

1 **#REZ-2018-0004**

2 **BILL NO. Z-18-01-14**

3
4 **ZONING MAP ORDINANCE NO. Z-11-18**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. K-46 (Sec. 10 of Washington Township)**

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

10 SECTION 1. That the area described as follows is hereby designated an R2 (Two
11 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
12 of Fort Wayne, Indiana:

13 Lots Numbered 20, 21 and 22 in Rousseau's Suburban Gardens, according to the Plat
14 thereof, recorded in Plat Record 8, Page 92, in the Office of the Recorder of Allen
15 County, Indiana.

16 and the symbols of the City of Fort Wayne Zoning Map No. K-46 (Sec. 10 of Washington
17 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
18 Wayne, Indiana is hereby changed accordingly.


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

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

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5 _____
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

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9 _____
10 Carol T. Helton, City Attorney

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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant MK Construction, Mike Krucina
 Address 1711 Pemberton Dr
 City Fort Wayne State IN Zip 46805
 Telephone (260) 418-2746 E-mail MKrucina@gmail.com

Contact Person
 Contact Person Same
 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 lots 20, 21, 22
 Address of the property 1415 Garden Club Dr., FtW, IN 46825
 Present Zoning R1 Proposed Zoning R2 Acreage to be rezoned 1.03 ac.
 Proposed density _____ units per acre
 Township name Washington Township section # 10
 Purpose of rezoning (attach additional page if necessary) for duplexes
 Sewer provider FW Water provider FW

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 → \$500
- Applicable number of surveys showing area to be rezoned (plans must be folded) > survey
- 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>Michael Krucina</u> (printed name of applicant)	<u>Michael Krucina</u> (signature of applicant)	<u>1/2/18</u> (date)
<u>Ernst IRA/Brian Samuelson</u> (printed name of property owner)	<u>[Signature]</u> (signature of property owner)	<u>1/2/18</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.
<u>1/2/18</u>	<u>125900</u>	<u>2/12/18</u>	<u>REZ-2018-0004</u>



Rezoning Petition REZ-2018-0004 (1415 Garden Club Drive)



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: 1/16/2018



1 inch = 200 feet

0

150

ft

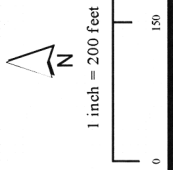


Rezoning Petition REZ-2018-0004 (1415 Garden Club Drive)



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North American Datum 1983
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FACT SHEET

Case #REZ-2018-0004 Bill # Z-18-01-14 Project Start: 23 January 2018

APPLICANT:	MK Construction – Mike Krucina
REQUEST:	To rezone property from R1/Single Family Residential to R2/Two Family Residential to allow for construction of duplexes.
LOCATION:	The site lies on the south side of the 1400 block of Garden Club Drive. The property includes Lots 20-22 of Rousseau’s Suburban Gardens Addition (Section 10 of Washington Township).
LAND AREA:	Approximately 1.1 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	R2/Two Family Residential
COUNCIL DISTRICT:	3-Tom Didier
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

12 February 2018 Public Hearing

- No one spoke at the hearing in favor.
- One neighbor spoke at the hearing with concerns.
- Justin Shurley was absent.

19 February 2018 – Business Meeting

Plan Commission Recommendation: DO PASS

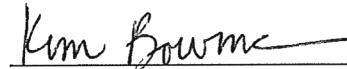
A motion was made by Shan Gunawardena and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

7-0 MOTION PASSED

- Rachel Tobin-Smith and Justin Shurley were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
7 March 2018

Reviewed by:



Kimberly R. Bowman
Executive Land Use Director

PROJECT SUMMARY

SITE HISTORY

- The site previously had one home, which was demolished within the past 5 years.

STAFF DISCUSSION:

The petitioner Mike Krucina, MK Construction, wishes to rezone three residential lots on Garden Club Drive in order to construct three duplex structures. Garden Club Drive extends from Lima Road, north of and parallel to Cook Road. It is a low intensity residential street that dead ends west of Woodbine Avenue. Fourteen of the twenty-nine lots are currently vacant. Three lots at the east end are developed as a landscape construction material yard, and the four lots at the west end are developed with a commercial flooring business. The proposal to redevelop these vacant lots by constructing duplex housing units can be considered in compliance with the following goals of strategies of the Comprehensive Plan:

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU6. Encourage carefully planned sustainable growth and coordinated development by encouraging mixed land uses.

LU6.C Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.

LU6.D Support carefully planned, coordinated, compatible mixed-use development.

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

PUBLIC HEARING SUMMARY:

Presenter: Mike Krucina, MK Construction, presented the proposal to the Plan Commission, providing information as outlined above. He stated that the owners have received no interest in redevelopment of the vacant lots with single family homes. The duplex units will be professionally maintained with landscaping and snow removal. The lots are 75 feet wide and 200 feet deep, which is more than sufficient for a duplex building.

Comments in Favor:

None

Questions or Comments in Opposition:

- Andrew Nagy, West Cook Road, has lived there for 46 years. He worries that building the duplexes will keep the overall area from developing commercially. Also concerned about maintenance, and property values.

Rebuttal:

- The ground has been for sale for 10 years. The development will extend public water and sewer and take the properties off septic systems. The properties will be locally owned and professionally maintained.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT


Rezoning Petition REZ-2018-0004

APPLICANT: MK Construction – Mike Krucina
REQUEST: To rezone property from R1/Single Family Residential to R2/Two Family Residential to allow for construction of duplexes.
LOCATION: The site lies on the south side of the 1400 block of Garden Club Drive. The property includes Lots 20-22 of Rousseau’s Suburban Gardens Addition (Section 10 of Washington Township).
LAND AREA: Approximately 1.1 acres
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: R2/Two Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2018-0004 be returned to Council with a “Do Pass” recommendation for the following reasons:

1. Approval of the rezoning request will be in substantial compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area surrounding the site is a mixture of residential and commercially zoned property. The proposed development will provide additional housing choices within the neighborhood.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow the property to be redeveloped, bringing investment into a stagnant residential area.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is not proposing extension of infrastructure. Public right-of-way with an improved street and public utilities are presently adjacent to the site.

These findings approved by the Fort Wayne Plan Commission on February 19, 2018.



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant MK Construction, Mike Krucina
 Address # 1711 Pemberton Dr
 City Fort Wayne State IN Zip 46805
 Telephone (260) 419-2746 E-mail MKrucina@gmail.com

Contact Person
 Contact Person Same
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

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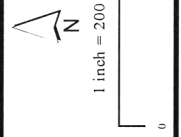
Michael Krucina Michael Krucina 1/2/18
 (printed name of applicant) (signature of applicant) (date)
Ernest IRA / Brian Scudberg [Signature] 1/2/18
 (printed name of property owner) (signature of property owner) (date)
 _____ (signature of property owner) _____ (date)
 _____ (signature of property owner) _____ (date)

Received	Receipt No.	Hearing Date	Petition No.
1/2/18	125900	2/12/18	REZ - 2018 - 0004 <u>0004</u>

Rezoning Petition REZ-2018-0004 (1415 Garden Club Drive)



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Rezoning Petition REZ-2018-0004 (1415 Garden Club Drive)



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1 inch = 200 feet



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0004
Bill Number: Z-18-01-14
Council District: 3-Tom Didier

Introduction Date: January 23, 2018

Plan Commission
Public Hearing Date: February 12, 2018 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 1.0 acre of property from R1-Single Family
Residential to R2-Two Family Residential

Location: 1415 Garden Club Drive

Reason for Request: To rezone property to allow for new duplex construction on three lots.

Applicant: MK Construction

Property Owner: Brian Sundberg

Related Petitions: none

Effect of Passage: Property will be rezoned to the R2-Two Family Residential district which
will allow the owner to construct up to three duplex residential dwellings.

Effect of Non-Passage: The site will remain zoned R1-Single Family Residential, which would allow
for single family homes.

BILL NO. Z-18-01-14

REPORT OF COMMITTEE ON REGULATIONS

March 13, 2018

Thomas Didier Chair

Paul Ensley Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. K-46 (Sec. 10 of Washington Township)

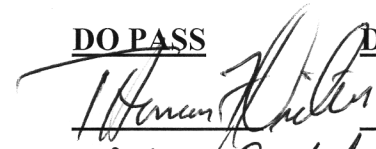

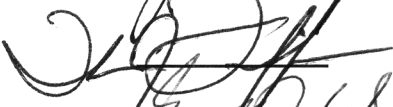
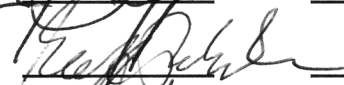
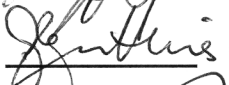


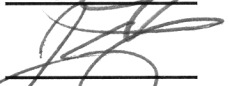

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

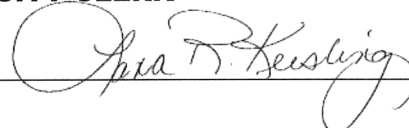
DO NOT PASS

ABSTAIN

NO REC

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**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 02/12/18

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

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

Read the third time in full and on motion by Councilman Didier, 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: March 13, 2018



 LANA R. KEESLING, CITY CLERK

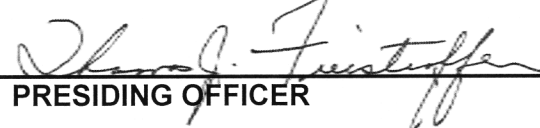
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-18-01-14 on the 13th day of March, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of March 2018, at the hour of 9:30 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 14th day of MARCH 2017, at the hour of 1:30 O'clock PM . E.S.T.



 THOMAS C. HENRY, MAYOR