

1 #REZ-2014-0028

2 BILL NO. Z-14-03-17

3  
4 ZONING MAP ORDINANCE NO. Z- 18-14

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. I-30 (Sec. 21 of Washington Township)

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

9 SECTION 1. That the area described as follows is hereby designated an IN2  
10 (General Industrial) District under the terms of Chapter 157 Title XV of the Code of the City  
11 of Fort Wayne, Indiana:

12 A 3.977 Acre parcel located in the Southeast Quarter, Section 21, Township 31  
13 North, Range 12 East, Washington Township, Allen County, Indiana; and more  
14 particularly described as follows:

15 Commencing as an Indiana State Highway right-of-way monument, located at the  
16 intersection of the West line of the East half of the Southeast Quarter of Section 21,  
17 Township 31 North Range 12 East and the North right-of-way of Coliseum  
18 Boulevard (now State Road 930, formerly U.S. Highway 30 and California Road).  
19 Said right-of-way monument being located at 125 feet left of Station 44+30 as shown  
20 on Sheet #13 of the highway plans for the 1973-1974, U.S. 30 Highway Project U-  
21 174 (20). Thence North 79 deg. 22 min. 49 sec. West along the Notherly right-of-  
22 way of Coliseum Boulevard (Indiana Highway #930), a distance of 50.95 feet;  
23 thence North 00 deg. 28 min. 25 sec. West, a distance of 25.00 feet; thence North 80  
24 deg. 23 min. 16 sec. West, a distance of 18.00 feet to an Iron Pin (rebar) with  
25 Surveyors Cap 'Russell Associates' marking the POINT OF BEGINNING;  
26 Thence North 81 deg. 56 min. 36 sec. West, a distance of 97.17 feet; thence South 87  
27 deg. 19 min. 18 sec. West, a distance of 36.22 feet to a point; thence North 00 deg.  
28 31 min. 52 sec. West, a distance of 926.52 feet to an 'I-Beam' fence post (3 ½" x  
29 7"); thence North 89 deg. 00 min. 25 sec. East, a distance of 200.00 feet to a point on  
30 the East line of the West Half of the Southeast Quarter of said Section 21; thence  
South 00 deg. 32 min. 48 sec. East, a distance of 736.21 feet; thence South 89 deg.  
17 min. 48 sec. West, a distance of 11.16 feet; thence South 00 deg. 27 min. 49 sec.  
East, a distance of 2.26 feet to a manhole; thence South 89 deg. 18 min. 00 sec.  
West, a distance of 56.56 feet; thence South 00 deg. 28 min. 25 sec. East, a distance  
of 202.65 feet to the POINT OF BEGINNING; Containing 3.977 Acres.

SUBJECT TO, perpetual non-exclusive easement for ingress and egress over the  
following parcel described in Document #204021712.

1 Commencing at an Indiana State Highway right-of-way monument, located at the  
2 intersection of the West line of the East half of the Southeast Quarter of Section 21,  
3 Township 31 North, Range 12 East and the North right-of-way of Coliseum  
4 Boulevard (now State Road 930, formerly U.S. Highway 30 and California Road).  
5 Said right-of-way monument being located at 125 feet left of Station 44+30 as shown  
6 on Sheet #13 of the highway plans for the 1973-1974, U.S. 30 Highway Project U-  
7 724 (20). ; thence North 79 deg. 22 min. 49 sec. West, a distance of 50.95 feet;  
8 thence North 00 deg. 28 min. 25 sec. West, a distance of 25.00 feet; thence North 80  
9 deg. 23 min. 16 sec. West, a distance of 18.00 feet to the POINT OF BEGINNING;  
10 Thence North 81 deg. 56 min. 36 sec. West a distance of 97.17 feet; thence South 87  
11 deg. 19 min. 18 sec. West, a distance of 36.22 feet to a point on the West line of the  
12 remaining lands of Carl W. Ritchie in Document #87-039698; thence North 00 deg.  
13 28 min. 25 sec. West, a distance of 46.46 feet; thence North 89 deg. 18 min. 00 sec.  
14 East, a distance of 132.28 feet to a point on the West line of the above described 1.75  
15 Acre tract; thence South 00 deg. 28 min. 25 sec. East, a distance of 60.00 feet to the  
16 POINT OF BEGINNING.

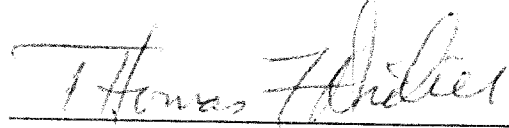
17  
18  
19 **Together With:**

20 Part of the West Half of the Southeast Quarter of Section 21, Township 31 North,  
21 Range 12 East of the Second Principal Meridian, Washington Township in Allen  
22 County, Indiana, more particularly described as follows:

23 Commencing as an iron pipe found as the Northwest corner of Lot number 151 in  
24 Lincolndale Addition to the City of Fort Wayne; thence South 00 degrees 54 minutes  
25 17 seconds West, (assumed bearing and basis of bearings to follow), a distance of  
26 214.25 feet along the West line of said Lot 151 to the South line of said Lincolndale  
27 Addition; thence North 89 degrees 47 minutes 00 Seconds East, a distance of 426.13  
28 feet to a 5/8" steel rebar found on the East line existing 2.749 acre tract described in  
29 Document Number 970064152 in the Office of the Recorder of Allen County,  
30 Indiana, said point also being the POINT OF BEGINNING of the herein described  
tract; thence continuing North 89 degrees 47 minutes 00 seconds East, a distance of  
274.30 feet along said South line to a point, said point being referenced by an I-  
Beam found 0.30 feet North; thence South 00 degrees 13 minutes 11 seconds West, a  
distance of 926.94 feet to 1/2" steel rebar found on the North right-of-way line of  
Frontage Road; thence South 87 degrees 56 minutes 16 seconds West, a distance of  
262.36 feet along said North right-of-way line to a 5/8" steel rebar set on the East  
line of said existing tract described in Document Number 970064152 in the Office of  
the Recorder of Allen County, Indiana; thence North 00 degrees 32 minutes 48  
seconds West, a distance of 935.27 feet along said East line to the Point of  
Beginning. Containing 5.730 Acres, more or less. Subject to easements of record.

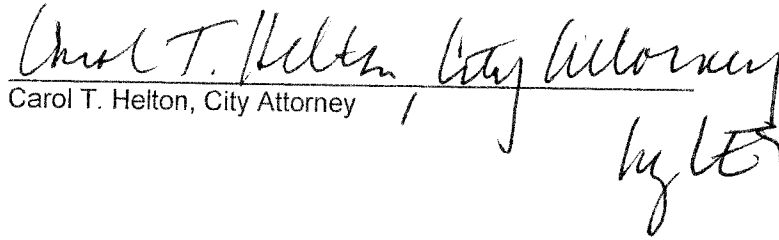
and the symbols of the City of Fort Wayne Zoning Map No. I-30 (Sec. 21 of Washington  
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
Wayne, Indiana is hereby changed accordingly.

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



Council Member

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6 APPROVED AS TO FORM AND LEGALITY:

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8 Carol T. Helton, City Attorney  
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City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2014-0028  
Bill Number: Z-14-03-17  
Council District: 3 – Tom Didier

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Introduction Date: March 25, 2014

Plan Commission  
Public Hearing Date: April 7, 2014

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

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Synopsis of Ordinance: To rezone approximately 9.7 acres of property from CM4-Intensive  
Commercial and IN3-Heavy Industrial to IN2-General Industrial

Location: 2808 West Coliseum

Reason for Request: To bring the entire site into consistent zoning and to allow the outside storage  
of construction materials for existing businesses (Geiger Excavating and  
Vision IV Construction).

Applicant: Summit City Real Estate, LLC

Property Owner: Summit City Real Estate, LLC

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Related Petitions: none

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Effect of Passage: Property will be rezoned to IN2-General Industrial to allow the existing  
business to have outdoor storage.

Effect of Non-Passage: The property will remain zoned CM4 and IN3 and the business will need to  
store related materials on the IN3 portion of the site or indoors, which may  
affect the usefulness of this site.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Summit City Real Estate LLC  
 Address 811 Airport North Office Park  
 City Ft WAYNE State IN Zip 46805  
 Telephone 417-688 Fax 459-6034 E-mail NA

**Property Ownership**  
 Property Owner Summit City Real Estate LLC  
 Address 811 Airport North Office Park  
 City Ft WAYNE State IN Zip 46805  
 Telephone \_\_\_\_\_ Fax 459-6034 E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Chuck Jordan  
 Address 815 Airport North Office Park  
 City Ft WAYNE State IN Zip 46805  
 Telephone 360-417-1006 Fax 459-6034 E-mail \_\_\_\_\_

*All staff correspondence will be sent only to the designated contact person.  
 C.JORDAN@DISIGN4CONSTRUCTION.COM*

**Request**  
 Allen County Planning Jurisdiction  City of Fort Wayne Planning Jurisdiction  
 Address of the property 2808 West Coliseum  
 Present Zoning M1 Proposed Zoning N2 Acreage to be rezoned 9.727  
 Proposed density NA units per acre  
 Township name Washington Township section # 2i  
 Purpose of rezoning (attach additional page if necessary) to utilize the property for outside storage of construction related materials  
 Sewer provider Ft WAYNE Water provider Ft WAYNE

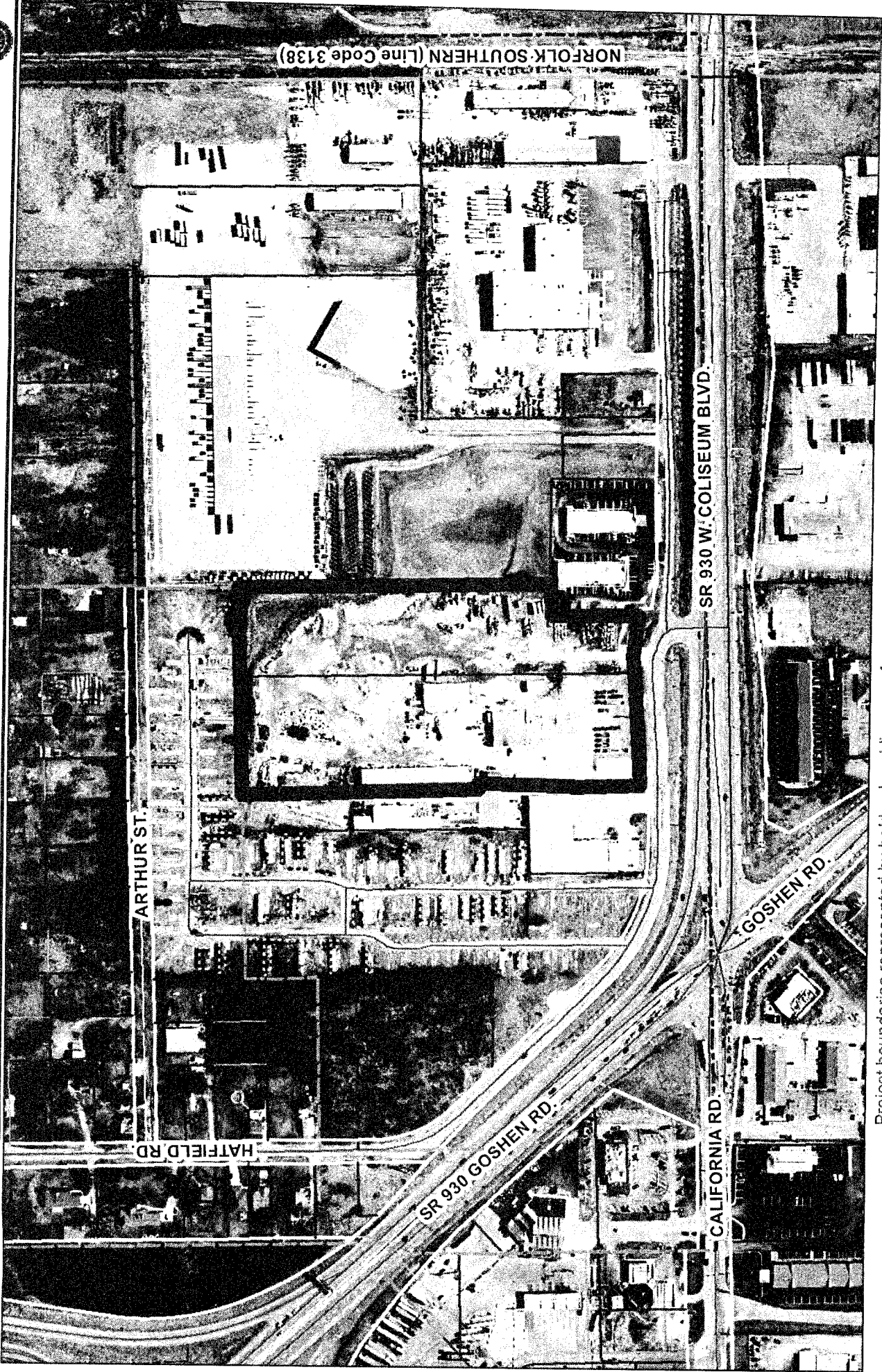
**Filing Requirements**  
*Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.*  
 Applicable filing fee  
 Applicable number of surveys showing area to 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.

JAY GELER (printed name of applicant) Jay Geler (signature of applicant) 1/13/2014 (date)  
JAY GELER (printed name of property owner) Jay Geler (signature of property owner) 1/13/2014 (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. |
|-----------|-------------|--------------|--------------|
| 2/27/2014 | 114171      | 4/7/14       | REZ-2014-028 |

Rezoning Petition REZ-2014-0028

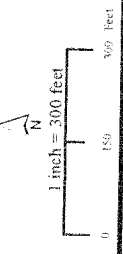


Project boundaries represented by bold colored lines are for representational purposes only.

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Photos and Contours, Spring 2009

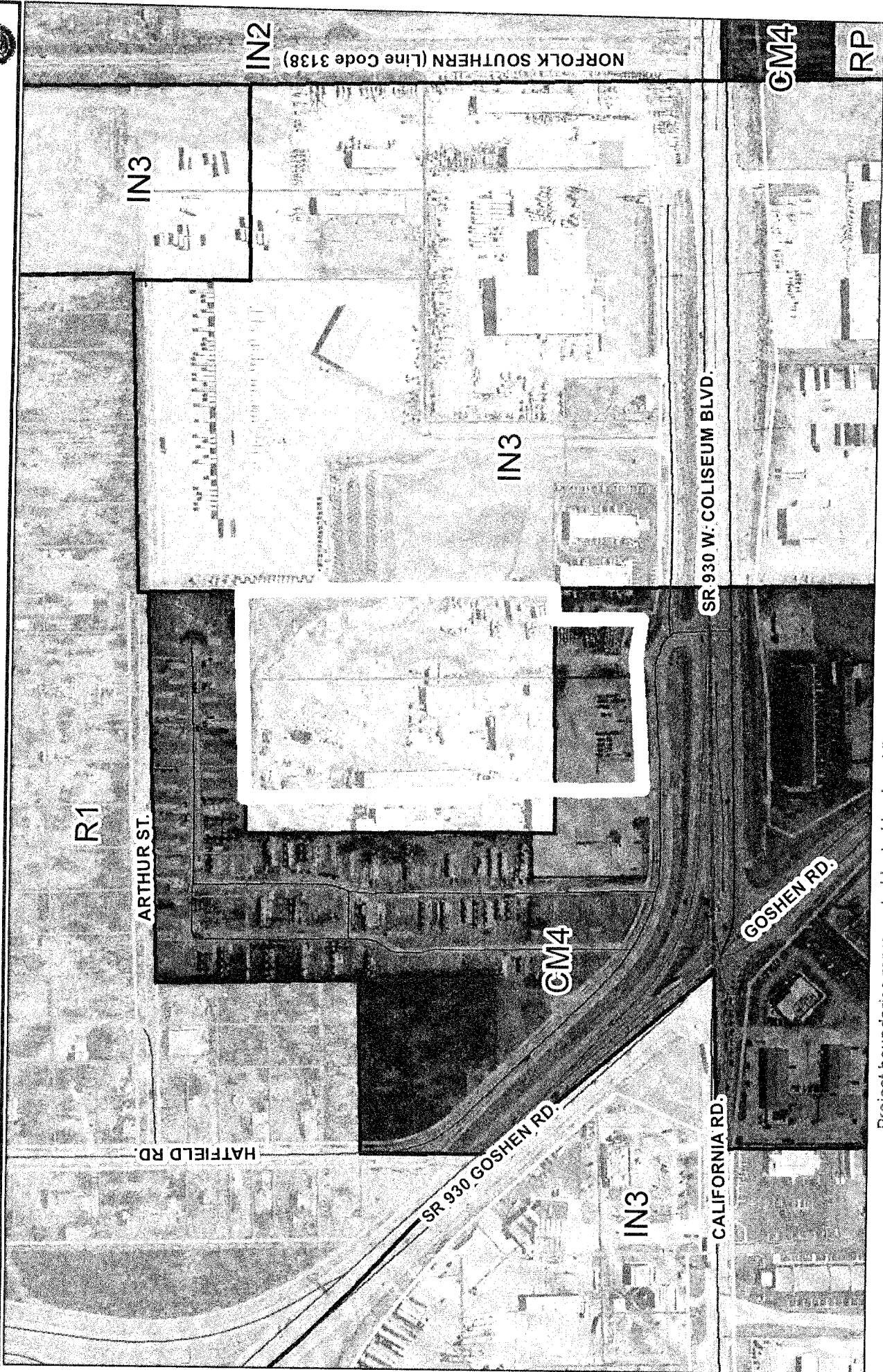
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Date: 3/14/2014





Rezoning Petition REZ-2014-0028

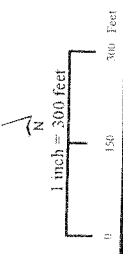


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 Photos and Contours Spring 2009

Date: 3/14/2014



Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman Tom Didier

Read the second time by title and referred to the Regulations

Committee. Read the third time in full and on motion by Councilman Didier, 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>1</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: 5-13-14 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. 2-18-14 on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

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

Martin A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14<sup>th</sup> day  
of May, 2014, at the hour of 4:00 o'clock P.M. E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15<sup>th</sup> day of MAY  
2014, at the hour of 2:00 o'clock P.M. E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

