential, allowing for the single family residential development, as
proposed.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and the
property may develop with the permitted uses in the district, including single
family homes, but of a lesser density than what is proposed above.

Department of Planning Services
Rezoning Petition Application

Applicant

Applicant Performance Property, LLC - Christopher Bartkus, Member

Address 13219 Acadia Cove

City Fort Wayne

State IN

Zip 46845

Telephone 260.437.2614

Fax

E-mail cbartkus@bridcommercial.com

Property Ownership

Property Owner Perry Brucker

Address 9126 A Coldwater Road

City Fort Wayne

State IN

Zip 46825

Telephone

Fax

E-mail

Contact Person

Contact Person Scott Lougheed

Address 1017 S. Hadley Road

City Fort Wayne

State IN

Zip 46804

Telephone 260.432.3665

Fax 260.436.0224

E-mail

lougheedeng@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 1000 Block of E. Wallen Road

Present Zoning AR Proposed Zoning R2

Acres to be rezoned 5.654

Proposed density ~~1.5 SFR/5.654~~ = 2.5 (12) * CLB / 5.65 = 2.12 units per acre

Township name * Washington

Township section # 1

Purpose of rezoning (attach additional page if necessary) Hunters Knoll - Section 2 is proposed on 3 separate Parcels. Beer's 2 Parcels are already zoned, but Brucker's 1 Parcel will need to be rezoned from AR to Single Family Residential (SFR) R2

Sewer provider Fort Wayne

Water provider Fort Wayne

Filing Requirements

Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan survey submittal requirements.

- Applicable filing fee \$300.00
- 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 Rezoning Only

I/we understand and agree, upon execution and submission of this application, that I/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.

Christopher Bartkus

(printed name of applicant)

(Signature of Christopher Bartkus)
(signature of applicant)

1/25/13
(date)

Perry Brucker

(printed name of property owner)

(Signature of Perry Brucker)
(signature of property owner)

1/30/13
(date)

2/6/13 / 110770 / 62-2013-0019

REZONING PARCEL FOR WATERS PARK VILLAS

LEGAL DESCRIPTION (Brucker Parcel)

(part of Document #95-037145)

A parcel of land located in the Southeast One-Quarter of Section 1, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

BEGINNING at the South Quarter corner of said Section 1; thence along the West line of said Southeast One-Quarter, North 0 degree 59 minutes 55 seconds East (assumed bearing base), a distance of 640.20 feet to the Northeast corner of a 6.417-acre parcel described in Document #990070550 as found in the Office of the Recorder of Allen County Indiana; thence South 88 degrees 27 minutes 53 seconds East, on the Easterly projection of the North line of said 6.417-acre parcel, a distance of 386.75 feet to a 5/8" rebar capped "GOU"; thence South 1 degree 15 minutes 53 seconds West, a distance of 638.37 feet to the South line of said Southeast One-Quarter; thence along said South line, North 88 degrees 44 minutes 07 seconds West, a distance of 383.77 feet to the point of beginning. Parcel contains 5.654 acres, more or less.

Written by Timothy C. Gouloff, L.S.



This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

Rezoning Petition REZ-2013-0019 and
 Primary Plat - Waters Park Villas

Printed February 15, 2013
 © 2014 Board of Commissioners of the County of Allen
 San Jose, California 95128. Issued as part
 of Case No. 13-0019, County of Allen, 2013

Although every effort has been made to ensure the accuracy of the information contained herein and all liability resulting from any error or omission in this map





This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

**Rezoning Petition REZ-2013-0019 and
Primary Plat - Waters Park Villas**

Printed February 15, 2013
 © 2004 Board of Commissioners, County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos: Spring 2006 - Contours: 1999

Although strict accuracy standards have been employed in the completion 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.



Public Hearing Date, if applicable

March 11, 2013

Read the first time in full and on motion by Councilman

Blynn Hines

Read the second time by title and referred to the

Regulations Committee

Committee. Read the third time in full and on motion by Councilman

Hines

, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8	1		
BENDER		✓		
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED:

4-9-13

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. 2-9-13 on the 10th day of
April, 2013

Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

ATTEST:

Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day
of April, 2013, at the hour of 1:00 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of APRIL
2013, at the hour of 3:00 o'clock P.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

2-9-13

REPORT OF THE COMMITTEE ON FINANCE

APRIL 9, 2013

**GLYNN HINES – CHAIR
RUSSELL JEHL – CO-CHAIR
ALL COUNCIL MEMBERS**

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED **AN ORDINANCE** amending the City of Fort Wayne Zoning Map No. O-54 (SEC. 1 OF WASHINGTON TOWNSHIP). COMMITTEE OF REGULATIONS HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Handwritten signatures for "DO PASS"]

[Signature]
 [Signature]
 [Signature]
 [Signature]
 [Signature]
 [Signature]
 [Signature]

[Handwritten signature for "DO NOT PASS"]

[Signature]

SANDRA E. KENNEDY
CITY CLERK