

1 #REZ-2016-0033

2 BILL NO. Z-16-08-16

3 ZONING MAP ORDINANCE NO. Z-16-16

4 AN ORDINANCE amending the City of Fort Wayne  
5 Zoning Map No. O-07 (Sec. 13 of Wayne 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 a 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 Part of Block 4 and a cul de sac lying within said Block 4 in Anthony Wayne Village  
12 Subdivision in the City of Fort Wayne, Indiana, recorded in Plat Record 16, page 136  
13 and 137 and found in the Office of the Recorder of Allen County, Indiana, more  
particularly described as follows:

14 Commencing at a ½ inch rebar at the intersection of the South right of way line of  
15 McKinnie Avenue with the East line of Block 7 in said Anthony Wayne Village, said  
16 point being located 5.00 feet South 01 degrees 50 minutes 01 seconds East of the  
17 Northeast corner of said Block 7; thence South 87 degrees 21 minutes 28 seconds  
18 West, on said South right of way line, 1,275.84 feet; thence South 02 degrees 40  
19 minutes 46 seconds East 166.69 feet to the Point of Beginning; thence continue  
20 South 2 degrees 40 minutes 46 seconds East 189.18; thence South 87 degrees 19  
minutes 14 seconds West 237.64; thence North 2 degrees 40 minutes 46 seconds  
West 189.18; thence North 87 degrees 19 minutes 14 seconds East 237.64 to the  
POINT OF BEGINNING, containing 1.032 acres of land, more or less.

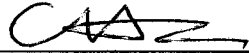
21 and the symbols of the City of Fort Wayne Zoning Map No. O-07 (Sec. 13 of Wayne  
22 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
23 Wayne, Indiana is hereby changed accordingly.

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

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27 Council Member  
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APPROVED AS TO FORM AND LEGALITY:



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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-2016-0033  
Bill Number: Z-16-08-16  
Council District: 6-Glynn Hines

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Introduction Date: August 23, 2016  
Plan Commission  
Public Hearing Date: September 12, 2016 (not heard by Council)  
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: To rezone approximately 1.03 acres of property from R3-Multiple Family Residential to C1-Professional Office and Personal Services.  
Location: 2000 Block of McKinnie Avenue (south side)  
Reason for Request: To allow a childcare center.  
Applicant: BWI Development  
Property Owner: City of Fort Wayne

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Related Petitions: Primary Development Plan, Posterity Scholar House-Phase 1

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Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal Services, which will allow the construction of a childcare center to support the proposed multi-family development.  
Effect of Non-Passage: The property will remain zoned R3-Multiple Family Residential and may development with residential uses.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant BWI Development  
 Address 5902 E. 34th Street  
 City Indianapolis State IN Zip 46218  
 Telephone 317-377-1790 E-mail gary@bwillc.com

**Contact Person**  
 Contact Person Kelli Werner  
 Address 5902 E. 34th Street  
 City Indianapolis State IN Zip 46218  
 Telephone 317-377-1790 E-mail kwerner@bwillc.com

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

*\*\*Please also cc engineer, Brittany Heldenreich, on all technical comments that will need to be addressed.*

**Request**  
 Allen County Planning Jurisdiction  City of Fort Wayne Planning Jurisdiction  
 Address of the property 4209 Plaza Drive  
 Present Zoning R3 Proposed Zoning C1 Acreage to be rezoned TBD  
 Proposed density N/A units per acre  
 Township name Adams Township section # 30N 13E 19  
 Purpose of rezoning (attach additional page if necessary) Proposed child care center  
 Sewer provider Fort Wayne Utilities Water provider Fort Wayne Utilities

**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.

<u>GARY HEDRECH</u> (printed name of applicant)	 (signature of applicant)	<u>8/11/16</u> (date)
<u>GARY HEDRECH</u> (printed name of property owner)	 (signature of property owner)	<u>8/11/16</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>8-2-16</u>	Receipt No.	Hearing Date <u>9-12-16</u>	Petition No. <u>REZ-2016-0033</u>
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**REPORT OF COMMITTEE ON REGULATIONS**

**October 4, 2016**

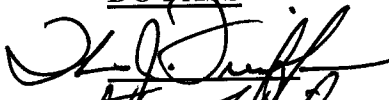
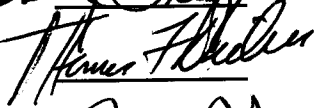
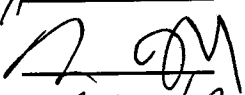
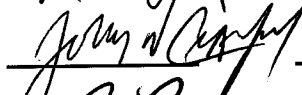
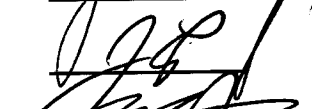
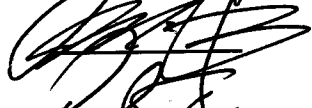
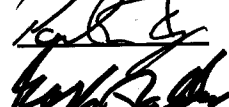
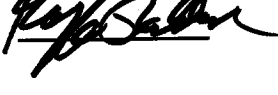
**Tom Freistroffer Chair**

**Tom Didier Co-Chair**

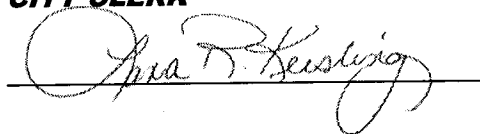
**All Council Members**

An Ordinance amending the City of Fort Wayne Zoning Map No. O-07 (Sec. 13 of Wayne Township) in Anthony Wayne Village Subdivision

~~COMMITTEE ON REGULATIONS~~ **HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
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**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: ~~SEPTEMBER~~ SEPTEMBER 12, 2016

Read the first time in full and on motion by Councilman Freistroffer.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: October 11, 2016

  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-16-08-16 on the 11th day of October, 2016

ATTEST:

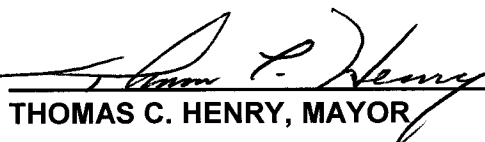
  
LANA R. KEESLING  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of October 2016, at the hour of 3:45 o'clock P.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13<sup>TH</sup> day of OCTOBER 2016, at the hour of 2:00 O'clock PM E.S.T.

  
THOMAS C. HENRY, MAYOR