

1 #REZ-2015-0043

2 BILL NO. Z-15-09-14

3 ZONING MAP ORDINANCE NO. Z-21-15

4 AN ORDINANCE amending the City of Fort Wayne  
5 Zoning Map No. S-10 (Sec. 5 of Adams 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 C2 (Limited  
9 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
10 Wayne, Indiana:

11 Lot Number 3 in Curdes Homewood Acres, to the City of Fort Wayne, Allen  
12 County, Indiana, as recorded in Plat Record 8, page 46, now vacated under  
13 Resolution of Vacation approved by the City of Fort Wayne Plan Commission on  
14 July 24, 2000 and recorded on September 5, 2000 as Document No. 200054392,  
15 located in the Northeast Quarter of Section 5, Township 30 North, Range 13 East,  
16 Fort Wayne, Indiana.

17 EXCEPT the following:

18 Part of Lot Number 3 in Curdes Homewood Acres Addition to the City of Fort  
19 Wayne, Allen County, Indiana, as recorded in Plat Book 8, page 46 in the Office of  
20 the Recorder of Allen County, Indiana.

21 Beginning at the Northeast corner of Lot Number 3 Curdes Homewood Acres  
22 Addition; thence South along the East line of said Lot Number 3, a distance of 25  
23 feet; thence West parallel to the North line of Lots Numbered 3 and 4, a distance of  
24 261 feet to the West line of Lot Number 4, Curdes Homewood Acres Addition;  
25 thence North along the West line of said Lot Number 4, a distance of 25 feet to the  
26 Northwest corner of Lot Number 4, Curdes Homewood Acres Addition; thence East  
27 along the North line of Lot Number 4 and Lot Number 3, a distance of 261 feet to the  
28 Point of Beginning and containing 6525 square feet, more or less.

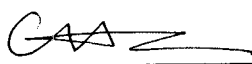
29 and the symbols of the City of Fort Wayne Zoning Map No. S-10 (Sec. 5 of Adams  
30 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
Wayne, Indiana is hereby changed accordingly.

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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**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2015-0043  
Bill Number: Z-15-09-14  
Council District: 1-Tom Smith

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Introduction Date: September 22, 2015

Plan Commission  
Public Hearing Date: October 12, 2015

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

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Synopsis of Ordinance: To rezone approximately 0.67 acres of property from R3-Multiple Family  
Residential to C2-Limited Commercial

Location: 4306-4312 Lake Avenue

Reason for Request: To use the existing commercial structure for a sign design, sales and  
printing business.

Applicant: Greg Boley

Property Owner: Greg Boley

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Related Petitions: none

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Effect of Passage: Property is being purchased to relocate an existing sign business to the  
existing commercial structure.

Effect of Non-Passage: The property will remain zoned for multiple family development and  
further use of the commercial structure may require additional approval  
from the Board of Zoning Appeals.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant GREG BOLEY  
 Address P.O. BOX 152 CONVOY OH.  
 City CONVOY State OHIO Zip 45832  
 Telephone 260-450-1756 E-mail signsintime.nc@frontier.com

**Contact Person**  
 Contact Person SAME AS ABOVE  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ 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 4306-4312 LAK AVENUE  
 Present Zoning R-3 Proposed Zoning C-2 Acreage to be rezoned 1.82 +/-  
 Proposed density \_\_\_\_\_ units per acre  
 Township name Wayne Township section # \_\_\_\_\_  
 Purpose of rezoning (attach additional page if necessary) \_\_\_\_\_  
 Sewer provider City Water provider City

**Filing Requirements**  
*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.*

- 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.

GREGORY A. BOLEY (printed name of applicant) [Signature] (signature of applicant) 9-1-15 (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 <u>9/1/15</u>	Receipt No. <u>118905</u>	Hearing Date <u>10/12/15</u>	Petition No. <u>REZ-2015-0043</u>
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**EXHIBIT "A"**

**Legal Description**

Lot Number 3 in Curdes Homewood Acres, to the City of Fort Wayne, Allen County, Indiana, as recorded in Plat Record 8, page 46, now vacated under Resolution of Vacation approved by the City of Fort Wayne Plan Commission on July 24, 2000 and recorded on September 5, 2000 as Document No. 200054392, located in the Northeast Quarter on Section 5, Township 30 North, Range 13 East, Fort Wayne, Indiana.

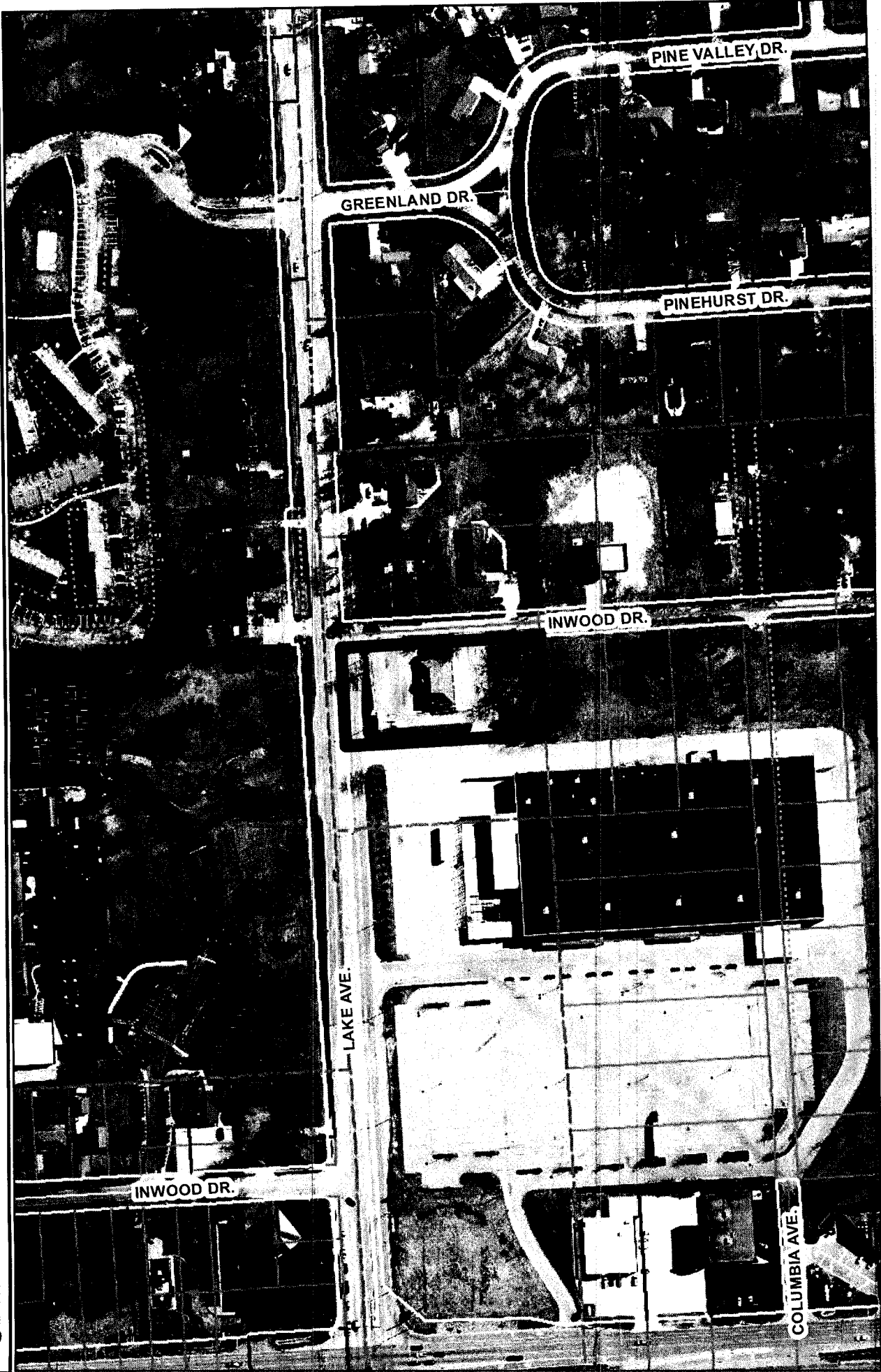
**EXCEPT THE FOLLOWING:**

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BEGINNING at the Northeast corner of Lot Number 3 Curdes Homewood Acres Addition; thence South along the East line of said Lot Number 3, a distance of 25 feet; thence West parallel to the North line of Lots Numbered 3 and 4, a distance of 261 feet to the West line of Lot Number 4 Curdes Homewood Acres Addition; thence North along the West line of said Lot Number 4, a distance of 25 feet to the Northwest corner of Lot Number 4, Curdes Homewood Acres Addition; thence East along the North line of Lot Number 4 and Lot Number 3, a distance of 261 feet to the Point of Beginning and containing 6525 square feet, more or less.

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Rezoning Petition REZ-2015-0043

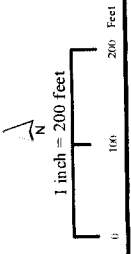


Project boundaries represented by bold colored lines are for representational purposes only.

©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 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.

Date: 9-4-2015



Rezoning Petition REZ-2015-0043

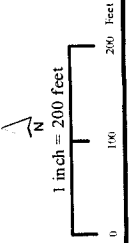


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Date: 9/4/2015



Public Hearing Date, if applicable 10-12-15

Read the first time in full and on motion by Councilman Glynn Hines  
Read the second time by title and referred to the Regulatory

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>9</u>	<u>      </u>	<u>      </u>	<u>      </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: 10-27-15 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. 2-21-15 on the 27<sup>th</sup> 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 28<sup>th</sup> day  
of October, 2015, at the hour of 2:00 o'clock Pm. E.S.T.

Angela K Davis  
ANGELA K. DAVIS, DEPUTY CITY CLERK

Approved and signed by me this 28<sup>th</sup> day of October  
2015, at the hour of 4:30 o'clock Pm. E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

**BILL NO. Z-15-09-14**

**REPORT OF COMMITTEE ON REGULATIONS**

**October 27, 2015**

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


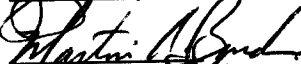




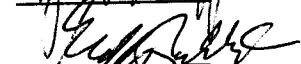

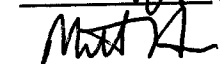
**AN ORDINANCE** amending the City of Fort Wayne Zoning Map No. S-10 (Sec. 5 of Adams Township). The location is 4306 - 4312 Lake Avenue. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

**DO PASS**

**DO NOT PASS**

**ABSTAIN**

**NO REC**

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