

1 #REZ-2018-0019

2 BILL NO. Z-18-05-01

3
4 ZONING MAP ORDINANCE NO. Z-1518

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. U-38 (Sec. 16 of St. Joseph Township)

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

9 SECTION 1. That the area described as follows is hereby designated a C1
10 (Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
11 of the Code of the City of Fort Wayne, Indiana:

12 Part of the Southeast Quarter of Section 16, Township 31 North, Range 13 East,
13 Allen County, Indiana, being more particularly described as follows, to-wit:

14 Commencing at the Southeast corner of said Section 16, being marked by a Type
15 "B" Highway monument; thence North 02 degrees 49 minutes West (GPS grid
16 bearing used as the basis of bearings in this description), on and along the East line
17 of said Southeast Quarter, a distance of 1064.0 feet to the Southeast corner of a base
18 tract of real estate described in a deed to Stephanie L. Bass in Document Number
19 2014018098 in the Office of the Recorder of Allen County, Indiana; thence South 86
20 degrees 55 minutes West, on and along the South line of said base tract, a distance of
21 45.0 feet to a point on the West right-of-way line of Maplecrest Road, as described in
22 Document Number 970001553 in the Office of said Recorder, this being the true
23 point of beginning; thence South 86 degrees 55 minutes West, continuing on and
24 along the South line of said base tract, a distance of 285.0 feet to a 0.75 inch
25 diameter pipe at the Southwest corner thereof; thence North 02 degrees 49 minutes
26 West, on and along the West line of said base tract, and its Northerly projection, a
27 distance of 101.4 feet to a #5 rebar on the South line of a 2.00 acre tract of real estate
28 described in a deed to Joel A. Scheer and Heather M. Scheer in Document Number
29 207003351 in the Office of said Recorder; thence North 86 degrees 57 minutes East,
30 on and along said South line, a distance of 285.0 feet to a #5 rebar on the West right-
of-way of said Maplecrest Road; thence South 02 degrees 49 minutes East, on and
along said West right-of-way line, a distance of 101.3 feet to the true point of
beginning, containing 0.66 acres of land, subject to all easements of record. This
description is based on an original survey by Sauer Land Surveying, Inc., Survey No.
119-132, dated June 28, 2016.

and the symbols of the City of Fort Wayne Zoning Map No. U-38 (Sec. 16 of St. Joseph

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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.

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 Master's Holdings LLC
 Address 6221 Maplecrest Rd
 City Fort Wayne State IN Zip 46835
 Telephone 260-750-0195 E-mail Mastersholdings@Outlook.com

Contact Person
 Contact Person Larry Ice
 Address 6221 Maplecrest Rd
 City Fort Wayne State IN Zip 46835
 Telephone 260-484-8572 E-mail larry.ice.qm58@statefarm.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 6221 Maplecrest Rd
 Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned .66
 Proposed density 3 units units per acre
 Township name St. Joe Township section # 15
 Purpose of rezoning (attach additional page if necessary) To enable rental unit on property providing small shop, retail or Professional office on premises of existing building.
Willing to limit usage as needed via Written Commitment.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

Larry Ice 04/03/2018
 (printed name of applicant) (signature of applicant) (date)
Master Holdings LLC 04/03/2018
 (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.
4/3/2018	126554	5-14-18	REZ-2018-0019

Sauer Land Surveying, Inc.

John C. Sauer, RPS - Indiana & Ohio Indiana Firm Number 048
Joseph R. Herendeen, RPS - Indiana

14033 Illinois Road, Suite C
Fort Wayne, IN 46814
TEL: 260/469-3300 FAX: 260/469-3301
Toll Free: 877-625-1037
www.sauersurveying.com

CERTIFICATE OF SURVEY

This document is an original survey of real estate prepared under IAC 865 Rule 12 in conformity with established practices of surveying and made in accordance with the records on file in the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from visible encroachments either way across boundary lines unless specifically stated below. Corners were perpetuated as indicated.

NEW ORIGINAL DESCRIPTION:

Part of the Southeast Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana, being more particularly described as follows, to-wit:

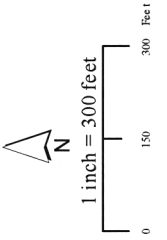
Commencing at the Southeast corner of said Section 16, being marked by a Type "B" Highway monument; thence North 02 degrees 49 minutes West (GPS grid bearing used as the basis of bearings in this description), on and along the East line of said Southeast Quarter, a distance of 1064.0 feet to the Southeast corner of a base tract of real estate described in a deed to Stephanie L. Bass in Document Number 2014018098 in the Office of the Recorder of Allen County, Indiana; thence South 86 degrees 55 minutes West, on and along the South line of said base tract, a distance of 45.0 feet to a point on the West right-of-way line of Maplecrest Road, as described in Document Number 970001553 in the Office of said Recorder, this being the true point of beginning; thence South 86 degrees 55 minutes West, continuing on and along the South line of said base tract, a distance of 285.0 feet to a 0.75 inch diameter pipe at the Southwest corner thereof; thence North 02 degrees 49 minutes West, on and along the West line of said base tract, and its Northerly projection, a distance of 101.4 feet to a #5 rebar on the South line of a 2.00 acre tract of real estate described in a deed to Joel A. Scheer and Heather M. Scheer in Document Number 207003351 in the Office of said Recorder; thence North 86 degrees 57 minutes East, on and along said South line, a distance of 285.0 feet to a #5 rebar on the West right-of-way line of said Maplecrest Road; thence South 02 degrees 49 minutes East, on and along said West right-of-way line, a distance of 101.3 feet to the true point of beginning, containing 0.66 acres of land, subject to all easements of record. This description is based on an original survey by Sauer Land Surveying, Inc., Survey No. 119-132, dated June 28, 2016.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18003C 0189G, effective August 3, 2009.

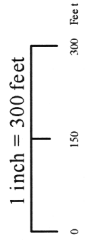
Page 1 of 4
June 28, 2016
Survey No. 119-132
Bass, Stephanie L.
Last Deed of Record: Doc. 2014018098
Last Date of Fieldwork: June 28, 2016
Page 2 contains the Plat of Survey.
Pages 3 and 4 contain the Surveyor's Report.



Project Boundaries Represented with Bold Lines are for Representational Purposes Only



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 Carolina Geographic Information System, Indiana East
Photos and Contours: Spring 2009
Date: 4/23/2018



Project Boundaries Represented with Bold 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, Allen County of Allen State Plane Coordinate System, Indiana East Photos and Contours: Spring 2009 Date: 4/23/2018

FACT SHEET

Case #REZ-2018-0019 Bill # Z-18-05-01 Project Start: 8 May 2018	
APPLICANT:	Master's Holdings LLC
REQUEST:	To rezone property from R1/Single Family Residential to C1/Professional Office and Personal Services to allow for permitted uses in the C1 district.
LOCATION:	The site is located on the west side of the 6200 block of Maplecrest Road. The address of the subject property is 6221 Maplecrest Road (Section 15 of St. Joseph Township).
LAND AREA:	Approximately 0.7 acres
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C1/Professional Office and Personal Services
COUNCIL DISTRICT:	1-Russ Jehl
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

14 May 2018 Public Hearing

- No one spoke at the hearing, in favor or in opposition.
- All members were present

21 May 2018 – Business Meeting

Plan Commission Recommendation: DO PASS w/Written Commitment

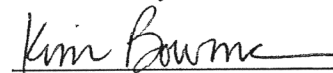
A motion was made by Judi Wire and seconded by Billy Davenport to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-0 MOTION PASSED

- Connie Haas Zuber, Shan Gunawardena, and Paul Sauerteig were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
1 June 2018

Reviewed by:



Kim Bowman
Executive Land Use Director

PROJECT SUMMARY

There is an extensive history of Board of Zoning Appeals approvals on the site including the following:

- Expansion of a nonconforming use in 1973.
- Approval of a pole barn for company vehicles and florist materials in 1984.
- Florist and Antique Shop uses approved in 1995.
- Approval of an insurance and financial products office in 2016.

The petitioner is requesting to rezone the property to C1/Professional Office and Personal Services from R1/Single Family Residential. The property has been utilized for a number of various commercial or office uses, despite its residential zoning. Most recently, an insurance office was approved by the Board of Zoning Appeals, which is the current use of the site. Previous Board of Zoning Appeals approvals are mentioned earlier in the staff report, but include both office and retail uses. The rezoning proposal would allow for the property to be used for professional office and personal services type uses, without the need for each proposed use to go to the Board of Zoning Appeals for approval. The applicant voluntarily submitted a Written Commitment to restrict certain uses in the C1 district.

As mentioned, there is no development plan associated with this request and there are no structures proposed for this site at this time. Properties to the east and north of the site have been either rezoned to commercial districts or received Board of Zoning Appeals approval for non-residential uses. Just to the east of the site, Shigs 'N Pit recently developed a restaurant with C2 zoning.

PUBLIC HEARING SUMMARY:

Presenter: Larry Ice, property owner and tenant, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2018-0019

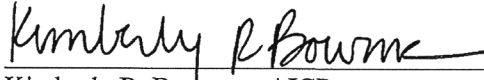
APPLICANT: Master's Holdings LLC
REQUEST: To rezone property from R1/Single Family Residential to C1/Professional Office and Personal Services to allow for permitted uses in the C1 district.
LOCATION: The site is located on the west side of the 6200 block of Maplecrest Road. The address of the subject property is 6221 Maplecrest Road (Section 15 of St. Joseph Township).
LAND AREA: Approximately 0.7 acres
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: C1/Professional Office and Personal Services

The Plan Commission recommends that Rezoning Petition REZ-2018-0019 be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area has seen a mixture of land developments from professional offices and retail development to single family residential land uses. This proposal will provide for the development of additional office space without the need for new infrastructure improvements. This rezoning continues the trend of responsible mixed-used development. No undesirable precedent will occur due to the fact either retail or professional office uses have already occurred on the site for decades. The Comprehensive Plan supports this rezoning through the following objectives:
LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;
LU5. Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;
LU5.C Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.
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. The property is completely developed with a quality-built office building that complements the adjacent structures. No changes are proposed to the building or site, except for maintenance and upkeep.
3. Approval is consistent with the preservation of property values in the area. This proposal allows for additional office uses to expand and provide services in the northeast quadrant of Fort Wayne. No changes are proposed to the existing office building. This proposal provides the owner with surety that the existing, approved building can be reconstructed in the case of a catastrophe. Having appropriate zoning assists lenders in appraising commercial properties correctly and may aid in refinancing, if necessary.

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 May 21, 2018.



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

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Master's Holdings LLC
 Address 6221 Maplecrest Rd
 City Fort Wayne State IN Zip 46835
 Telephone 260-750-0195 E-mail Mastersholdings@Outlook.com

Contact Person
 Contact Person Larry Ice
 Address 6221 Maplecrest Rd
 City Fort Wayne State IN Zip 46835
 Telephone 260-484-8572 E-mail larry.ice.qm58@statefarm.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 6221 Maplecrest Rd
 Present Zoning R1 Proposed Zoning C1 Acreage to be rezoned .66
 Proposed density 3 units units per acre
 Township name St. Joe Township section # 15
 Purpose of rezoning (attach additional page if necessary) To enable rental unit on property providing small shop, retail or Professional office on premises of existing building.
Willing to limit usage as needed via Written Commitment.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

Larry Ice [Signature] 04/03/2018
 (printed name of applicant) (signature of applicant) (date)
Master Holdings LLC [Signature] 04/03/2018
 (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.
<u>4/3/2018</u>	<u>126554</u>	<u>5-14-18</u>	<u>REZ-2018-0019</u>



1 inch = 300 feet
0 150 300 feet

Project Boundaries Represented with Bold Lines are for Representational Purposes Only

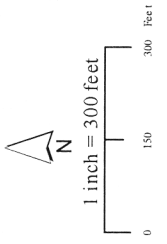
Although street accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/23/2018



Project Boundaries Represented with Bold Lines are for Representational Purposes Only

Although strict accuracy standards have been employed in the compilation of this map, 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 Contours: Spring 2009
 Date: 4/23/2018



WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT ("Commitment") is made as of this 16th day of May 2018, by **Masters Holdings, LLC** (herein the, "Declarant"), under the following circumstances:

WITNESSETH:

WHEREAS, Declarant is the fee simple owner of approximately 0.66 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit "A" (herein, the "Real Estate");

WHEREAS, Declarant has submitted a Zoning Map Amendment Application with the City of Fort Wayne Plan Commission ("Plan Commission"), bearing number REZ-2018-0019 (the "Zoning Application"), with respect to the Real Estate;

WHEREAS, pursuant to the Zoning Application, Declarant, has requested the Real Estate be rezoned to C1-Professional Offices and Personal Services pursuant to the City of Fort Wayne zoning ordinance (the "Ordinance");

WHEREAS, Declarant, in conjunction with the Zoning Application, voluntarily submits the Commitment, pursuant to section 157.503 of the Ordinance and Indiana Code 36-7-4-1015, for the purpose of limiting certain uses of the Real Estate, and requests that this Commitment be considered as part of the Zoning 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.

Prohibited Specific Uses: The following specific uses, which are otherwise allowed in the C1 zoning district, shall be prohibited upon the Real Estate:

- i. Homeless/emergency shelter;
- ii. Fraternity House;
- iii. Correctional services facility;
- iv. Sorority House;
- v. Treatment Center
- vi. Zoo;

2. Pedestrian Facility. The property owner will work with the necessary transportation agency to install a public pedestrian facility along the site's Maplecrest Road frontage. The pedestrian facility will be either a five foot wide concrete sidewalk, or pedestrian infrastructure as approved by the transportation agency. The pedestrian facility will be constructed at prior to the Certificate of Use approval for another office user, or by October 1, 2020, whichever is later.

3. 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.

4. 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.

5. 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.

6. 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.

7. Permits. No permits shall be issued under the City of Fort Wayne Zoning Ordinance by the Zoning Administrator until this Commitment is recorded with the Allen County Recorder and a recorded and execute copy of the Commitment is delivered to the Zoning Administrator and the Plan Commission.

"DECLARANT"

MASTERS HOLDINGS, LLC

By: Lawrence R. Ice II

Its:

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this 16 day of May, 2018, personally appeared Lawrence R. Ice II, the President of Masters Holdings, LLC, and acknowledged the execution of the foregoing.

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

Ethel W. Schaad
Ethel W. Schaad, Notary Public

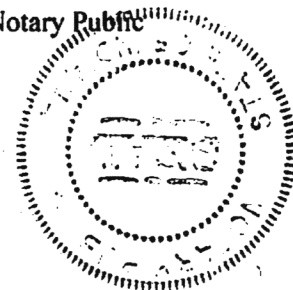
My Commission Expires: 2/10/2023

My County of Residence: Allen

THIS INSTRUMENT prepared by Ethel W. Schaad

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: Department of Planning Services, 200 East Berry Street, Suite 150, Fort Wayne, Indiana 46802.



8. 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.

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

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

11. Statutory Authority. This Commitment is made pursuant to I.C. §36-7-4-1015(a)(1).

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]



EXHIBIT "A"

Part of the Southeast Quarter of Section 16, Township 31 North, Range 13 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of said Section 16, being marked by a Type "B" Highway monument; thence North 02 degrees 49 minutes West (GPS grid bearing used as the basis of bearings in this description), on and along the East line of said Southeast Quarter, a distance of 1064.0 feet to the Southeast corner of a base tract of real estate described in a deed to Stephanie L. Bass in Document Number 2014018098 in the Office of the Recorder of Allen County, Indiana; thence South 86 degrees 55 minutes West, on and along the South line of said base tract, a distance of 45.0 feet to a point on the West right-of-way line of Maplecrest Road, as described in Document Number 970001553 in the Office of said Recorder, this being the true point of beginning; thence South 86 degrees 55 minutes West, continuing on and along the South line of said base tract, a distance of 285.0 feet to a 0.75 inch diameter pipe at the Southwest corner thereof; thence North 02 degrees 49 minutes West, on and along the West line of said base tract, and its Northerly projection, a distance of 101.4 feet to a #5 rebar on the South line of a 2.00 acre tract of real estate described in a deed to Joel A. Scheer and Heather M. Scheer in Document Number 207003351 in the Office of said Recorder; thence North 86 degrees 57 minutes East, on and along said South line, a distance of 285.0 feet to a #5 rebar on the West right-of-way of said Maplecrest Road; thence South 02 degrees 49 minutes East, on and along said West right-of-way line, a distance of 101.3 feet to the true point of beginning, containing 0.66 acres of land, subject to all easements of record. This description is based on an original survey by Sauer Land Surveying, Inc., Survey No. 119-132, dated June 28, 2016.

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2018-0019
Bill Number: Z-18-05-01
Council District: 1-Russ Jehl

Introduction Date: May 8, 2018

Plan Commission
Public Hearing Date: May 14, 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 0.66 acres of property from R1-Single Family
Residential to C1-Professional Office and Personal Services.

Location: 6221 Maplecrest Road

Reason for Request: To bring the existing office building into compliance with the zoning
ordinance and allow additional commercial opportunities.

Applicant: Master's Holdings, LLC (Larry Ice)

Property Owner: Master's Holdings, LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C1-Professional Office and Personal
Services district which will allow the existing office space to continue as a
permitted use, and allow other office/personal service uses.

Effect of Non-Passage: The property will remain zoned R1-Single Family Residential. The
insurance/financial office use can continue as a Board of Zoning Appeals
approval, but other commercial or office uses are not permitted.

BILL NO. Z-18-05-01

REPORT OF COMMITTEE ON REGULATIONS

June 12, 2018

Thomas Didier Chair

Paul Ensley Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. K-02 and L-02
(Sec. 10 and 11 of Wayne Township)

*To rezone approximately 0.66 acres of property from R1 – Single Family
Residential to C1 – Professional Office and Personal Services*

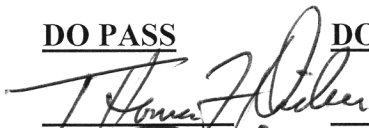


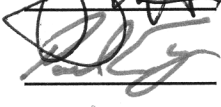

**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under
consideration and beg leave to report back to the Common Council that
said Ordinance**

DO PASS

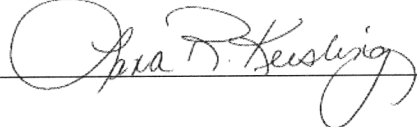
DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: MAY 14, 2018

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: June 12, 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-18-05-01 on the 12th day of June, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

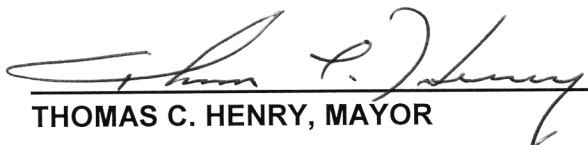
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th
 of June 2018, at the hour of 10:15 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of June

2017, at the hour of 1:00 O'clock PM. E.S.T.



 THOMAS C. HENRY, MAYOR