

1 #REZ-2013-0173

2 BILL NO. Z-13-12-24

3 ZONING MAP ORDINANCE NO. Z- 7-14

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. I-26 (Sec. 28 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 IN3
9 (Heavy Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of
10 Fort Wayne, Indiana:

11 That part of a parcel of land situated in that part of the Southeast Quarter of the
12 Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North
13 and East of the centerline of the public highway known as the Goshen Road and U.S.
14 Highway Number 30 (formerly) and the West right of way of the Grand Rapids and
15 Indiana Railroad, referred to as Parcel Numbered 7 in a special survey for an
16 unplatted subdivision thereof, dated August 30, 1946 by A.K. Hofer and described
17 by metes and bounds as follows, to wit:

18 Commencing on the centerline of the public highway known as the Goshen Road, at
19 a point situated 318.7 feet Southeasterly on the point of intersection of the said
20 highway centerline by the North line of the Southeast Quarter of the Northeast
21 Quarter of said Section; thence continuing Southeasterly on the highway centerline,
22 147.0 feet; thence Northeasterly on a line normal to the said highway centerline, a
23 distance of 215.0 feet; thence Northwesterly a distance of 147.0 feet; thence
24 Southwesterly on a line normal to the said highway centerline, a distance of 215.0
25 feet to the point of beginning, containing 0.726 acres, subject to the public highway
26 upon the Southwest 45.0 feet thereof.

27 and the symbols of the City of Fort Wayne Zoning Map No. I-26 (Sec. 28 of Washington
28 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
29 Wayne, Indiana is hereby changed accordingly.

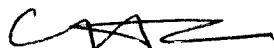
30 SECTION 2. That this Ordinance shall be in full force and effect from and after its
passage and approval by the Mayor.



Council Member

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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-2013-0173
Bill Number: Z-13-12-24
Council District: 3-Tom Didier

Introduction Date: December 17, 2013

Plan Commission
Public Hearing Date: January 6, 2014

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

Synopsis of Ordinance: To rezone approximately 0.73 acres from IN1-Light Industrial to IN3-Heavy Industrial for expansion of existing used auto parts business.

Location: 2606 Goshen Road, on the north side of the street.

Reason for Request: The applicant wishes to construct a new building to store auto parts received through the existing business at 2532 Goshen Road.

Applicant: Stanley Karnik

Related Petitions: Amended Special Use approval by the Board of Zoning Appeals

Effect of Passage: The applicant has an existing auto salvage business at 2532 Goshen Road. This request will expand the business to the adjacent property with a new storage building. A Special Use will be required by the Board of Zoning Appeals.

Effect of Non-Passage: Property will remain IN1 and the proposed use will not be permitted.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Stanley D. Karnik
 Address 2532 Goshen Rd.
 City Fort Wayne State IN Zip 46808
 Telephone 260-471-7503 Fax _____ E-mail ESKAY@ "

Property Ownership
 Property Owner Karnik Family LLC
 Address 1611 River Run Trail
 City Fort Wayne State IN Zip 46808
 Telephone 260-471-7503 Fax _____ E-mail ESKAY@LegalChopShop.com

Contact Person
 Contact Person Rob Kruger
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ Fax _____ E-mail _____

All staff correspondence will be sent only to the designated contact person.

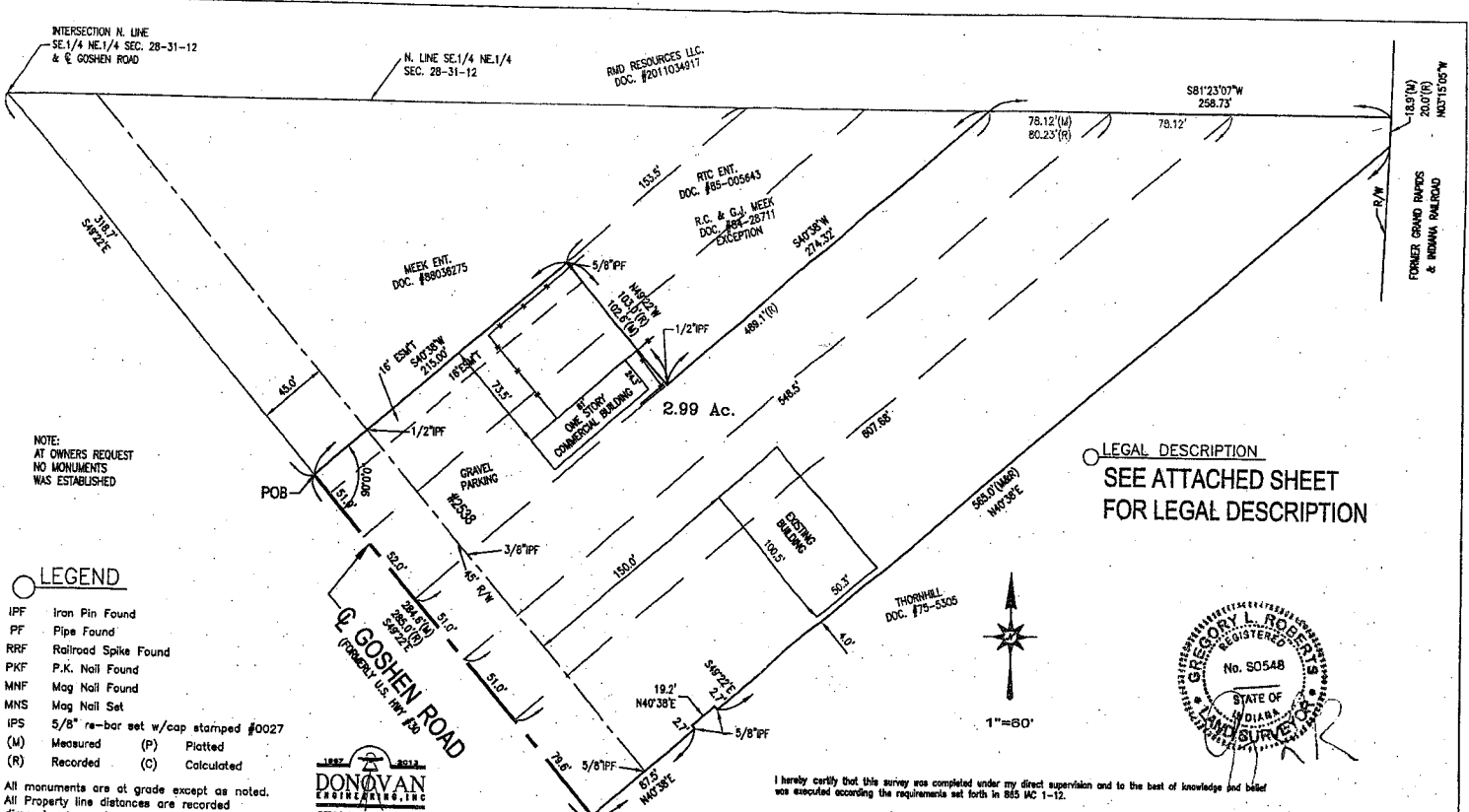
Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 2606 Goshen Rd.
 Present Zoning IN1 Proposed Zoning IN3 Acreage to be rezoned _____
 Proposed density N/A _____ units per acre
 Township name Washington Township section # _____
 Purpose of rezoning (attach additional page if necessary) to construct building for auto parts storage
 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.

Stanley D. Karnik (printed name of applicant) [Signature] (signature of applicant) 12/3/13 (date)
Stanley D. Karnik (printed name of property owner) [Signature] (signature of property owner) 12/3/13 (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.
12/3/13	113773	12/11/13	



NOTE:
AT OWNERS REQUEST
NO MONUMENTS
WAS ESTABLISHED

LEGEND

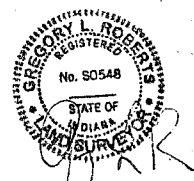
- IPF Iron Pin Found
- PF Pipe Found
- RRF Railroad Spike Found
- PKF P.K. Nail Found
- MNF Mag Nail Found
- MNS Mag Nail Set
- IPS 5/8" re-bar set w/cap stamped #0027
- (M) Measured (P) Platted
- (R) Recorded (C) Calculated

All monuments are at grade except as noted.
All Property line distances are recorded
dimensions, except as noted.
Monuments found have no documented history
except as noted.
DATE OF FIELD WORK: 10-9-13

DONOVAN
ENGINEERS, INC.
3521 Lotus Avenue, Suite 2
Fort Wayne, Indiana 46805
Office 260.424.7418
Fax 260.424.1518
www.donovan-eng.com

REV. 10-23-13

LEGAL DESCRIPTION
SEE ATTACHED SHEET
FOR LEGAL DESCRIPTION



I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.

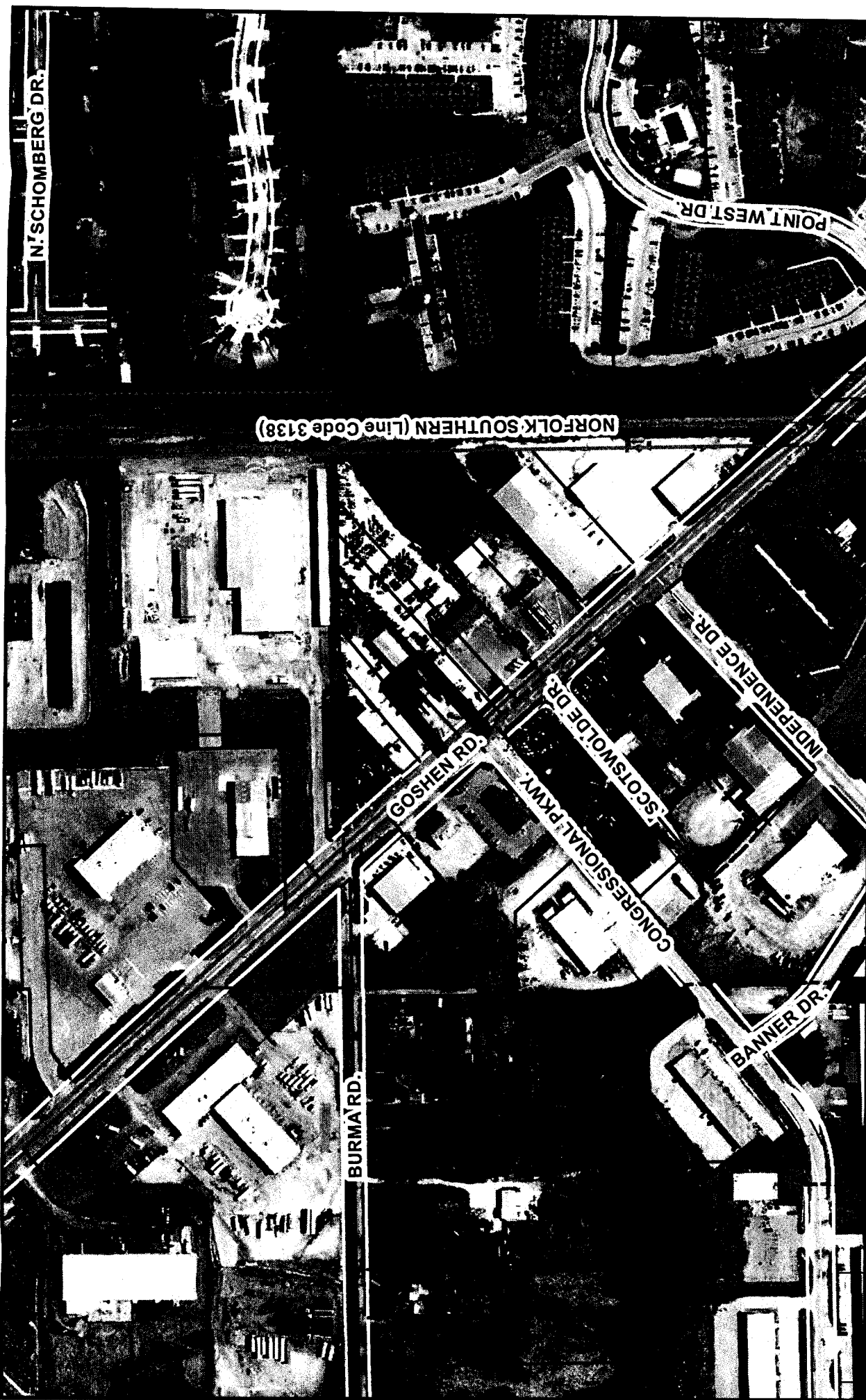
REVISIONS		JOB # 13-8268	
NO.	DATE	DESCRIPTION	BY

PLAT OF SURVEY		DATE	BY	SHEET
#283A GOSHEN ROAD FORT WAYNE, INDIANA		11-08-13	KARNIK	1 of 2
KARNIK		SCALE	1"=60'	

That part of a parcel of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying North and East of the centerline of the public highway known as the Goshen Road and U.S. Highway Number 30 (formerly) and the West right of way of the Grand Rapids and Indiana Railroad, referred to as Parcel Numbered 7 in a special survey for an unplatted subdivision thereof, dated August 30, 1946 by A. K. Hofer and described by metes and bounds as follows, to-wit:

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Section 28-31-12 legal-7-31-13

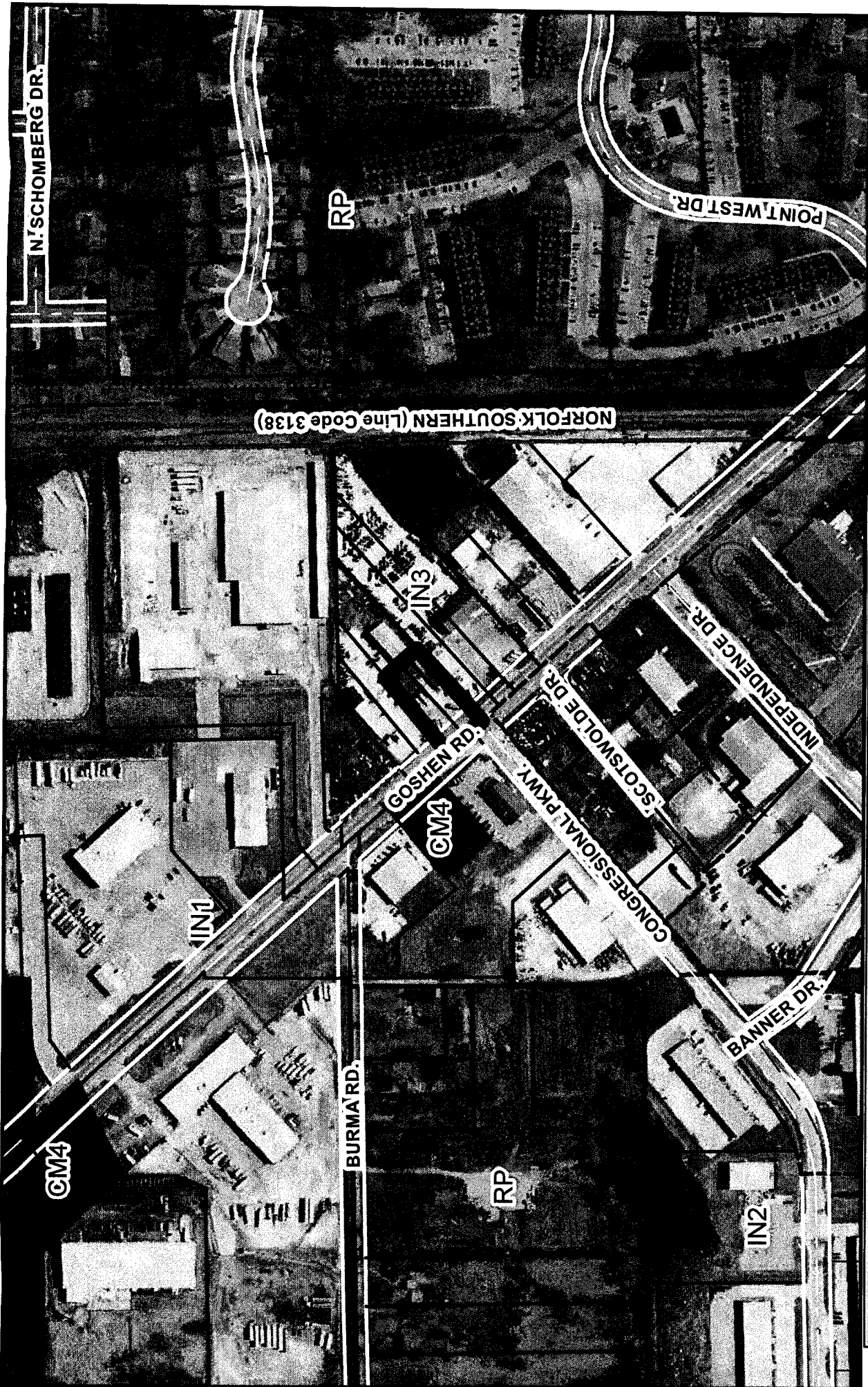


This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project

Rezoning Petition REZ-2013-0173

Printed: December 9, 2013
 © 2004 Board of Commissioners of the 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 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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Rezoning Petition REZ-2013-0173

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Public Hearing Date, if applicable 1-6-14

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
Jehl, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 2-11-14 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. 2-7-14 on the 11th day of
February, 2014

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

Marshall A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day
of February, 2014, at the hour of 3:45 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of FEBRUARY
2014, at the hour of 11:00 o'clock A.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-13-12-24

REPORT OF COMMITTEE ON REGULATIONS

FEBRUARY 11, 2014

*Tom Didier, Chair
Mitch Harper, Co-Chair
All Council Members*

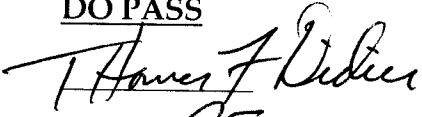

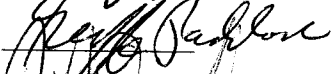

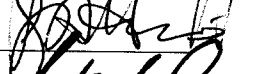
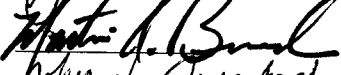



AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-26 (Sec. 28 of Washington Township). **COMMITTEE ON REGULATIONS HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
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**SANDRA E. KENNEDY
CITY CLERK**