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#REZ-2018-0018

BILL NO. Z-18-04-05

ZONING MAP ORDINANCE NO. Z-14-18

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA-07 (Sec. 14 of Aboite Township)**

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

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

Part of the West Half of the Northwest Quarter of Section 14, Township 30 North, Range 11 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 14, Township 30 North, Range 11 East; thence North 89 degrees 48 minutes 44 seconds East along the North line of the Northwest Quarter of Section 14, a distance of 329.0 feet to the true point of beginning; thence continuing North 89 degrees 48 minutes 44 seconds East, a distance of 219.35 feet; thence South 00 degrees 11 minutes 16 seconds East, a distance of 311.74 feet; thence South 60 degrees 03 minutes 21 seconds West, a distance of 206.52 feet; thence South 89 degrees 48 minutes 44 seconds West and parallel to the North line of the NW ¼ of Sec. 14-30-11, a distance of 41.27 feet; thence North 00 degrees 01 minute 15 seconds West, a distance of 414.24 feet to the point of beginning, said in previous deed to contain 1.88 acres, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. AA-07 (Sec. 14 of Aboite Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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

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SECTION 3. 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

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Harrison Heller
 Address 4818 W Hamilton Rd S
 City Fort Wayne State IN Zip 46814
 Telephone 260-653-1620 E-mail Harrison@Hellersite.com

Contact Person
 Contact Person Harrison Heller
 Address 4818 W Hamilton Rd S
 City Fort Wayne State IN Zip 46814
 Telephone 260-633-1620 E-mail Harrison@Hellersite.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 9305 Counten Rd Fort Wayne IN 46804
 Present Zoning AR Proposed Zoning RA Acreage to be rezoned 1.87
 Proposed density 1.5 / acre units per acre
 Township name Absite Township section # 14
 Purpose of rezoning (attach additional page if necessary) would like to build 3 Duplex Rentals.
 Sewer provider Aqua Water provider City 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 plansurvey 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

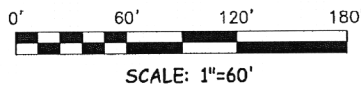
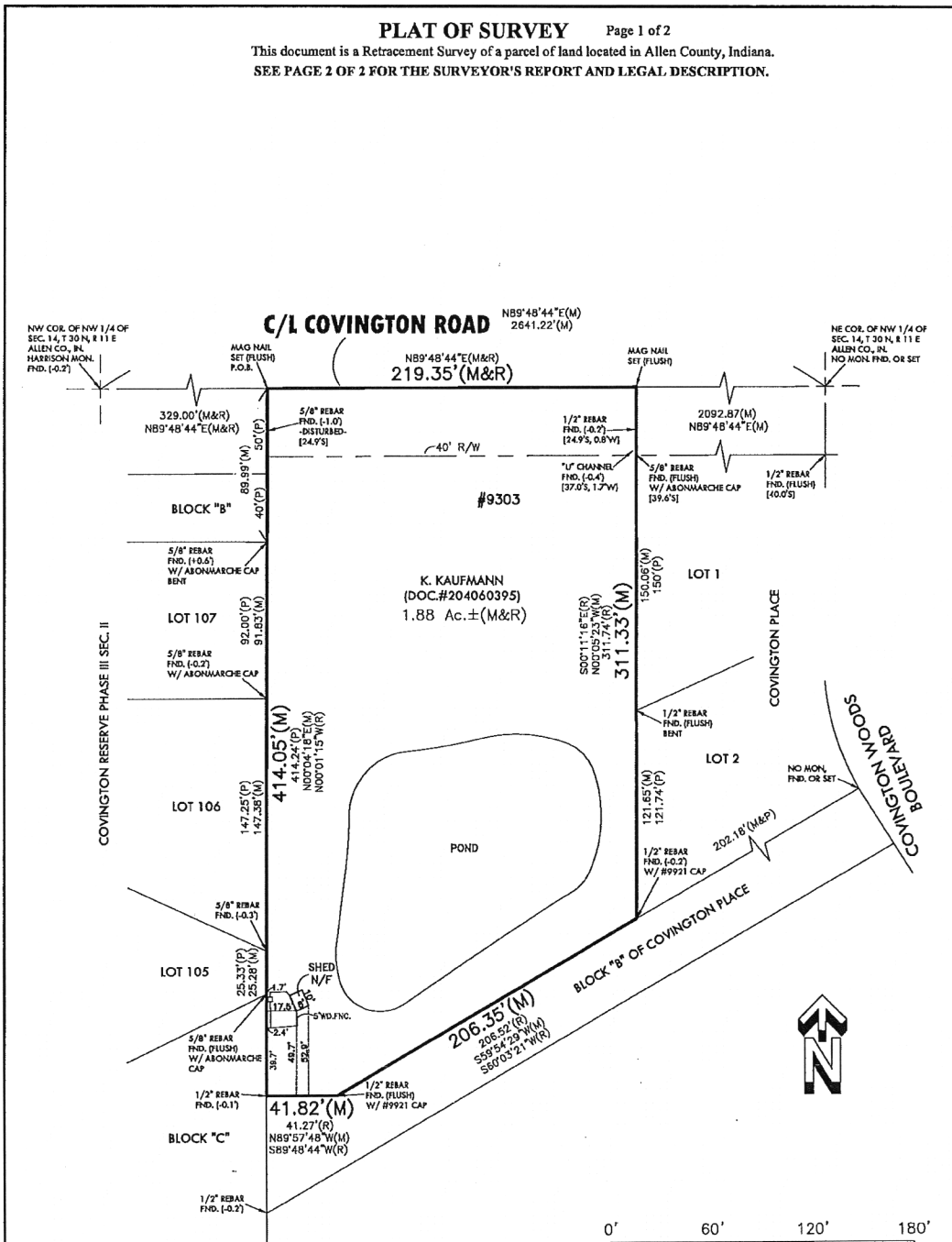
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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.

Harrison Heller (printed name of applicant) [Signature] (signature of applicant) 2-26-18 (date)
Lynn Reecer (printed name of property owner) [Signature] (signature of property owner) 2-27-18 (date)
 _____ (printed name of property owner) _____ (signature of property owner) _____ (date)
 _____ (printed name of property owner) _____ (signature of property owner) _____ (date)

Received <u>2/28/18</u>	Receipt No. <u>126190</u>	Hearing Date <u>2-9-18</u>	Petition No. <u>REZ-2018-0018</u>
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PLAT OF SURVEY Page 1 of 2

This document is a Retracement Survey of a parcel of land located in Allen County, Indiana.
SEE PAGE 2 OF 2 FOR THE SURVEYOR'S REPORT AND LEGAL DESCRIPTION.



I hereby certify that the above Plat of Survey was prepared under my direct supervision and that to the best of my knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code.

Fieldwork completed on the 12th day of JULY, 2011.
 Certified this 20th day of JULY, 2011.
 Prepared exclusively for: KAUFMANN / REECER PROPERTIES, LLC
 Survey Number: 11-07-105

(JULY 2011 / 11-07-105)



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 Registered Professional Engineers and Land Surveyors
 Indiana Land Surveying Firm Identification Number: 29A

1324 Henry Avenue Fort Wayne, IN 46808 Phone: (260) 483-1724 Fax: (260) 482-6855 Toll Free: (888) 483-1724	1947 E. Schug Road Columbia City, IN 46725 Phone: (260) 691-3425 Fax: (260) 482-6855
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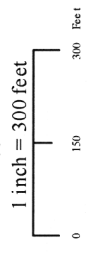


Rezoning Petition REZ-2018-0018 (Covington Road)



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Project Boundaries Represented with Bold Lines are for Representational Purposes Only





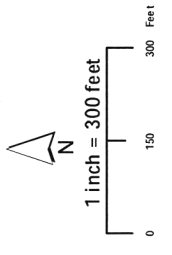
Rezoning Petition REZ-2018-0018 (Covington Road)



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Project Boundaries Represented with Bold Lines are for Representational Purposes Only



FACT SHEET

Case #REZ-2018-0018 Bill # Z-18-04-05 Project Start: 10 April 2018

APPLICANT:	Harrison Heller
REQUEST:	To rezone property from AR/Low Intensity Residential to R2/Two Family Residential to allow for construction of three duplexes.
LOCATION:	The site is located on the south side of the 9300 block of Covington Road. The property is east of Covington Reserve subdivision and north and west of Covington Place subdivision (Section 14 of Aboite Township).
LAND AREA:	Approximately 1.9 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R2/Two Family Residential
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

9 April 2018 Public Hearing

- No one spoke at the hearing in favor.
- Ten neighbors spoke at the hearing in opposition.
- All members were present

19 March 2018 – Business Meeting

Plan Commission Recommendation: DO PASS w/Written Commitment

A motion was made by Judi Wire and seconded by Don Schmidt to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

9-0 MOTION PASSED

- All members were present

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
19 April 2018

Reviewed by:



Kimberly R. Bowman
Executive Land Use Director

PROJECT SUMMARY

The petitioner wishes to rezone the parcel to R2 in order to construct three duplex structures. The parcel would be split in accordance with the Ordinance Administrative Lot Split provisions. The parcel is located on Covington Road between two platted subdivisions. There is additional subdivision development to the north. Covington Road is predominately built out from I-69 to West County Line Road with pockets of metes and bounds residential development. The development along this corridor has been a mixture of single-family subdivisions with the most immediate duplex development of Covington Reserve located just 500 feet to the west and Covington Pointe located just over a half a mile to the east. The proposal to redevelop this vacant lot into 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: Harrison Heller, property buyer and builder, presented the proposal to the Plan Commission, providing information as outlined above. Mr. Heller explained that he is part owner of Heller Homes, and he will personally manage the property. The rental rates will be \$1400 to \$1500 a month, with a \$280,000 construction cost for each structure. Each unit will have a two-car garage. The materials will be stone, vinyl shake, and vertical siding. He has submitted a Written Commitment guaranteeing materials, landscaping, lighting, building type, location and size, internal turn-arounds, driveway limitation, and requirements for tenant background checks. The Written Commitment also limits uses on the property.

Comments in Favor:

None

Questions or Comments with Concern or Opposition:

- Troy Bartel, President of Covington Place Association – Requested more time to understand how it will look. Represented about 20 people at hearing. Most concerns were about rentals.
- Jill Olben, Windsong Court – She is concerned about density, traffic, and rentals.
- Tonya Torres, Carrington Drive – They won't be a part of their neighborhood covenants. Property values.
- Jeremy Minor, Eagle Creek Court – Wants to see the property left undeveloped. Concerned about traffic, property values, rentals.
- Rick Evinger, Carrington Drive – Concerned about traffic, property values, renters.
- Patricia Hinen, Covington Road - Concerned about traffic, property values, renters.
- Norman Roelke, Covington Woods – Wants greater setbacks.
- Roger Pflughandt, Covington Reserve -
- Janice Neer, Covington Place Drive – Density, stormwater.
- Richard Rutkowski – What happens to the Written Commitment of Harrison sells the property?
- Melissa Majikes, Windsong Court – This is “spot zoning”. There is nothing similar in this zipcode.

Rebuttal:

- There is a market for luxury rental homes in this area.
- The Written Commitment will address many concerns.
- \$840,000 investment in construction alone.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

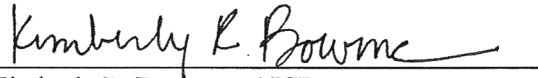
Rezoning Petition REZ-2018-0018

APPLICANT: Harrison Heller
REQUEST: To rezone property from AR/Low Intensity Residential to R2/Two Family Residential to allow for construction of three duplexes.
LOCATION: The site is located on the south side of the 9300 block of Covington Road. The property is east of Covington Reserve subdivision and north and west of Covington Place subdivision (Section 14 of Aboite Township).
LAND AREA: Approximately 1.9 acres
PRESENT ZONING: AR/Low Intensity Residential
PROPOSED ZONING: R2/Two Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2018-0018 be returned to Council with a “Do Pass” recommendation with an approved Written Commitment 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 land uses including single and two-family home developments. The proposed development will provide additional housing choices within the neighborhood. The proposal to redevelop this vacant lot into 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.
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. Up to three duplexes on this parcel will not adversely impact the surrounding land uses since this is compatible with the mixture of existing single and two-family home developments in the immediate 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 onto an undeveloped parcel. The proposed duplexes that will be constructed on the parcel will be of a high quality which will be compatible with the adjacent homes.
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 April 16, 2018.

Handwritten signature of Kimberly R. Bowman in cursive script, underlined.

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

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Harrison Heller
 Address 4818 W Hamilton Rd S
 City Fort Wayne State IN Zip 46814
 Telephone 260-633-1620 E-mail Harrison@Hellersite.com

Contact Person
 Contact Person Harrison Heller
 Address 4818 W Hamilton Rd S
 City Fort Wayne State IN Zip 46814
 Telephone 260-633-1620 E-mail Harrison@Hellersite.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 9305 COUNTRY RD Fort Wayne IN 46804
 Present Zoning AR Proposed Zoning R2 Acreage to be rezoned 1.87
 Proposed density 1.5 / ACRE units per acre
 Township name Abate Township section # 14
 Purpose of rezoning (attach additional page if necessary) WORLD LIKE TO BUILD 3 DUPLEX RENTALS.
 Sewer provider Agua Water provider CITY 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
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- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only

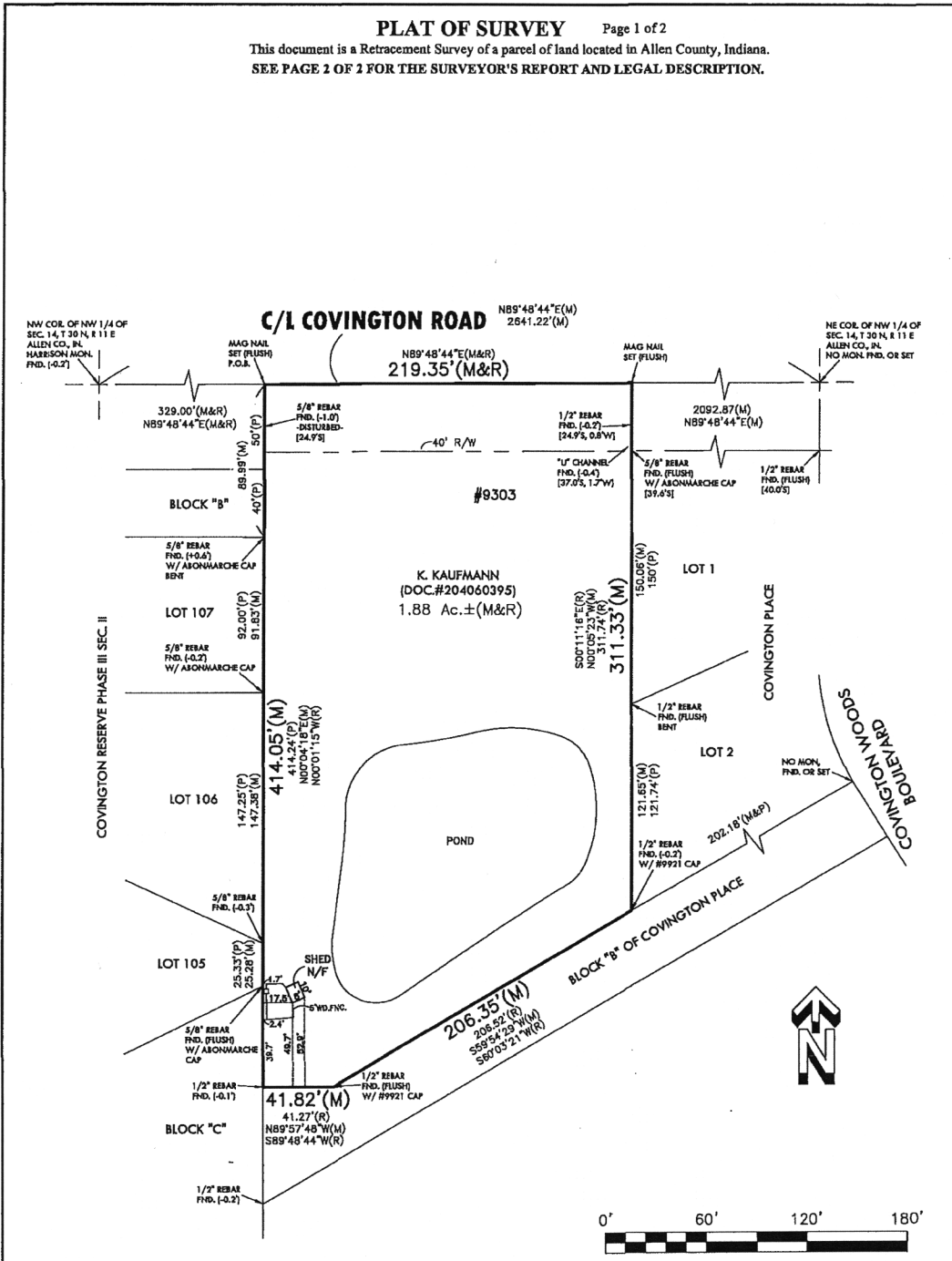
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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 \$0.75 per notice and a public notice fee of \$50.00 per Indiana code.

Harrison Heller (printed name of applicant) [Signature] (signature of applicant) 2-26-18 (date)
Lynn Reecer (printed name of property owner) [Signature] (signature of property owner) 2-27-18 (date)
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Received <u>2/28/18</u>	Receipt No. <u>126190</u>	Hearing Date <u>3-9-18</u>	Petition No. <u>REZ-2018-0018</u>
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SEE PAGE 2 OF 2 FOR THE SURVEYOR'S REPORT AND LEGAL DESCRIPTION.



I hereby certify that the above Plat of Survey was prepared under my direct supervision and that to the best of my knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code.

Fieldwork completed on the 12th day of JULY, 2011.
 Certified this 20th day of JULY, 2011.
 Prepared exclusively for: KAUFMANN / REECER PROPERTIES, LLC
 Survey Number: 11-07-105

(JULY 2011 / 11-07-105)



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1947 E. Schug Road
 Columbia City, IN 46725
 Phone: (260) 691-3425
 Fax: (260) 482-6855

WWW.ANDERSONSURVEYING.COM

MICHEAL C. YODDE, LS 20100011

Rezoning Petition REZ-2018-0018 (Covington Road)

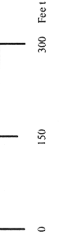


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North American Datum 1983
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Photos and Contours: Spring 2009
Date: 3/20/2018

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1 inch = 300 feet

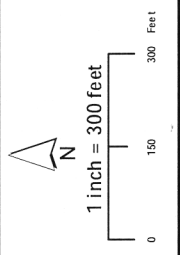


Rezoning Petition REZ-2018-0018 (Covington Road)



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WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT ("Commitment") is made as of this ___ day of _____, 2018, by Reecer Properties LLC, the property owner ("Declarant"), under the following circumstances:

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 1.9 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit A (the "Real Estate"); and

WHEREAS, Declarant's Zoning Map Amendment Application, filed with the City of Fort Wayne Plan Commission (the "Plan Commission"), bearing number REZ-2018-0018 (the "Application"), respecting the Real Estate, has been approved by the City of Fort Wayne, Indiana Common Council and the Mayor of the City of Fort Wayne; and

WHEREAS, pursuant to the Application, the Real Estate has been rezoned to R2 pursuant to the City of Fort Wayne Zoning Ordinance (the "Ordinance") which permits development upon the Real Estate of certain single and two-family residential uses; and

WHEREAS, Declarant has submitted this Commitment, voluntarily, pursuant to section 157.503 of the Ordinance and Indiana Code 36-7-4-1015 for the purpose of limiting certain off site impacts and certain uses arising from development upon the Real Estate; and

WHEREAS, in conjunction with said Application, the Plan Commission has required the execution of this Commitment and its recordation with the Allen County, Indiana, Recorder's Office prior to the commencement of any building improvements for uses permitted pursuant to the Application.

NOW, THEREFORE, in consideration of the above and foregoing recitals, Declarant hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or a portion of the Real Estate.

1. Use Limitations. The following specific uses, which are otherwise allowed in the R2 zoning district, shall be prohibited upon the Real Estate:

- (1) **Group residential facility (small);**

The following special uses are also prohibited on the real estate:

- (1) **Animal keeping** (outdoor, small animal);
- (2) **Bed and breakfast;**
- (3) **Boarding house;**
- (4) **Class II child care home;**
- (5) **Club, private (transitional use);**
- (6) **Community facility** not otherwise permitted (**transitional use**);
- (7) **Community garden** that includes a **structure**;
- (8) **Country club;**
- (9) **Educational institution** (not otherwise permitted);
- (10) **Educational institution-associated facilities, uses, and areas** on non-contiguous properties;
- (11) **Emergency response facility (transitional use);**
- (12) **Funeral home;**
- (13) **Golf course;**
- (14) **Group residential facility (large);**
- (15) **Heliport** (noncommercial/private individual or accessory to a permitted **nonresidential use**, excluding **hospital uses**);
- (16) **Home business** (see § 157.503(D)(3)(b) for additional standards);
- (17) **Homeless/emergency shelter** (accessory to a **religious institution**), for up to eight (8) individuals;
- (18) **Instruction/training/education (transitional use);**
- (19) **Live-work unit (transitional use);**
- (20) **Manufactured home, Type II** (see § 157.503(D)(3)(e) for additional standards);
- (21) **Medical office (transitional use);**
- (22) **Model home** (for extension of time/expansion of scope);
- (23) **Museum;**
- (24) **Nature preserve** that includes a **structure** or parking area;
- (25) **Neighborhood facility;**
- (26) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);
- (27) **Personal service (transitional use**, excluding copy/duplicating service, **health club/fitness center**, or social service agency);
- (28) **Professional office/business service (transitional use**, excluding **bank, credit union, loan office, or savings and loan**);
- (29) **Recreation use**, outdoor (athletic field, **riding stable**, swim **club**, tennis **club**);
- (30) **Religious institution** or non-public **school** illuminated athletic field(s);
- (31) **Residential facility for a court-ordered re-entry program;**

- (32) **Residential facility for homeless individuals**, for up to eight (8) individuals;
- (33) **Sign** (temporary **subdivision** direction);
- (34) **Solar panel (ground mounted)**;
- (35) **Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
- (36) **Studio (transitional use)**;
- (37) **Utility facility, private** (not otherwise permitted or exempt);
- (38) **Wind energy conversion system, micro** (for single **family** detached **structures** on **unplatted land** only); and
- (39) **Wind energy conversion system, standard** (for **fire/police station, public park/recreation area, religious institution, or school uses**; or unplatted residential land over five acres).

2. Landscaping. The Declarant agrees to install at least 1 tree and 10 shrubs per dwelling Unit.
3. Site Lighting. Lighting will be limited to 1 yard light per duplex and wall pack lighting consistent with those found on conventional single family detached homes.
4. Driveways. The Declarant agrees to install a maximum of 2 driveways onto Covington Road which will be surfaced with either asphalt or concrete and will include hammerheads or similar to allow residents to make forward exits onto Covington Road.
5. Building Type and Location. The Declarant agrees to construct the Type A floor plans as shown in Exhibit B on the east and west perimeter of the site and the Type B floor as shown in Exhibit C in the center of the project as shown on the Site Plan in Exhibit D.
6. Building Architectural Standards. The Declarant agrees to install a minimum of 50 percent of the front facades of the buildings (as calculated without doors and windows) with the following materials:
 - a. Stone or Brick
 - b. Shakes
 - c. Vertical Siding or Board and Batten
7. Lessee Requirements. All lessees of units are required subject to criminal and credit checks prior to the Declarants approving the tenant.

8. Successors and Assigns. This Commitment and the restrictions set forth above shall inure to the benefit of all persons who own property comprising the Real Estate, their successors and assigns, and shall also inure to the benefit of the Zoning Administrator of the City of Fort Wayne and the Plan Commission. This Commitment and the restrictions and limitations set forth herein shall run with the Real Estate, and any conveyance thereof, shall be binding upon Declarant and its successors and assigns as owners of the Real Estate.

9. Enforcement Rights. The City of Fort Wayne Zoning Administrator (the "Zoning Administrator") and the Plan Commission each shall have the option (but not the obligation) to

enforce this Commitment, at law or in equity, in the event of a breach of an obligation in this Commitment; and in the event such an enforcement action is commenced, the Zoning Administrator or the Plan Commission (as applicable) shall have the remedies allowed by the Ordinance (or the ordinance governing the Real Estate at the time of the enforcement action) and I.C. §36-7-4-1015, which remedies shall be cumulative and not exclusive. A violation of this Commitment shall be deemed a violation of the Ordinance, or the ordinance governing the Real Estate at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Zoning Administrator or the Plan Commission, or any successor agency having zoning jurisdiction over the Real Estate.

10. Amendment or Termination. This Commitment may be amended or terminated upon application by an owner of the Real Estate and only with the prior written consent of all owners of the Real Estate and the Plan Commission, following a public hearing to consider said amendment or termination.

11. Remedies. In addition to any remedies that may be available at law, temporary, preliminary and permanent injunctive relief may be granted to enforce any provision of this Commitment, without the necessity of proof of actual damage, in the event of an actual breach or violation, or threatened breach or violation, of any restriction or covenant under this Commitment. Such remedies shall be cumulative and nonexclusive, and shall be afforded to any owner of property which comprises all or a portion of the Real Estate, the Zoning Administrator of the City of Fort Wayne and the Plan Commission.

12. Permits. No permits shall be issued under the Ordinance by the Zoning Administrator until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.

13. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.

14. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.

15. Effective Date. This Commitment shall be effective upon its recording in the Office of the Recorder of Allen County, Indiana.

16. Last Deed of Record. The last deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number _____.

17. Statutory Authority. This Commitment is made pursuant to I.C. §36-7-4-1015(a)(2).

[SIGNATURE AND EXHIBIT PAGES FOLLOW]

“DECLARANT”

REECER PROPERTIES LLC

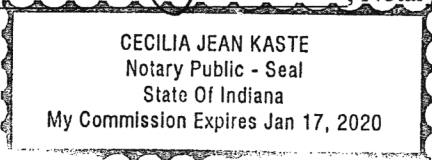
By: Lynn C. Reecer
Name: Lynn C. Reecer
Its: member

STATE OF INDIANA)
) SS:
COUNTY OF Allen)

Before me, the undersigned, a Notary Public, in and for said County and State, this 11 day of April, 2018, personally appeared Reecer Properties LLC as the property owner, and acknowledged the execution of the foregoing instrument for and on behalf of said company.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Cecilia Jean Kaste

Notary Public


My Commission Expires: 1/17/2020
My County of Residence: Allen

THIS INSTRUMENT prepared by _____

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. _____

When recorded, return to: _____

EXHIBIT A

“LEGAL DESCRIPTION”

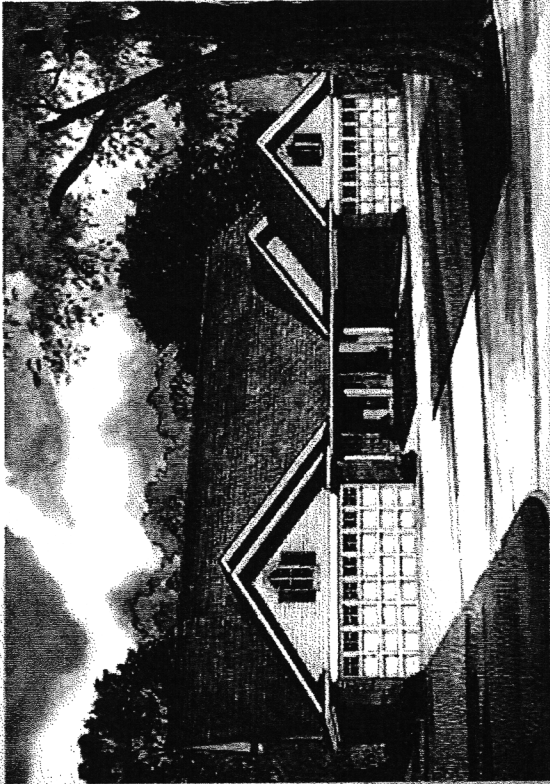
Part of the West Half of the Northwest Quarter of Section 14, Township 30 North, Range 11 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 14, Township 30 North, Range 11 East; thence North 89 degrees 48 minutes 44 seconds East along the North line of the Northwest Quarter of Section 14, a distance of 329.0 feet to the true point of beginning; thence continuing North 89 degrees 48 minutes 44 seconds East, a distance of 219.35 feet; thence South 00 degrees 11 minutes 16 seconds East, a distance of 311.74 feet; thence South 60 degrees 03 minutes 21 seconds West, a distance of 206.52 feet; thence South 89 degrees 48 minutes 44 seconds West and parallel to the North line of the NW $\frac{1}{4}$ of Sec. 14-30-11, a distance of 41.27 feet; thence North 00 degrees 01 minute 15 seconds West, a distance of 414.24 feet to the point of beginning, said in previous deed to contain 1.88 acres, more or less.

EXHIBIT B

“BUILDING TYPE A”

Floor Plan A

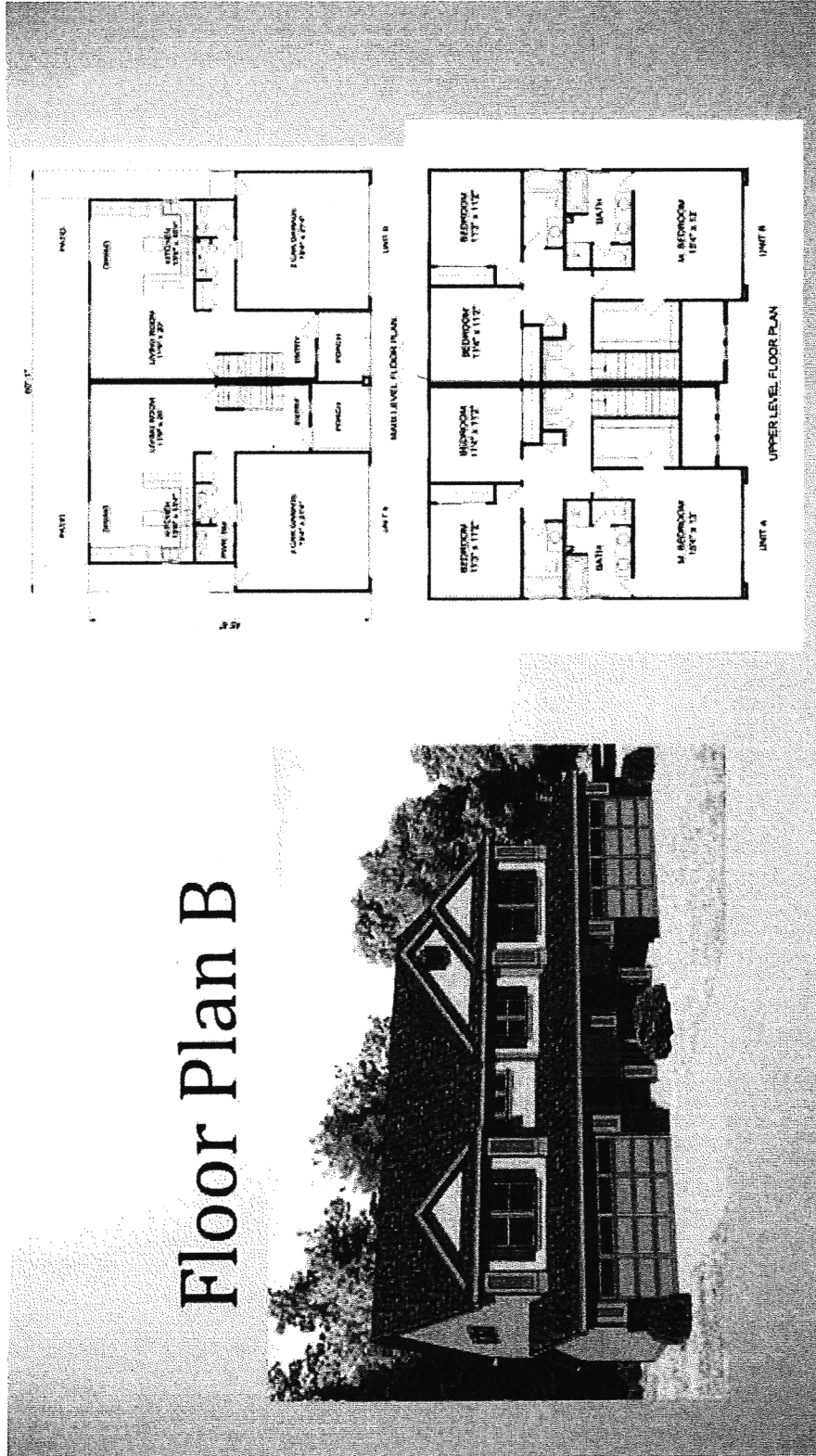


The architectural drawing includes a perspective view of a two-story building with a gabled roof and a central entrance porch. The building is surrounded by trees and a lawn. Below the perspective view are two floor plans: the Main Floor and the Upper Floor. The Main Floor plan shows a layout with several rooms, including a large central area, and is labeled 'Main Floor'. The Upper Floor plan shows a similar layout with rooms and is labeled 'Upper Floor'. The entire drawing is enclosed in a rectangular border.

Plans are provided for preview of final plans. These plans are subject to change.

EXHIBIT C

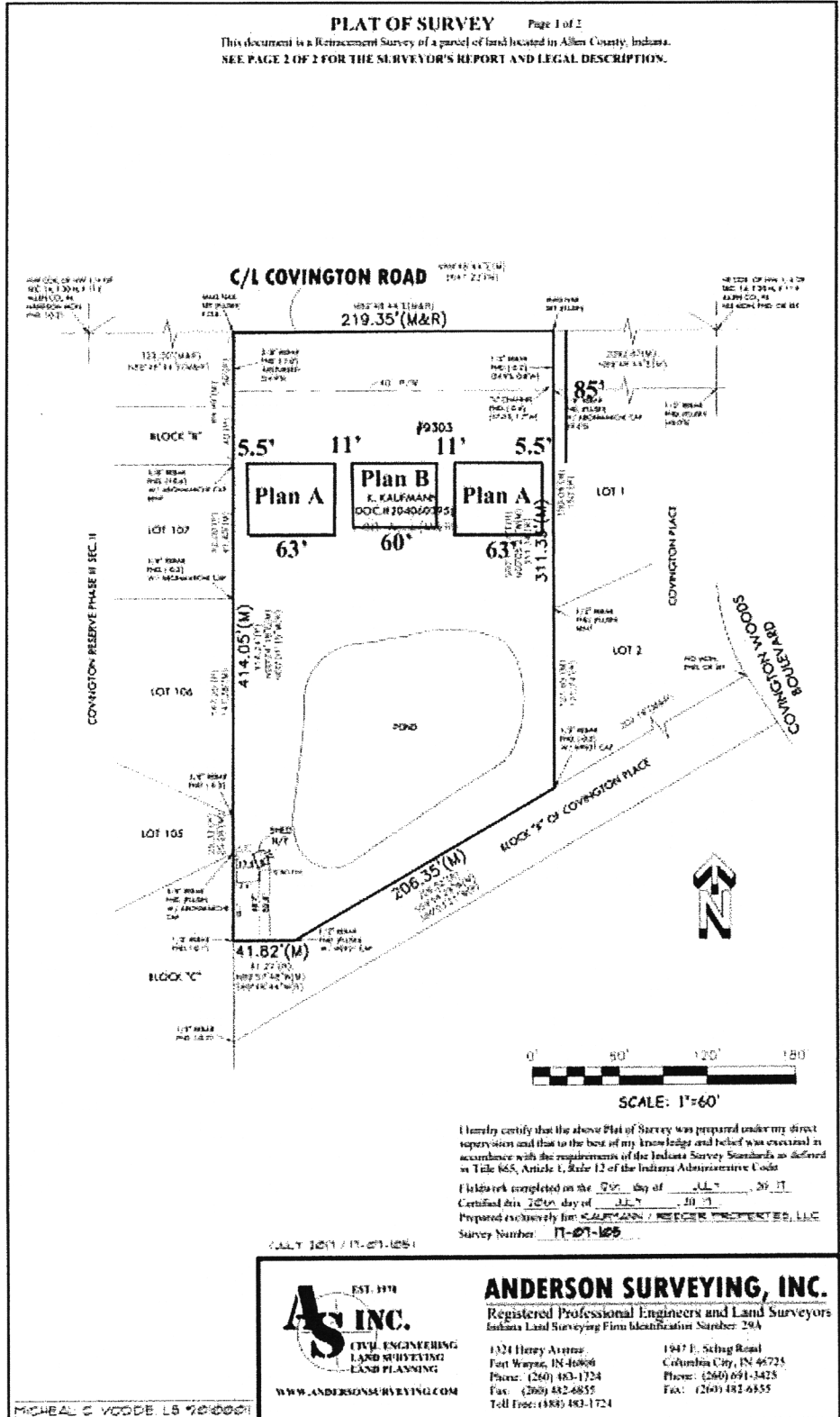
“BUILDING TYPE B”



Floor Plan B

EXHIBIT D

"SITE PLAN"



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0018
Bill Number: Z-18-04-05
Council District: 4-Jason Arp

Introduction Date: April 10, 2018

Plan Commission
Public Hearing Date: April 9, 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 1.88 acres of property from AR-Low Intensity
 Residential to R2-Two Family Residential.

Location: 9303 Covington Road

Reason for Request: To develop the parcel with residential duplex homes.

Applicant: Harrison Heller

Property Owner: Lynn Reecer

Related Petitions: none

Effect of Passage: Property will be rezoned to the R2 – Two Family Residential zoning
 district, which will allow the development of the property with duplex
 buildings.

Effect of Non-Passage: The property will remain zoned AR-Low Intensity Residential and may
 develop with single family or low intensity agricultural purposes.

BILL NO. Z-18-04-05

REPORT OF COMMITTEE ON REGULATIONS

May 1, 2018

Thomas Didier Chair

Paul Ensley Co-Chair

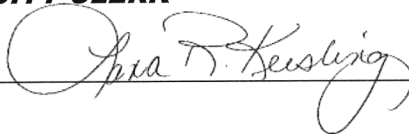
All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. AA-07 (Sec 14 of Aboite Township)

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>
			
			
			
			
			
			
			
			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 04/09/18

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: May 8, 2018




 LANA R. KEESLING, CITY CLERK

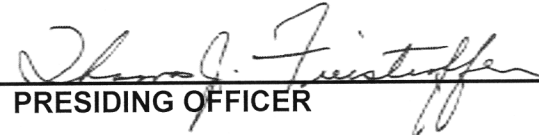
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-18-04-05 on the 8th day of May, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



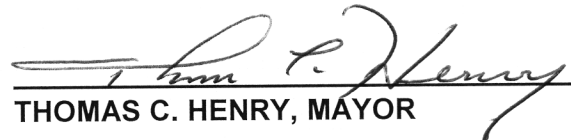
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th of May 2018, at the hour of 9:35 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 14TH day of MAY 2017, at the hour of 8:00 O'clock Am. E.S.T.



 THOMAS C. HENRY, MAYOR