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#REZ-2013-0159

BILL NO. Z-13-11-10

ZONING MAP ORDINANCE NO. Z- 1-14

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O-54 (Sec. 1 of Washington 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 an R2
(Attached Single Family and Two Family Residential) District under the terms of Chapter 157
Title XV of the Code of the City of Fort Wayne, Indiana:

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:

Commencing at the South Quarter corner of said Section 1, said corner also being the
Southwest corner of a 31.00-acre parcel described in Document #95-037145 as found in the
Office of the Recorder of Allen County, Indiana; thence North 00 degrees 59 minutes 55
seconds East (assumed bearing base), on the West line of said Southeast One-Quarter,
also being the West line of said 31.00-acre parcel, 640.20 feet to the Northeast corner of a
6.417-acre parcel described in Document #990070550, said point also being the **Point of
Beginning**; thence continuing North 00 degrees 59 minutes 55 seconds East, on said West
line, 176.77 feet to a point on the centerline of the Water's Ditch; thence along said centerline
by the following 14 courses: South 61 degrees 41 minutes 51 seconds East, 44.61 feet;
thence South 29 degrees 03 minutes 11 seconds East, 65.88 feet; thence South 64 degrees
42 minutes 56 seconds East, 37.29 feet; thence South 81 degrees 04 minutes 53 seconds
East, 58.89 feet; thence South 59 degrees 29 minutes 38 seconds East, 128.68 feet; thence
North 73 degrees 55 minutes 21 seconds East, 50.74 feet; thence North 28 degrees 01
minutes 28 seconds East, 40.62 feet; thence North 51 degrees 18 minutes 04 seconds East,
67.02 feet; thence North 07 degrees 08 minutes 40 seconds East, 115.05 feet; thence North
77 degrees 48 minutes 40 seconds East, 100.00 feet; thence North 60 degrees 47 minutes
54 seconds East, 165.00 feet; thence South 83 degrees 43 minutes 15 seconds East,
100.00 feet; thence North 86 degrees 32 minutes 49 seconds East, 215.00 feet; thence
South 80 degrees 58 minutes 26 seconds East, 65.57 feet to a point on the East line of the
aforementioned 31.00-acre parcel; thence South 00 degrees 59 minutes 55 seconds West,
on said East line, 969.85 feet to the Southeast corner of said 31.00-acre parcel; thence
North 88 degrees 44 minutes 07 seconds West, on the South line of said Southeast One-
Quarter a distance of 642.85 feet; thence North 01 degree 15 minutes 53 seconds East,
638.37 feet; thence North 88 degrees 27 minutes 53 seconds West, on the Easterly
projection of the North line of the aforementioned 6.417-acre parcel, a distance of 386.75
feet to Point of Beginning, containing **14.50 acres**, more or less, and subject to easements
and rights of way of record..

and the symbols of the City of Fort Wayne Zoning Map No. O-54 (Sec. 1 of Washington
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort

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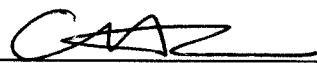
Wayne, Indiana is hereby changed accordingly.

SECTION 2. 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:



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-2013-0159
Bill Number: Z-13-11-10
Council District: 3-Tom Didier

Introduction Date: November 26, 2013

Plan Commission
Public Hearing Date: December 9, 2013

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

Synopsis of Ordinance: To rezone approximately 14.5 acres of property from AR-Low Intensity
Residential to R2-Attached Single Family and Two Family Residential

Location: 1200 to 1300 blocks of East Wallen Road.

Reason for Request: To allow for expansion of Majestic Waters subdivision.

Applicant: Performance Property Group, LLC

Property Owner: Performance Property Group, LLC

Related Petitions: Amended Primary Plat, Majestic Waters Subdivision

Effect of Passage: Property will be rezoned to R2-Attached Single Family and Two Family
Residential to allow for the expansion of the approved subdivision of Majestic
Waters.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and may
develop with non-platted single family development or agricultural uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Performance Property Group, LLC - Christopher Bartkus, Member
 Address 13219 Acadia Cove
 City Fort Wayne State IN Zip 46845
 Telephone 260.437.2614 Fax _____ E-mail cbartkus@bndcommercial.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 to 1500 Block of E. Wallen Road
 Present Zoning AR Proposed Zoning R2 Acreage to be rezoned 14.5
 Proposed density _____ 3 units per acre
 Township name * Washington Township section # 1
 Purpose of rezoning (attach additional page if necessary) This petition is to rezone 14.5 acres to match the approved R2 REZ-2013-0019 petition and combine the existing 15.4 acres and the proposed 14.5 acres into one Amended Primary Plat with 90 lots on 29.9 acres, more or less.
 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 Rezonings 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.

Christopher Bartkus _____
 (printed name of applicant) (signature of applicant) (date)
Perry Brucker _____
 (printed name of property owner) (signature of property owner) (date)

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

1/6/13 113555 12/9/13 REZ-2013-0159



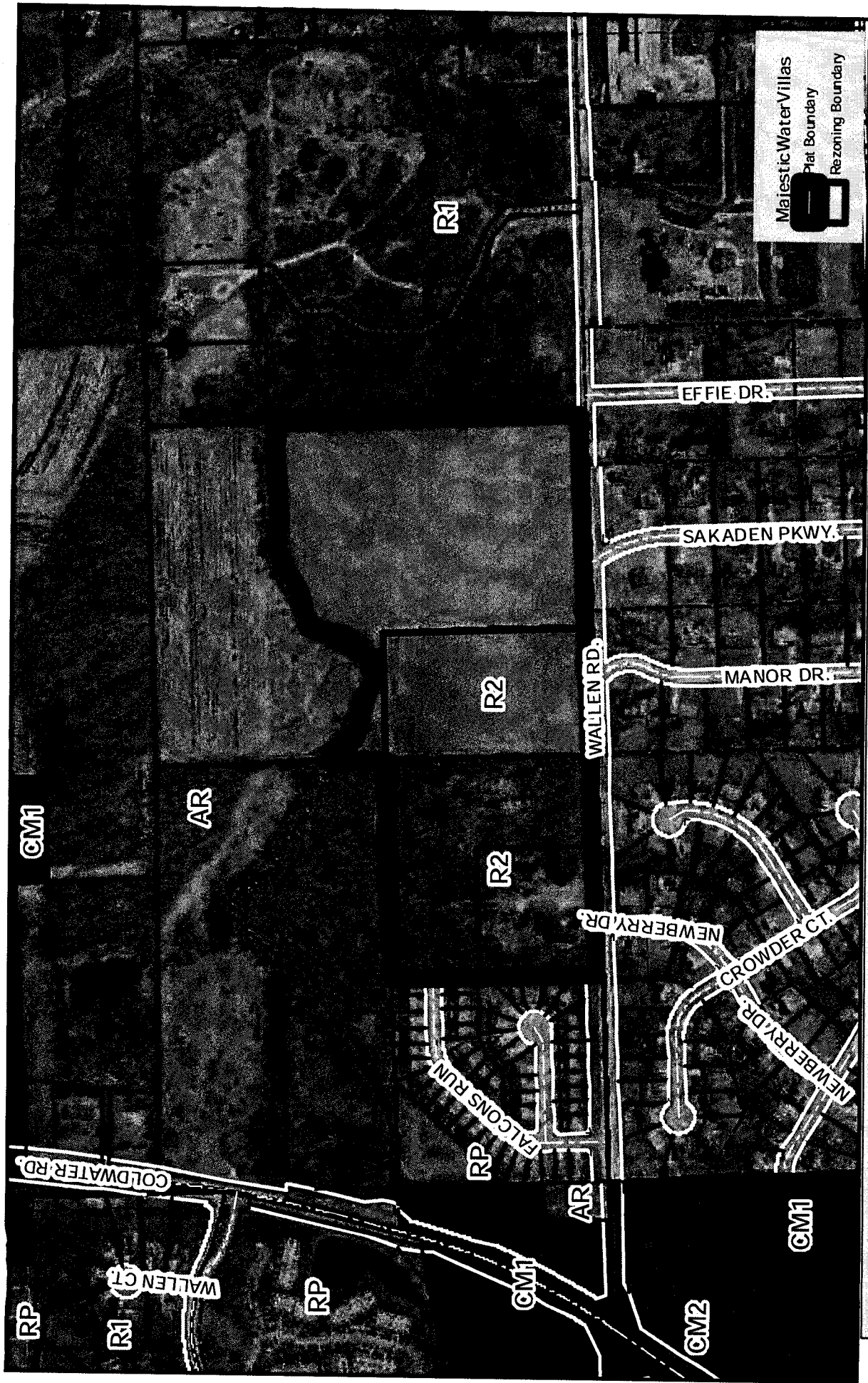
This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

Rezoning Petition REZ-2013-0159 and Primary Plat - Majestic Water Villas

Printed: November 17, 2013
 © 2010 Board of Commissioners of the County of Alameda
 North American Datum 1983
 State Plane California North Zone East
 Project Spring 2006 / Current 10/09

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

Rezoning Petition REZ-2013-0159 and Primary Plat - Majestic Water Villas



Printed November 17, 2013
 020818 cert of Commissioners of the County of Allen
 Planning and Zoning Department
 State of New York
 Photos: Spring 2008 / Credits: 1998
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BILL NO. Z-13-11-10

REPORT OF COMMITTEE ON REGULATIONS

JANUARY 14, 2014

ALL COUNCIL MEMBERS

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-54 (Sec. 1 of Washington Township). The Location of the property is the 1200 to 1300 blocks of East Wallen Road. **COMMITTEE ON REGULATION 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

Martin A. B...
M...
F...
J...
R...
Dr. J...
J...
J...

**SANDRA E. KENNEDY
CITY CLERK**

Public Hearing Date, if applicable 12-9-2013

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</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: 1-14-14 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. 2-1-14 on the 14th day of
January, 2014

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

Michael A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 17th day
of January, 2014, at the hour of 3:00 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of JANUARY
2014, at the hour of 4:00 o'clock P.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR