

1 REZ-2017-0046
2 BILL NO. Z-17-09-07

3 ZONING MAP ORDINANCE NO. Z-2317

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. M-14 (Sec. 35 of Wayne Township)

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

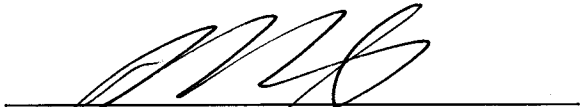
8 SECTION 1. That the area described as follows is hereby designated an I1 (Limited
9 Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 Lot 145, except the East 10 feet thereof, and Lot 146, except the East 10 feet thereof,
12 in Brookview Addition to the City of Fort Wayne, according to the plat thereof,
13 recorded in the Office of the Recorder of Allen County, Indiana

14 and the symbols of the City of Fort Wayne Zoning Map No. M-14 (Sec. 35 of Wayne
15 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
16 Wayne, Indiana is hereby changed accordingly.

17 SECTION 2. If a written commitment is a condition of the Plan Commission's
18 recommendation for the adoption of the rezoning, or if a written commitment is modified and
19 approved by the Common Council as part of the zone map amendment, that written
20 commitment is hereby approved and is hereby incorporated by reference.

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

23 
24 _____
25 Council Member

26 APPROVED AS TO FORM AND LEGALITY:

27 
28 _____
29 Carol T. Helton, City Attorney
30

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant John Petersen
 Address 1520 Shoreview Dr.
 City Fr. Wayne State IN Zip 46819
 Telephone 760.478.9876 Fax same E-mail _____

Property Ownership
 Property Owner John Wood
 Address 2319 W Calisum Blvd
 City Fr. Wayne State IN Zip 46808
 Telephone 260.484.0411 Fax 260.471.0692 E-mail _____

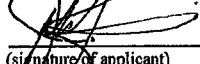
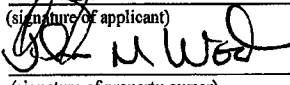
Contact Person
 Contact Person Ann Hatfield
 Address 2711 Vernon Ave
 City Fr. Wayne State IN Zip 46809
 Telephone 260.704.0445 Fax 602.535.3154 E-mail annie@egmenl

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

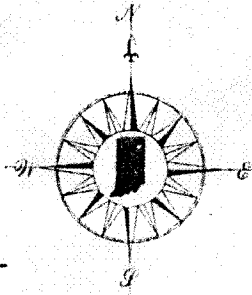
Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 2119 N Cushman
 Present Zoning C3 Proposed Zoning I1 Acreage to be rezoned _____
 Proposed density _____ units per acre
 Township name *Wayne Township section # 35
 Purpose of rezoning (attach additional page if necessary)
to use property for craft distillery
 Sewer provider City Water provider City

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>John Petersen</u> (printed name of applicant)	 (signature of applicant)	<u>9.6.17</u> (date)
<u>John Wood</u> (printed name of property owner)	 (signature of property owner)	<u>9-6-17</u> (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.
9/6/17	125071	10/9/17	PEZ-2017-0046



Gale L. Fansler, L.S., P.C.

Registered Land Surveyor

5410 Hartford Drive

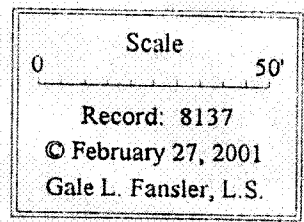
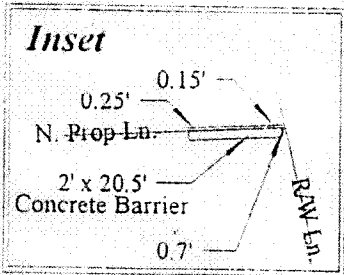
Fort Wayne, Indiana 46835

219-484-2468

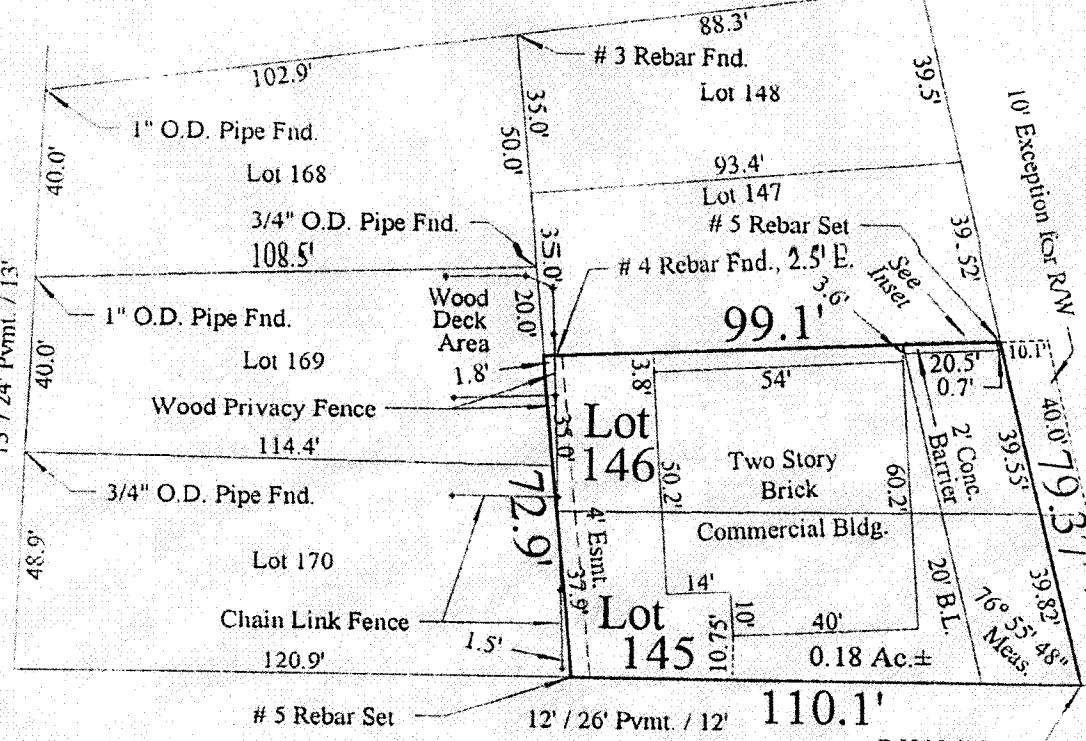
Fax: 485-0935

Record Description: Lot 145, except the East 40 feet thereof; and Lot 146, except the East 10 feet thereof, in Brookview Addition to the City of Fort Wayne. (Instrument R-576, 03-25-83)

Westbrook Drive



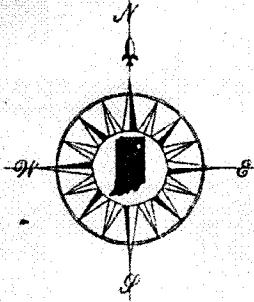
Edgehill Avenue 50' R/W



North Clinton Street

Jacobs Avenue 50' R/W

This survey was performed wholly by me or under my direct supervision.



Gale L. Fansler, L.S., P.C.

Registered Land Surveyor

5410 Hartford Drive

Fort Wayne, Indiana 46835

219-484-2468

Fax: 485-0935

SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Chapter 12, Section 1 through 29 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

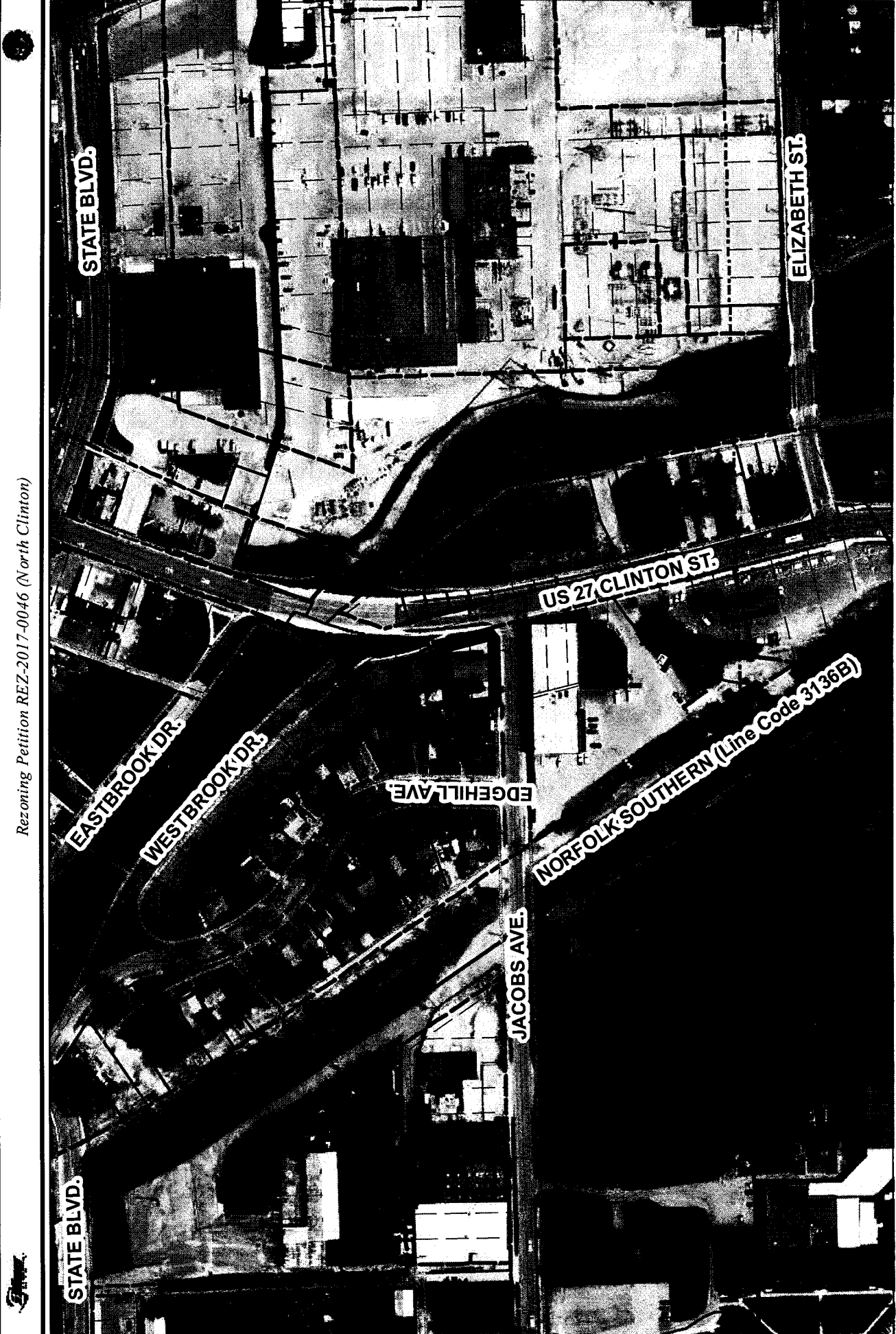
Availability and condition of reference monuments: The controlling monuments of this survey are the platted streets and the existing monuments found in agreement with platted distances. There are no identifiable original monuments. All boundary measurements shown are in agreement with recorded or platted distances unless otherwise noted. All monuments were found in place and are even with the ground unless otherwise noted. Any monuments set (#5 I.P.S.) are 5/8 inch by 24 inch iron rebar and are flush with the ground and are identified with a cap or disk marked "Fansler S-0532". The source of monuments found in place is indicated if identifiable.

Occupation or possession lines: A concrete barrier, as shown, straddles the North property line of Lot 146 of Brookview Addition. This barrier does not set within the right-of-way of North Clinton Street. There are fences, as shown. Part of the wood privacy fence encloses a wood deck. This deck also extends across the West property line. Agreements may exist. There are other lines of occupation (fences) in the area, but the corners of this parcel are not dependent upon those lines of occupation. Encroachments or discrepancies buried or obscured by natural or manmade obstructions may exist.

Clarity or ambiguity of the record descriptions: There are no noted discrepancies in the record description as it relates to the adjoining properties. The record plat and record descriptions are the basis of all angles, bearings and distances unless otherwise noted.

This survey may be required to be recorded in accordance with said code. Any objection to said recording must be given in the form provided by Article 1-12-12, and said written objection must be returned with payment for this survey. According to Article 1-12-7, this survey, based on the theoretical uncertainty, is defined as a Class B Survey (plus or minus 0.25 feet). Based on Indiana Code 25-21.5-1-7, no liability will be assumed for any use of this data for construction of new improvements, unless construction staked under my supervision.

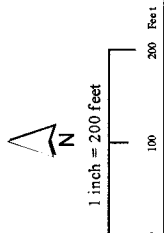
The commitment for title insurance was not provided at the time of this report. An abstract or title search may reveal additional information affecting this property. All documents of record and information from other public sources referred to in this survey are hereby incorporated as a part of this survey as if fully set out. This survey has been performed for the purpose of showing the location of the concrete barrier in reference to the West right-of-way line of North Clinton Street, and is not to be used for other purposes without the written permission of the Copyright owner. Copies of this survey may be used for archival purposes only. This document is not valid without original hand and seal, and full remittance.



Rezoning Petition REZ-2017-0046 (North Clinton)

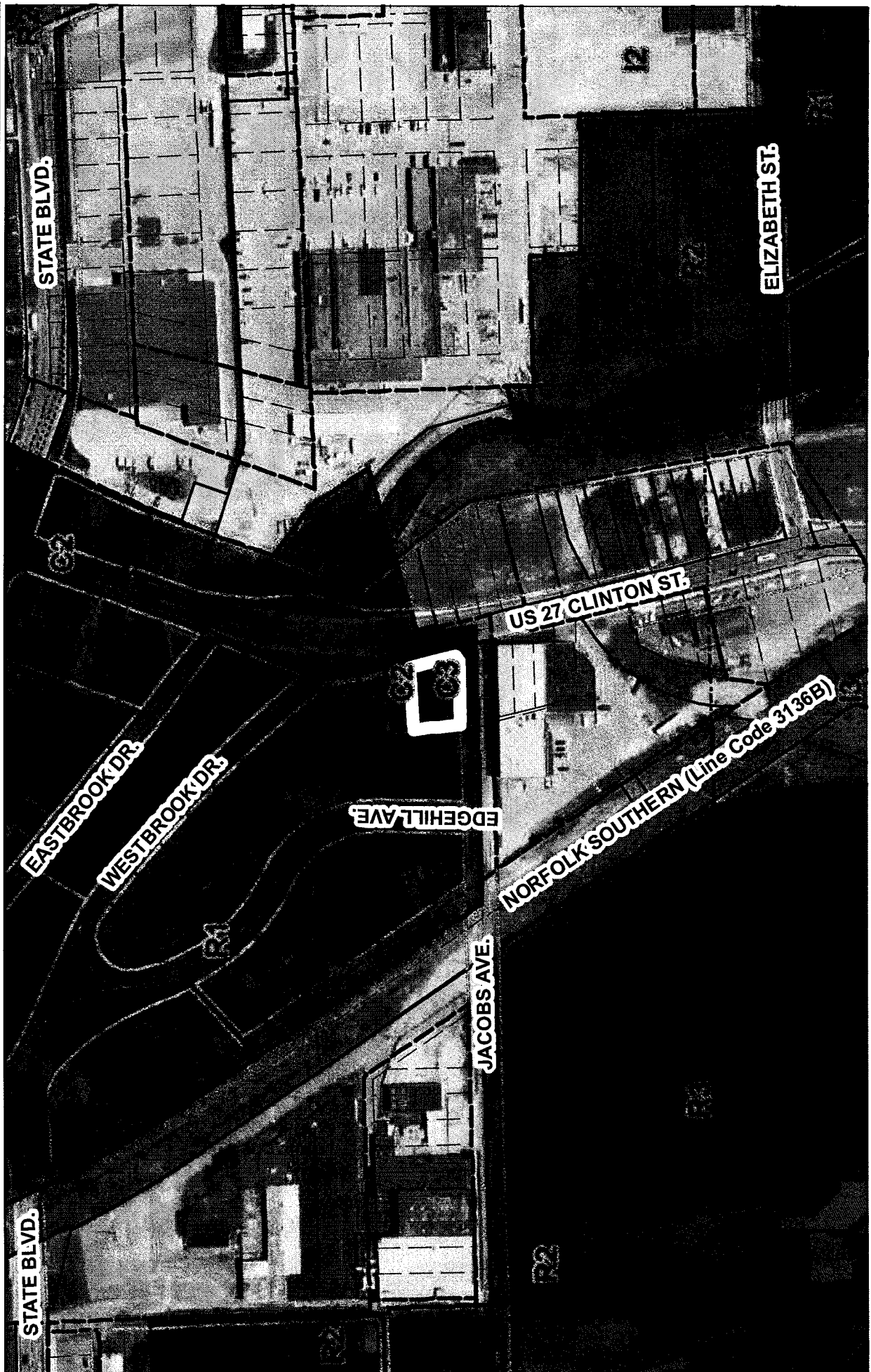
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photo and Contour: Spring 2009
Date: 9/18/2017

Areas depicted with bold lines are for representational purposes only.



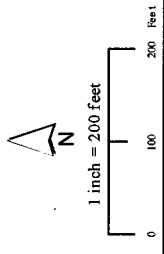


Rezoning Petition REZ-2017-0046 (North Clinton)



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.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
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Page 9/18/2017

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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-2017-0046
Bill Number: Z-17-09-07
Council District: 5-Geoff Paddock

Introduction Date: September 26, 2017

Plan Commission
Public Hearing Date: October 9, 2017 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.17 acres of property from C3-General Commercial
to I1-Limited Industrial

Location: 2119 North Clinton

Reason for Request: To allow the existing commercial building to be utilized as a micro distillery.

Applicant: John Petersen

Property Owners: John Wood

Related Petitions: none

Effect of Passage: Property will be rezoned to the I1-Limited Industrial district which will
allow the existing commercial building to be used as a distillery.

Effect of Non-Passage: The site will remain zoned commercial and the existing commercial building
may be used for those permitted uses in the C3-General Commercial district.
It is currently used for storing tires.

BILL NO. Z-17-09-07

REPORT OF COMMITTEE ON REGULATIONS
November 7, 2017

Michael Barranda Chair

John Crawford Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. M-14 (Sec. 35 of Wayne Township)

Rezone approximately 0.17 acres of property from C3-General Commercial to I1 – Limited Industrial – 2119 North Clinton




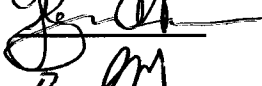



COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

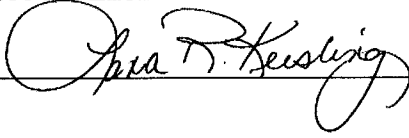
DO NOT PASS

ABSTAIN

NO REC

	_____		_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LANA R. KEESLING
CITY CLERK



Public Hearing Date: October 9, 2017

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

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

Read the third time in full and on motion by Councilman Barranda, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: November 14, 2017



STACY A. REED, DEPUTY CITY CLERK

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

Zoning Ordinance No. Z-17-09-07 on the 14th day of November, 2017

ATTEST:



STACY A. REED
DEPUTY CITY CLERK



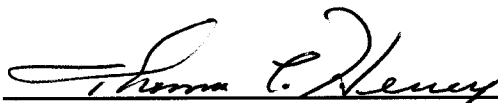
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th
of November 2017, at the hour of 11:25 o'clock A.M. E.S.T.



STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 15th day of November
2017, at the hour of 4:30 O'clock PM E.S.T.



THOMAS C. HENRY, MAYOR