

1 #REZ-2015-0036

2 BILL NO. Z-15-09-01

3 ZONING MAP ORDINANCE NO. Z- 17-15

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. V-18 (Sec. 34 of Saint Joseph 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 C1

9 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
10 of the Code of the City of Fort Wayne, Indiana:

11 A tract of land located within the fractional Northwest Quarter of Section 34,
12 Township 31 North, Range 13 East, Allen County, Indiana, more particularly
13 described as follows:

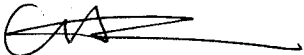
14 Commencing at the Northwest corner of the Northwest Quarter of Section 34,
15 Township 31 North, Range 13 East, Allen County, Indiana; thence South 00 degrees
16 46 minutes West, 708.35 feet; thence South 89 degrees, 14 minutes East, 792.21 feet;
17 thence South 35 degrees 27 minutes East 342.92 feet to the Point of Beginning for
18 the tract herein described; thence North 54 degrees 31 minutes East 200 feet to the
19 West Right-of-Way line of Simcoe Drive; thence South 35 degrees 27 minutes East
20 along the West Right-of-Way line of Simcoe Drive 200 feet to the centerline of East
21 State Boulevard; thence South 54 degrees 31 minutes West along said centerline 200
22 feet; thence North 35 degrees 27 minutes West 200 feet to the Point of Beginning
23 containing 0.92 acres, more or less subject to road rights-of-way and easements.

24 and the symbols of the City of Fort Wayne Zoning Map No. V-18 (Sec. 34 of Saint Joseph
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-2015-0036
Bill Number: Z-15-09-01
Council District: 1-Tom Smith

Introduction Date: September 8, 2015

Plan Commission
Public Hearing Date: September 14, 2015

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

Synopsis of Ordinance: To rezone approximately 0.92 acres of property from R3-Multiple Family
Residential to C1-Professional Office and Personal Services

Location: 6633 East State Boulevard.

Reason for Request: To bring the zoning of the property into compliance with the existing
office use.

Applicant: Ron Kohart

Property Owner: Ron Kohart

Related Petitions: none

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal
Services zoning district which will allow the existing office uses. The
building has housed a retail or office use since its construction.

Effect of Non-Passage: The property will remain zoned for multiple family development, which
does not match the current and historical use of the property. The
existing office building is permitted through a Board of Zoning Appeals
approval.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant 6633 E. STATE, LLC
 Address 2311 FOREST GLADE
 City FORT WAYNE State IN Zip 46845
 Telephone 260.433.7007 E-mail RONKOHART@GMAIL.COM

Contact Person
 Contact Person RON KOHART
 Address 2311 FOREST GLADE
 City FORT WAYNE State IN Zip 46845
 Telephone 260.433.7007 E-mail RONKOHART@GMAIL.COM

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 6633 E. STATE BLVD
 Present Zoning R-3 Proposed Zoning C-1 Acreage to be rezoned .92
 Proposed density _____ units per acre
 Township name ST. JOSEPH Township section # 34
 Purpose of rezoning (attach additional page if necessary) To bring the property into conformity with it's use.
 Sewer provider YES Water provider YES

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

- Filing 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.

RONALD KOHART Donald Kohart 7/24/2015
 (printed name of applicant) (signature of applicant) (date)

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

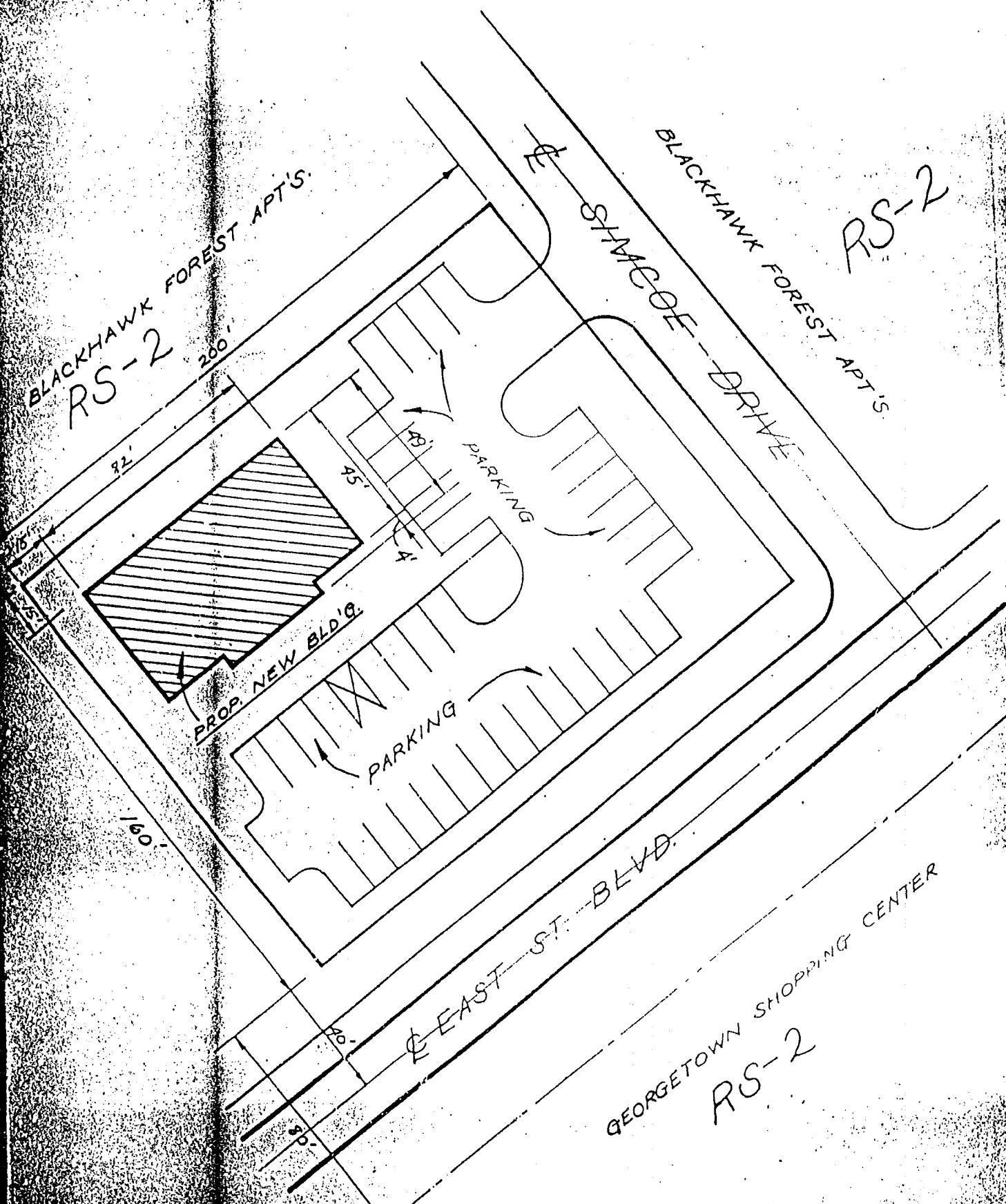
 (printed name of property owner) (signature of property owner) (date)

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

Received	Receipt No.	Hearing Date	Petition No.
7/24/15	118504	9/14/2015	REZ-2015-0036

BLACKHAWK FOREST APT'S.
RS-2

BLACKHAWK FOREST APT'S.
RS-2



GEORGETOWN SHOPPING CENTER
RS-2



CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: A tract of land located within the fractional Northwest Quarter of Section 34, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

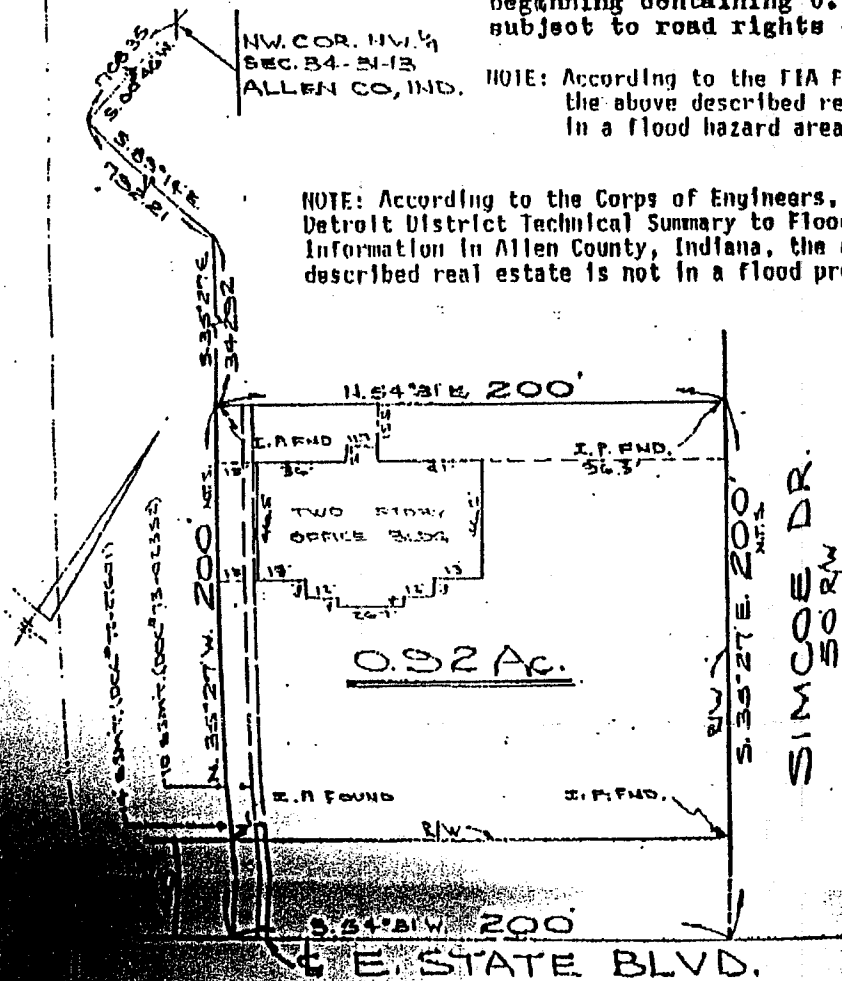
Commencing at the northwest corner of the Northwest Quarter of Sec. 34 Township 31 North, Range 13 East, Allen County, Indiana; thence south 00 deg. 46 min. west, 708.35 feet; thence south 89 deg. 14 min. E. 792.21 feet; thence south 35 deg. 27 min. east 342.92 feet to the point of beginning for the tract herein described; thence north 54 deg. 31 min. east 200 feet to the west right of way line of Simcoe Drive; thence south 35 deg. 27 min. east along the west right of way line of Simcoe Drive 200 feet to the centerline of East State Boulevard; thence south 54 deg. 31 min. west along said centerline, 200 feet; thence north 35 deg. 27 min. west, 200 feet to the point of beginning containing 0.92 acres, more or less subject to road rights of way and easements.

NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is not located in a flood hazard area.

NOTE: According to the Corps of Engineers, U.S. Army's Detroit District Technical Summary to Flood Plain Information in Allen County, Indiana, the above described real estate is not in a flood prone area.

NOTE: Property described in Document #72-24014 does not conflict with the above described real estate.

Easement described in Document #72-27603 do not affect the above real estate.

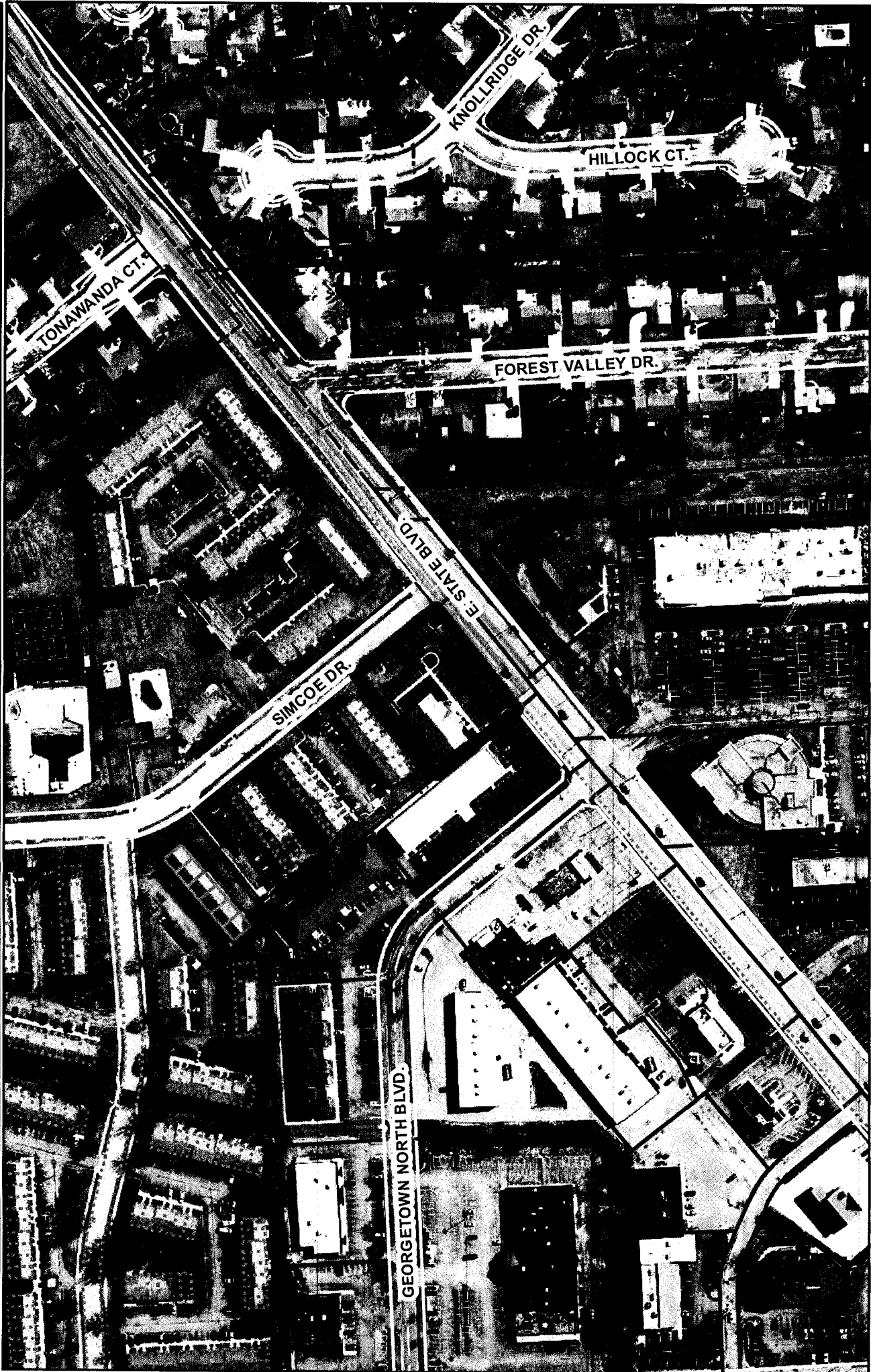


CERTIFIED 11-16-81
CERTIFIED 11-24-75
FOR SHIVE-HOWARD-DALACA CO

1.00
7.7.72
REV. 5.92
REV. 11.24.75
REV. 11.24.75



Rezoning Petition REZ-2015-0036

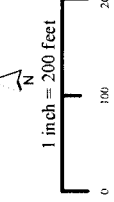


Project boundaries represented by bold colored lines are for representational purposes only.

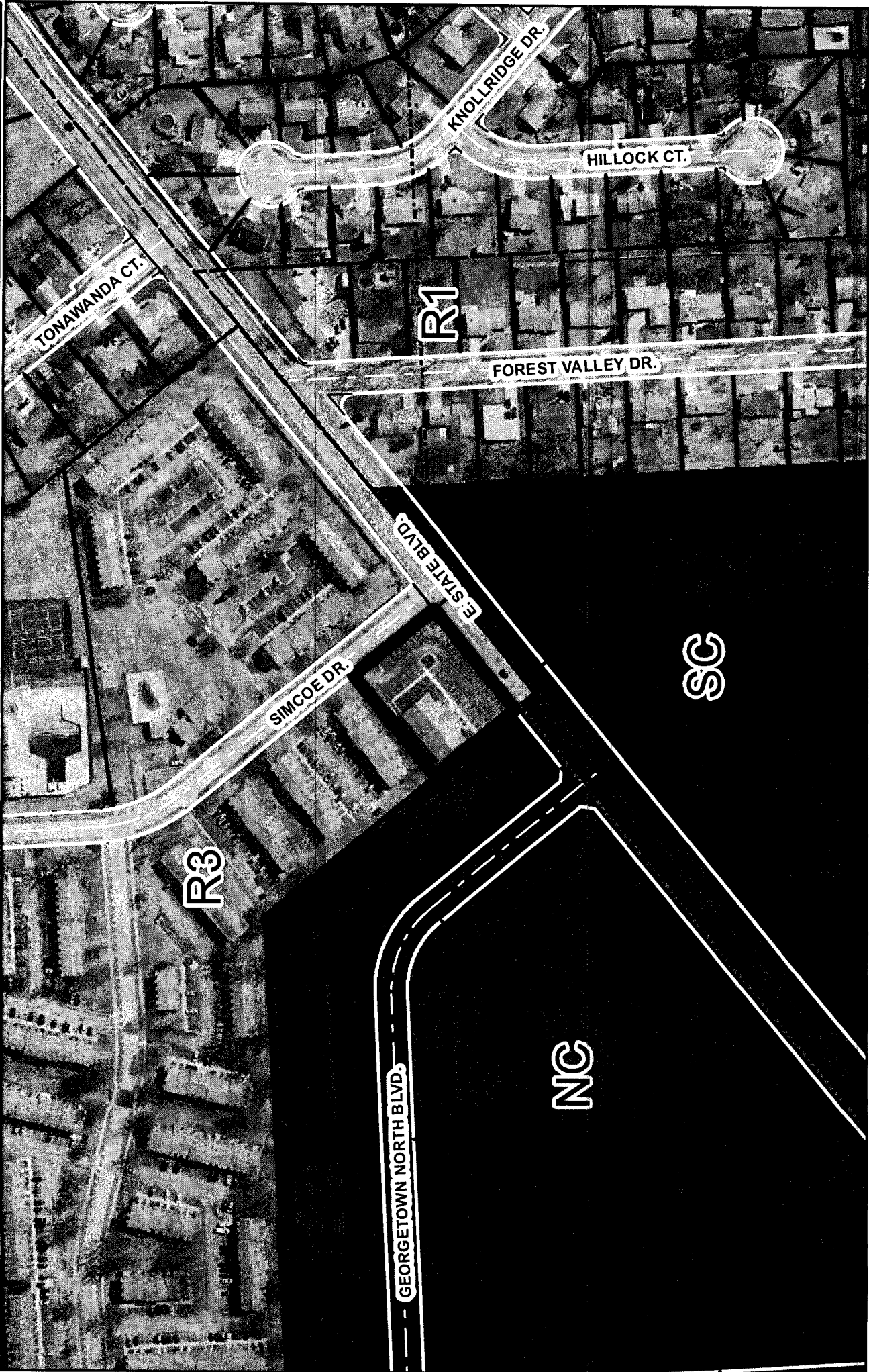
© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System - Indiana East
 Photos and Contours: Spring 2009

Although street 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.

Date: 8/25/2015



Rezoning Petition REZ-2015-0036

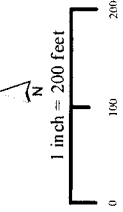


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© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photobase Contours: Spring 2009

Date: 8/25/2015



Public Hearing Date, if applicable 10-13-15

Read the first time in full and on motion by Councilman Glynn Hines

Read the second time by title and referred to the Regulations

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

Glynn 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>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: 10-13-15 Angela K Davis
ANGELA K. DAVIS, DEPUTY 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. 2-17-15 on the 13th day of
October, 2015

Angela K Davis ATTEST:
ANGELA K. DAVIS,
DEPUTY CITY CLERK

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day
of October, 2015, at the hour of 9:30 o'clock AM E.S.T.

Angela K Davis
ANGELA K. DAVIS, DEPUTY CITY CLERK

Approved and signed by me this 16th day of OCTOBER
2015, at the hour of 11:30 o'clock AM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-15-09-01

REPORT OF COMMITTEE ON REGULATIONS

October 13, 2015

*Glynn Hines, Chair
Mitch Harper, Co-Chair
All Council Members*

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. V-18 (Sec. 34 of Saint Joseph Township. The location is 6633 East State Boulevard. **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

<i>Glynn Hines</i>	_____	_____	_____
<i>Martin A. Bunde</i>	_____	_____	_____
<i>John W. Campbell</i>	_____	_____	_____
<i>M. Harper</i>	_____	_____	_____
<i>Thomas A. Baker</i>	_____	_____	_____
<i>V. Justice</i>	_____	_____	_____
<i>Ray Bell</i>	_____	<i>RA</i>	_____
_____	_____	_____	_____
_____	_____	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**