

1 #REZ-2013-0104

2 BILL NO. Z-13-08-20

3 ZONING MAP ORDINANCE NO. Z-16-13

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map Nos. N-10 and O-10 (Sec. 1 of Wayne 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 R1 (Single
9 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
10 of Fort Wayne, Indiana:

11 Lots 1 through 10 of Pixleys Subdivision, as recorded in B5A, Page 14 in the Office of the
12 Recorder of Allen County Indiana; together with:

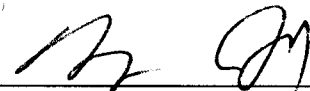
13 Lots 366 through 369, 372 through 375, 384 through 387, 390 through 393, 402 through
14 406, 420 through 426, Lot A, and Lot B of Lakeside Park Addition, as recorded in B1B,
Page 54 in the Office of the Recorder of Allen County, Indiana; together with:

15 Lots 28 through 33 of Lakeside Park Addition, Plat A, Amended, as recorded in B1B, Page
16 74 in the Office of the Recorder of Allen County, Indiana; together with:

17 Lots 683 through 706 of Lakeside Park Addition, Plat C, as recorded in B4B, Page 77 in the
Office of the Recorder of Allen County, Indiana.

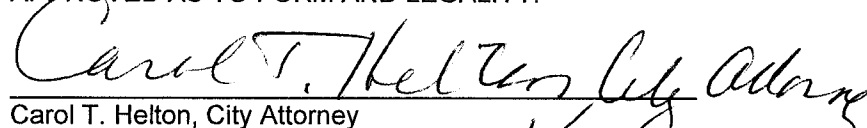
18 and the symbols of the City of Fort Wayne Zoning Map Nos. N-10 and O-10 (Sec. 1 of
19 Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of
20 Fort Wayne, Indiana is hereby changed accordingly.

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

23 

24 Council Member

25 APPROVED AS TO FORM AND LEGALITY:

26 
27 Carol T. Helton, City Attorney

28 

30

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2013-0104
Bill Number: Z-13-08-20
Council District: 2 – Russ Jehl

Introduction Date: August 27, 2013

Plan Commission
Public Hearing Date: September 9, 2013

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

Synopsis of Ordinance: To rezone approximately 15 acres of property from R2-Attached Single
Family and Two-Family Residential and R3-Multiple Family Residential to
R1-Single Family Residential

Location: Within the Northside Neighborhood, bounded approximately by Elmwood
Avenue and Tennessee Venue on the north, California Avenue on the east,
Lake Avenue on the south and Tecumseh Street on the West.

Reason for Request: This petition is a Residential Downzoning, a tool of the planning department
to allow neighborhood associations to downzone large areas to a lower, less
intensive zoning district.

Applicant: Northside Neighborhood Association, initiated by the Fort Wayne Plan
Commission

Property Owners: various, see file

Related Petitions: None

Effect of Passage: Property will be downzoned to R1-Single Family Residential which will help
fulfill the policies of the Comprehensive Plan, such as **“In R2 and R3 zoning
districts where the predominant land use is still single family residential,
discourage the further subdividing of single-family homes to two-family
or multiple family structures.”**

Effect of Non-Passage: The property will remain zoned R2-Attached Single Family and Two Family
Residential and R3-Multiple Family Residential, allowing single-family
homes to continue to be subdivided, which is in conflict with some of the
policies of the Northside Community Development Action Plan, which call
for **“Work with City Planning to identify areas within the Northside
neighborhood that would benefit from downzoning to an R1 zoning
classification: Initiate a residential downzoning petition process in
accordance with Plan Commission requirements.”**



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

Rezoning Petition REZ-2013-0104

Printed: Aug 06 09, 2013
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983

State Plane Coordinate System, Indiana East
 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.





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

Rezoning Petition REZ-2013-0104

Printed: August 09, 2013
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Zone 16, NAD 83
 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.



**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Fort Wayne Plan Commission
 Address 200 East Berry Street, Suite 150
 City Fort Wayne State Indiana Zip 46802
 Telephone 260-449-7607 Fax _____ E-mail _____

Property Ownership
 Property Owner Various - See File
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ Fax _____ E-mail _____

Contact Person
 Contact Person City of Fort Wayne Community Development
 Address 200 East Berry Street, Suite 320
 City Fort Wayne State Indiana Zip 46802
 Telephone _____ Fax _____ E-mail _____

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 Various - See File
 Present Zoning R2 & R3 Proposed Zoning R1 Acreage to be rezoned ~ 15
 Proposed density _____ units per acre
 Township name Wayne Township section # 1
 Purpose of rezoning (attach additional page if necessary) Downzone a portion of the North St

 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
 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 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 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.

 (printed name of applicant) (signature of applicant) (date)

 (printed name of property owner) (signature of property owner) (date)

 (printed name of property owner) (signature of property owner) (date)

 (printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
8/7/13	N/A		

01/9/13 Re2-2013-0104

Public Hearing Date, if applicable 9-9-13

Read the first time in full and on motion by Councilman Russell Jehl
Read the second time by title and referred to the Regulations Committee
Committee. Read the third time in full and on motion by Councilman
Glyn Hines, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u> </u>	<u> </u>	<u>3</u>
BENDER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
CRAWFORD	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
DIDIER	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
HARPER	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
HINES	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
JEHL	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
PADDOCK	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SHOAFF	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SMITH	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 10-8-13 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. 2-16-13 on the 8th day of
October, 2013

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day
of October, 2013, at the hour of 11:30 o'clock A.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 9th day of October
2013, at the hour of 1:30 o'clock P.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

REPORT OF COMMITTEE ON REGULATIONS

OCTOBER 8, 2013

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

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the **City of Fort Wayne Zoning Map Nos. N-10 and O-10 (Sec. 1 of Wayne Township)**. The property is located within the **Northside Neighborhood**, bounded approximately by **Elmwood Avenue and Tennessee Venue on the north, California Avenue on the east, Lake Avenue on the south and Tecumseh Street on the West**. **REGULATIONS COMMITTEE** 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 in the 'DO PASS' column]

SANDRA E. KENNEDY
CITY CLERK