

1 #REZ-2015-0050

2 BILL NO. Z-15-10-14

3 ZONING MAP ORDINANCE NO. Z-25-15

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. J-58 (Sec. 3 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 AR (Low
9 Intensity Residential) District under the terms of Chapter 157 Title XV of the Code of the City
10 of Fort Wayne, Indiana:

11 The East 10 acres of the Southwest Quarter of the Northwest Quarter of Section 3 in
12 Township 31 North, Range 12 East in Allen County, Indiana.

13 and the symbols of the City of Fort Wayne Zoning Map No. J-58 (Sec. 3 of Washington
14 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
15 Wayne, Indiana is hereby changed accordingly.

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

18 
19 _____
20 Council Member

21 APPROVED AS TO FORM AND LEGALITY:

22 
23 _____
24 Carol T. Helton, City Attorney
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City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2015-0050
Bill Number: Z-15-10-14
Council District: 3-Tom Didier

Introduction Date: October 27, 2015

Plan Commission
Public Hearing Date: November 9, 2015

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

Synopsis of Ordinance: To rezone approximately 10.0 acres of property from R1-Single Family Residential to AR-Low Intensity Residential

Location: 2010 West Till

Reason for Request: To downzone the property for agricultural uses.

Applicant: Thomas J. Kline

Property Owner: Thomas J. Kline

Related Petitions: none

Effect of Passage: Property will be downzoned the AR-Low Intensity Residential zoning district which will continue to allow single family residential uses but which will also allow all the permitted agricultural uses in the AR district.

Effect of Non-Passage: The property will remain zoned for single family development.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Thomas J. Kline
 Address 2010 West Till Road
 City Fort Wayne State IN Zip 46818
 Telephone 260 489-5639 Fax _____ E-mail theklines777@yahoo.com

Property Ownership
 Property Owner Thomas J. Kline and Nancy V. Kline
 Address 2010 West Till Road
 City Fort Wayne State IN Zip 46818
 Telephone 260 489-5639 Fax _____ E-mail theklines777@yahoo.com

Contact Person
 Contact Person Thomas J. Kline
 Address 2010 West Till Road
 City Fort Wayne State IN Zip 46818
 Telephone 260 489-5639 Fax _____ E-mail theklines777@yahoo.com


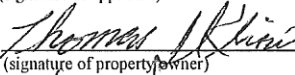
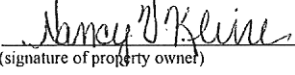
All staff correspondence will be sent only to the designated contact person.

Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 2010 West Till Road
 Present Zoning R1 Proposed Zoning AR Acreage to be rezoned 10
 Proposed density N/A units per acre
 Township name Washington Township section # 3 of 31 North
 Purpose of rezoning (attach additional page if necessary) to allow livestock

 Sewer provider N/A - (septic) Water provider City of 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.

<u>Thoms J. Kline</u> (printed name of applicant)	<u></u> (signature of applicant)	<u>09-30-2015</u> (date)
<u>Thomas J. Kline</u> (printed name of property owner)	<u></u> (signature of property owner)	<u>09-30-2015</u> (date)
<u>Nancy V. Kline</u> (printed name of property owner)	<u></u> (signature of property owner)	<u>09-30-2015</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>9/20/15</u>	Receipt No. <u>119161</u>	Hearing Date <u>11/9/15</u>	Petition No. <u>REZ-2015-0050</u>
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CERTIFICATE OF SURVEY

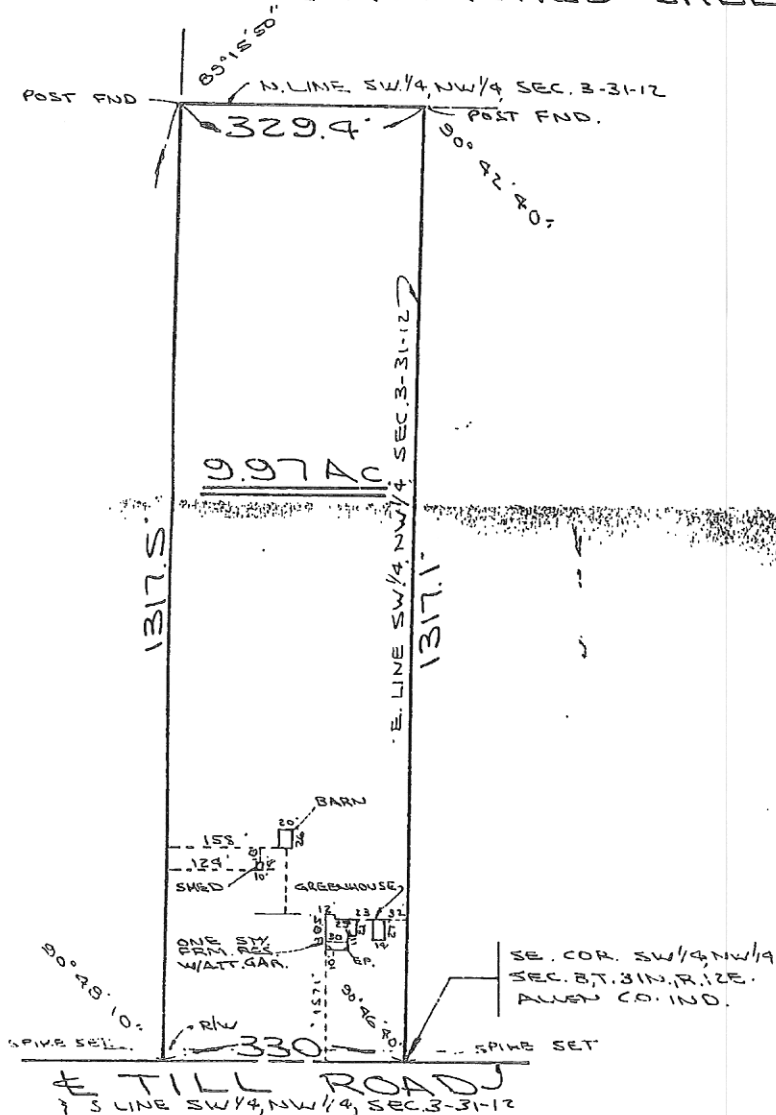
OFFICE OF:

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.

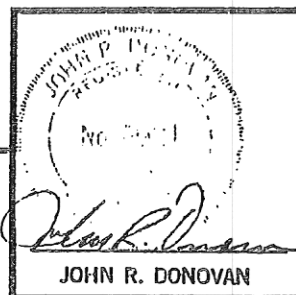
The description of the real estate is as follows, to wit: **SEE ATTACHED SHEET!**



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

JOB FOR: MONTALONE

1" = 200'
 10-31-78



File No.: 200612594

EXHIBIT A

The East 10 acres of the Southwest Quarter of the Northwest Quarter of Section 3 in Township 31 North, Range 12 East in Allen County, Indiana.



Rezoning Petition REZ-2015-0050

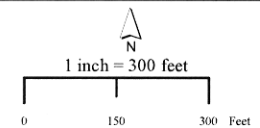


Project boundaries represented by bold colored lines are for representational purposes only.

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.

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

Date: 10/21/2015





Rezoning Petition REZ-2015-0050

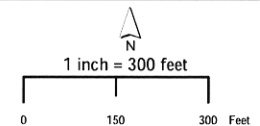


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Date: 10/21/2015



Public Hearing Date, if applicable 11-9-15

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

Read the second time by title and referred to the Reg. Nations

Committee. Read the third time in full and on motion by Councilman Martin Bender, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u> </u>	<u> </u>	<u>2</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>
SHOAF	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SMITH	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 11-24-15 Michelle D. Chambers
MICHELLE D. CHAMBERS, 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. Z-25-15 on the 24th day of
November, 2015

ATTEST: Michelle D. Chambers John N. Crawford
MICHELLE D. CHAMBERS, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30th day
of November, 2015, at the hour of 12:00 o'clock P.M. E.S.T.

Michelle D. Chambers
MICHELLE D. CHAMBERS, CITY CLERK

Approved and signed by me this 1st day of December
2015, at the hour of 4:00 O'clock PM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-15-10-14

REPORT OF COMMITTEE ON REGULATIONS

November 24, 2015

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

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-58 (Sec. 3 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

<i>Martin B. C.</i>	_____	_____	_____
<i>John W. Crawford</i>	_____	_____	_____
<i>Mitch H.</i>	_____	_____	_____
<i>T. Hines</i>	_____	_____	_____
<i>T. Harper</i>	_____	_____	_____
<i>Glynn Hines</i>	_____	_____	_____
<i>Paul J. ...</i>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

MICHELLE D. CHAMBERS
CITY CLERK *Michelle D. Chambers*