

1 #REZ-2019-0064

2 BILL NO. Z-19-10-14

3  
4 ZONING MAP ORDINANCE NO. Z-45-19

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. U-42 (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 an R3  
10 (Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of  
11 the City of Fort Wayne, Indiana:

12 Part of the Northeast Quarter of Section 16, Township 31 North, Range 13 East, in Allen  
13 County, Indiana, more particularly described as follows:

14 Beginning at a Point on the South line of the Northeast Quarter of Section 16, Township 31  
15 North, Range 13 East, in Allen County, Indiana, said point begin 651.7 feet west of the  
16 Southeast corner of the Northeast Quarter of Section 16, Township 31 North, Range 13  
17 East; thence West along said line, a distance of 400 feet; thence Northerly by a deflection  
18 angle to the right of 89 degrees, 57 minutes, 40 seconds, a distance of 280 feet; thence  
19 Northeasterly by a deflection angle to the right of 32 degrees, 18 minutes, 20 seconds, a  
20 distance of 250 feet; thence Northeasterly by a deflection angle to the left of 31 degrees, 19  
21 minutes, 30 seconds, a distance of 205.47 feet; thence Northeasterly by a deflection angle  
22 to the right of 76 degrees, 2 minutes, 50 seconds, a distance of 53 feet; thence Easterly by a  
23 deflection angle to the right of 12 degrees, 17 minutes, 00 seconds, a distance of 202.69  
24 feet; thence Southerly by a deflection angle to the right of 90 degrees, 00 minutes, 00  
25 seconds, a distance of 711.4 feet to the Point of Beginning, containing 5.437 acres.

26 and the symbols of the City of Fort Wayne Zoning Map No. U-42 (Sec. 16 of St. Joseph  
27 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
28 Wayne, Indiana is hereby changed accordingly.


29 SECTION 2. If a written commitment is a condition of the Plan Commission's  
30 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 Solid Rock Properties, LLC - Chad Keysor  
 Address PO Box 9696  
 City Fort Wayne State Indiana Zip 46899  
 Telephone 260-210-2905 E-mail chad@handarentals.com

**Contact Person**  
 Contact Person Todd R. Bauer  
 Address 1910 St. Joe Center Road #51  
 City Fort Wayne State Indiana Zip 46825  
 Telephone 260-484-9900 E-mail todd@4site.biz

*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 6031 Evard Road  
 Present Zoning R-1 Proposed Zoning R-3 Acreage to be rezoned 5.437  
 Proposed density 0.14 units per acre  
 Township name St. Joseph Township section # 16  
 Purpose of rezoning (attach additional page if necessary) The zoning is requested to permit the development of multi-family housing.  
 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.

Solid Rock Properties LLC [Signature] 9/28/19  
 (printed name of applicant) (signature of applicant) (date)  
Solid Rock Properties LLC [Signature] 9/28/19  
 (printed name of property owner) (signature of property owner) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received <u>10-1-19</u>	Receipt No. <u>132139</u>	Hearing Date <u>11-4-19</u>	Petition No. <u>REZ-2019-0064</u>
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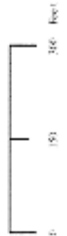
Rezoning Petition REZ-2019-0064 and Primary Development Plan PDP-2019-0054 - Evard Road Apartments



All dimensions are approximate and shall have been employed for the convenience of this map.  
 After State Review of zoning, no guarantee is made as to the accuracy of the information contained herein and all information and all liability resulting therefrom shall be the responsibility of the user.  
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 State Plane Coordinate System, Indiana East  
 Printed and Contained: Spring 2019  
 Date: 1/28/2019

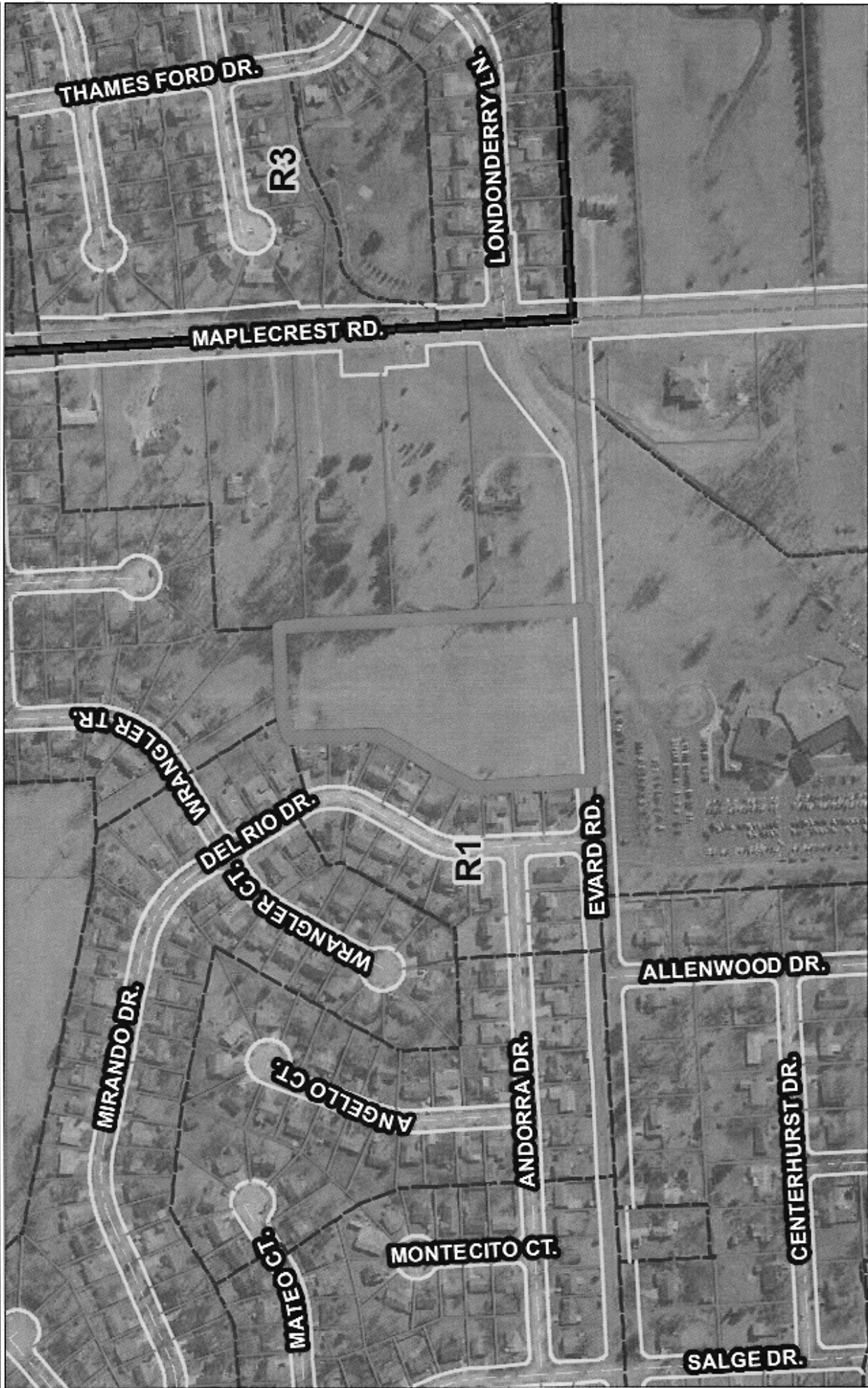


1 inch = 300 feet



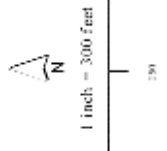


Rezoning Petition REZ-2019-0064 and Primary Development Plan PDP-2019-0054 - Evard Road Apartments



Although every attempt has been made to ensure the accuracy of this map, the City does not warrant or guarantee the accuracy of the information contained hereon and the City is not liable for any errors or omissions that may appear hereon.

© 2019 Board of Commissioners of the County of Alameda  
 South American District, 1150  
 3040 Third Street, Suite 100, San Francisco, CA 94109  
 Date: 1/11/2019





# Primary Development Plan For Evard Road Apartments

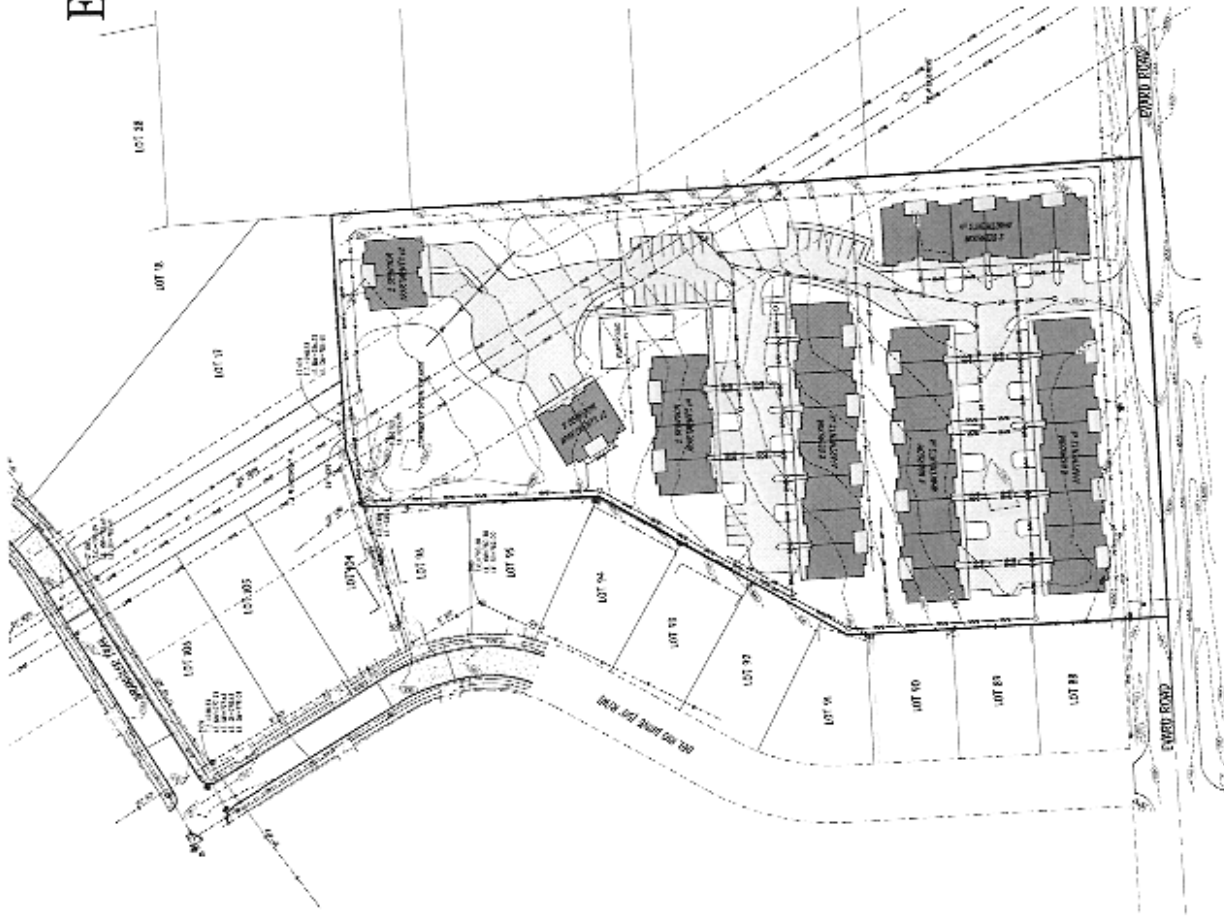
6031 Evard,  
Fort Wayne, Indiana 46835

**Project Civil Engineer/Land Surveyor:**  
Foresight Consulting, LLC  
1910 N. Lee Center Road, Suite 451  
Fort Wayne, Indiana 46825  
Phone: 260-494-9500  
Fax: 260-494-9502



**Property Owner/Developer:**  
S44 Reed Properties, LLC  
Clad Keller - Owner  
PO Box 16596  
Fort Wayne, Indiana 46819

**Development Statistics:**  
Project Area: 5.45 Acres  
Number of Units: 28 Two Bedroom  
11,100-1,300 sq ft.  
Park Spaces: 2 Per Unit = 27 Street Space



Primary Development Plan  
Scale: 1" = 50'



Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	Northwest Electric, Power #1720
Gas	City of Fort Wayne

Contact Information	
City of Fort Wayne Department of Land Use Management/Planning Dept	330-427-1827
City of Fort Wayne Public Works and Street Engineering/Graphic Station	330-427-1818
City of Fort Wayne Street Engineering/Department of Streets	330-427-1819
City of Fort Wayne Stormwater Engineering/Department of Streets	330-427-2044
City of Fort Wayne Stormwater Engineering/Department of Streets	330-427-2044
City of Fort Wayne Water Engineering/Department of Streets	330-427-1024
City of Fort Wayne Public Works Department/Engineering	330-427-1024
Associated Electric Power Cooperative	330-428-5833
Verity Energy Solutions	330-428-3885
HP 2024/21 Fuel	330-428-1633
Center Point Landmark	330-428-1818

**Foresight Consulting, LLC**  
Professional Engineers & Surveyors  
1910 N. Lee Center Road, Suite 451  
Fort Wayne, Indiana 46825  
260-494-9500  
260-494-9502  
www.foresight-llc.com

EXPERIENCE. INNOVATION. RESULTS.



**6031 Evard Rd, Fort Wayne, IN 46835**

## Evard Road Apartments

Primary Development Plan For:

Perkins Robbins

Commission Number: 192535  
Date: October 16, 2019  
Title: TK  
Primary Development Plan Sheet Number: PD2

811  
Know what's below.  
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## FACT SHEET

Case #REZ-2019-0064	Bill # Z-19-10-14	Project Start: October 2019
APPLICANT: REQUEST:	Solid Rock Properties, LLC – Chad Keysor To rezone property from R1/Single Family Residential to R3/Multiple Family Residential; and approve a primary development plan for a 38 unit multiple family residential complex.	
LOCATION:	The site is located on the north side of the 6000 to 6100 blocks of Evard Road, north of Brookside Church and east of Eldrado Hills Section 3 (Section 16 of St. Joseph Township).	
LAND AREA:	Approximately 5.4 acres	
PRESENT ZONING:	R1/Single Family Residential	
PROPOSED ZONING:	R3/Multiple Family Residential	
COUNCIL DISTRICT:	2-Russ Jehl	
ASSOCIATED PROJECTS:	Evard Road Apartments	
SPONSOR:	City of Fort Wayne Plan Commission	

#### 4 November 2019 Public Hearing

- Six residents made comments at the hearing.
- Billy Davenport, Tom Freistroffer and Judi Wire were absent.

#### 18 November 2019 – Business Meeting

##### Plan Commission Recommendation: DO PASS w/Written Commitment

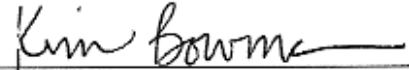
A motion was made by Judi Wire and seconded by Don Schmidt to return the ordinance with a Do Pass recommendation and Written Commitment to Common Council for their final decision.

##### 7-0 MOTION PASSED

- Justin Shurley and Patrick Zaharako were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
November 19, 2019

Reviewed by:

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

## PROJECT SUMMARY

The petitioner requests a rezoning from R1/Single Family Residential to R3/Multiple Family Residential for a 38-unit apartment complex. The property is surrounded to the north and west by platted subdivisions and to the east by metes and bounds residential development. The property to the south is Brookside Church. The zoning will be compatible with the existing conditions in the area. This proposal will allow the redevelopment of this vacant and underused ground. The proposal can be supportive by the following goals and policies of the Comprehensive Plan:

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

**LU5.D** Encourage development proposals that provide housing, designed to allow adequate pedestrian and bicycle access, in close proximity to existing neighborhood commercial, civic, institutional and other similar uses.

**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.

The proposed site plan includes seven (7) new buildings, ranging from two to eight units per building for a total of 38 units. Parking will be provided at a rate of two spaces per unit and an additional 27 guest spaces, which exceeds the Ordinance minimum requirement. Each unit also has a garage. The project is required to have a sidewalk along Evard Road and shall provide internal connectivity from the buildings to the required walk along Evard Road. The applicant is proposing to meet all screening and buffering requirements and is proposing new material to meet these standards with the exception of the northeast side. In that location, the applicant is proposing to use existing vegetation to screen the two-unit building. Stormwater detention will be provided on-site and will be discharged from the property in accordance with Fort Wayne Stormwater Management requirements. The project is a mix of single and two-story buildings. After meeting with the neighborhood, the applicant signed a Written Commitment that limits the two story buildings to those with four or fewer units.

### **PUBLIC HEARING SUMMARY:**

Presenter: Todd Bauer, engineer, represented the applicant and presented the proposal to the Plan Commission, as outlined above.

### Public Comments:

Tammy Baxter – Concerned about crime, drainage, how this will impact her foster dog program.

Amanda Weimer - Concerned about drainage. Did not imagine multiple family on this property.

Pam Hemphill – Would rather see single family, concerned about drainage and dumpster location

Alan Swim – There are many subdivisions that drain to the Eldrado stormwater basin.

Shanna Anderson – Concerned about drainage.

Joe Byer – Concerned about drainage.

### Rebuttal:

Property is too small to develop with single family residential. The site currently drains to the basin with no restrictions. New plan will meter the flow and improve current conditions for the property. Applicant met with neighbors after the hearing to address their concerns.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2019-0064

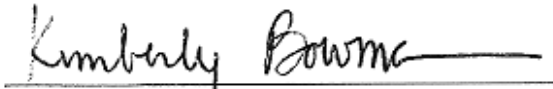
APPLICANT: Solid Rock Properties, LLC – Chad Keysor  
REQUEST: To rezone property from R1/Single Family Residential to R3/Multiple Family Residential; and approve a primary development plan for a 38 unit multiple family residential complex.  
LOCATION: The site is located on the north side of the 6000 to 6100 blocks of Evard Road, north of Brookside Church and east of Eldrado Hills Section 3 (Section 16 of St. Joseph Township).  
LAND AREA: Approximately 5.4 acres  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: R3/Multiple Family Residential

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The Plan Commission recommends that Rezoning Petition REZ-2019-0064 be returned to Council with a “Do Pass” recommendation with a Written Commitment 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 R3/Multiple Family Residential zoning will continue the precedent of residential development in the Northeast quadrant of the City. This proposal will provide redevelopment using existing infrastructure.
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. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the area.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into a currently vacant property.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site.

These findings approved by the Fort Wayne Plan Commission on November 18, 2019.



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

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Solid Rock Properties, LLC - Chad Keyser  
 Address PO Box 9696  
 City Fort Wayne State Indiana Zip 46899  
 Telephone 260-210-2905 E-mail chad@handarentals.com

**Contact Person**  
 Contact Person Todd R. Bauer  
 Address 1910 St. Joe Center Road #51  
 City Fort Wayne State Indiana Zip 46825  
 Telephone 260-484-9900 E-mail todd@4site.biz

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  - Applicable number of surveys showing area to be rezoned (plans must be folded)
  - Legal Description of parcel to be rezoned
  - Rezoning Questionnaire (original and (3 copies) County Recordings Only)

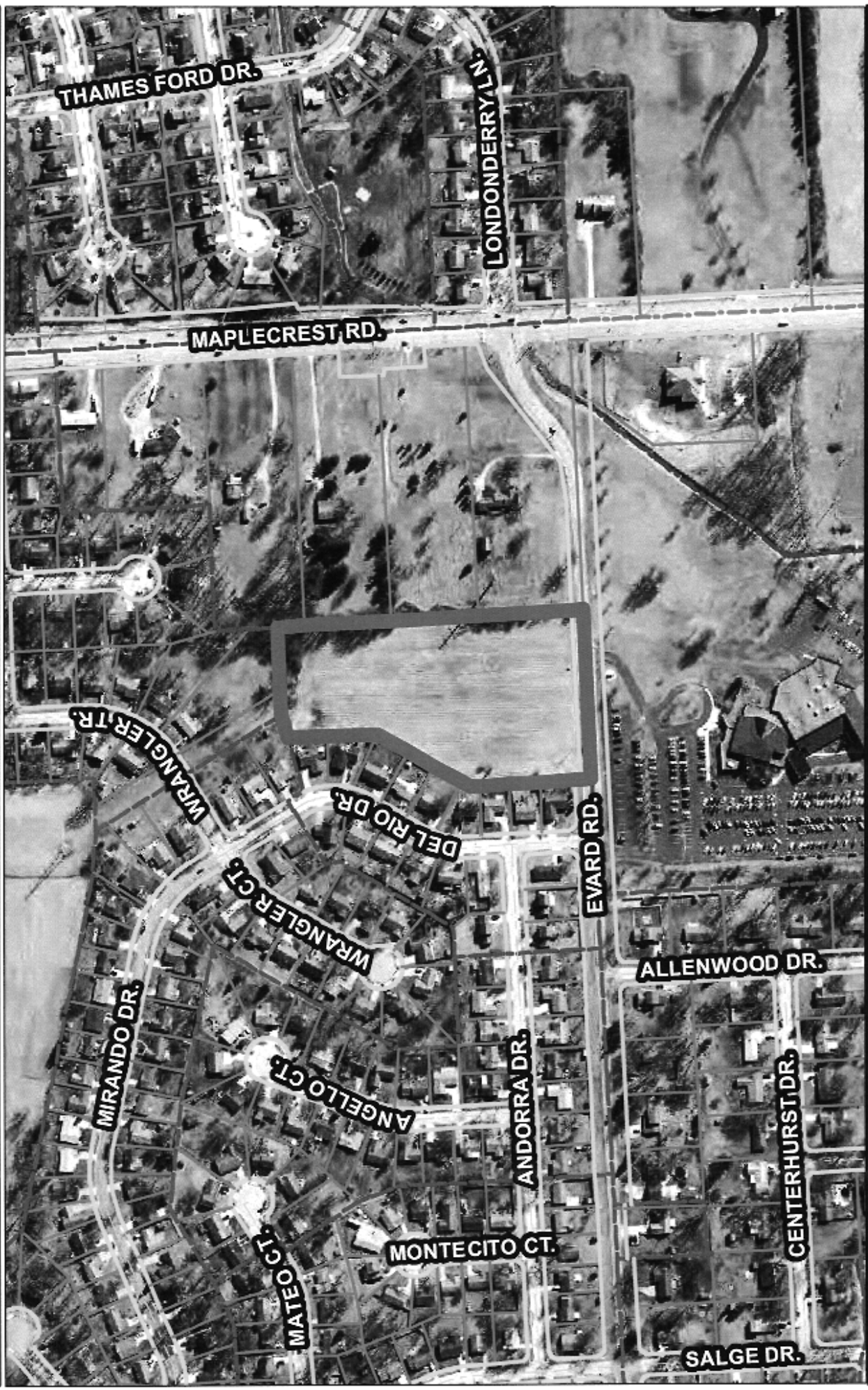
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Solid Rock Properties LLC [Signature] 9/22/19  
 (printed name of applicant) (signature of applicant) (date)  
Solid Rock Properties LLC [Signature] 9/28/19  
 (printed name of property owner) (signature of property owner) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received <u>10-1-19</u>	Receipt No <u>132139</u>	Hearing Date <u>11-4-19</u>	Petition No <u>REZ-2019-0064</u>
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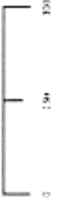
Rezoning Petition REZ-2019-0064 and Primary Development Plan PDP-2019-0054 - Evard Road Apartments



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1 inch = 300 feet





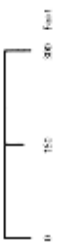
Rezoning Petition REZ-2019-0064 and Primary Development Plan PDP-2019-0054 - Evard Road Apartments



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 All data shown on this map is  
 subject to change without notice.  
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1 inch = 300 feet



# Primary Development Plan For Evard Road Apartments

6031 Evard,  
Fort Wayne, Indiana 46835

**Project Civil Engineer/Land Surveyor:**

**ForeSight Consulting, LLC**  
1910 St. Joe Center Road, Suite 400  
Fort Wayne, Indiana 46835  
Tel: 304.484.9822

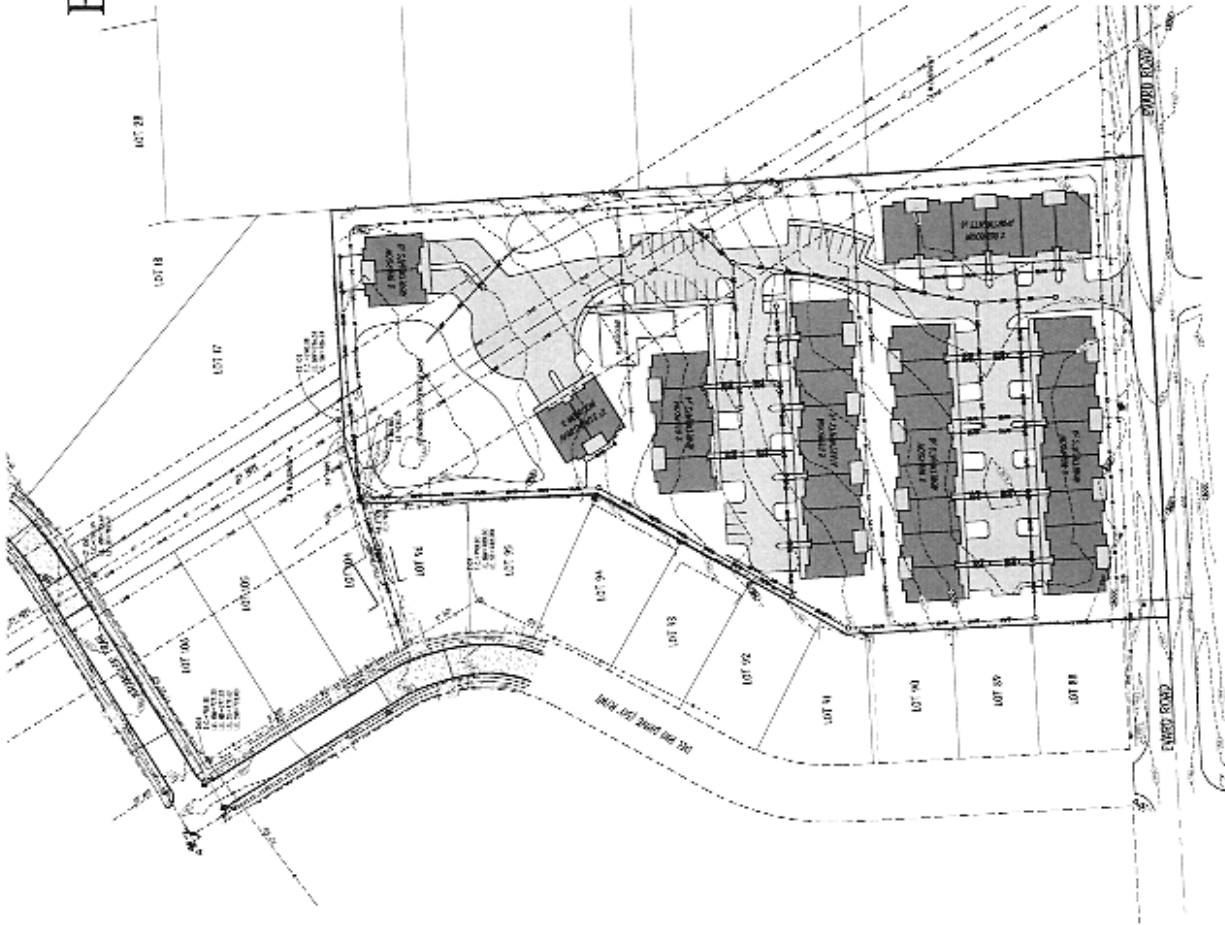


**Property Owner/Developer:**

**5812 Road Properties, LLC**  
Clad Keller - Owner  
PO Box 16916  
Fort Wayne, Indiana 46839

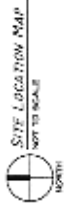
**Development Statistics:**

**Project Area:** 5.45 Acres  
**Number of Units:** 38 Two Bedroom  
(1,020-1,300 sq ft.)  
**Park System:** 2 Per Unit - 27 Total Spots



Primary Development Plan

Scale: 1" = 50'



Existing Utility Provider Information	
Water Street	City of Fort Wayne
Sewer Street	City of Fort Wayne
Electric	American Electric Power
Gas	NRG
Contact Information	
City of Fort Wayne Department of Land Use Management Planning Dept	302-437-1373
City of Fort Wayne City Department of Public Works	302-437-1343
City of Fort Wayne Public Works and Land Engineering Geology Bureau	302-437-1343
City of Fort Wayne Street Engineering Distribution Unit Bureau	302-437-0664
City of Fort Wayne Stormwater Engineering Distribution Unit Bureau	302-437-0664
City of Fort Wayne Water Engineering Department Public Works	302-437-1772
American Electric Power - Distribution Department	302-438-1803
Natural Gas - 1-800-4-A-PIPE	302-481-3325
NRG - 1-800-4-A-PIPE	302-481-1474
Greater Fort Wayne	302-443-1871

Primary Development Plan For:  
**Evard Road Apartments**  
6031 Evard Rd, Fort Wayne, IN 46835

Drawing Number

192385

Date

October 1st, 2019

Title

Primary Development Plan  
Sheet Number

**PDZ**



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Professional Engineers & Surveyors  
1910 St. Joe Center Road, Suite 400  
Fort Wayne, Indiana 46835  
260.484.9822  
www.fsconsult.com

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Professional Engineers & Surveyors  
 1910 St. Joe Center Road, Suite #111  
 Fort Wayne, Indiana 46835  
 260-484-5000 phone  
 260-484-9980 fax  
 www.484inc.com



Certification:



Performed by:  
 [Signature]  
 [Title]

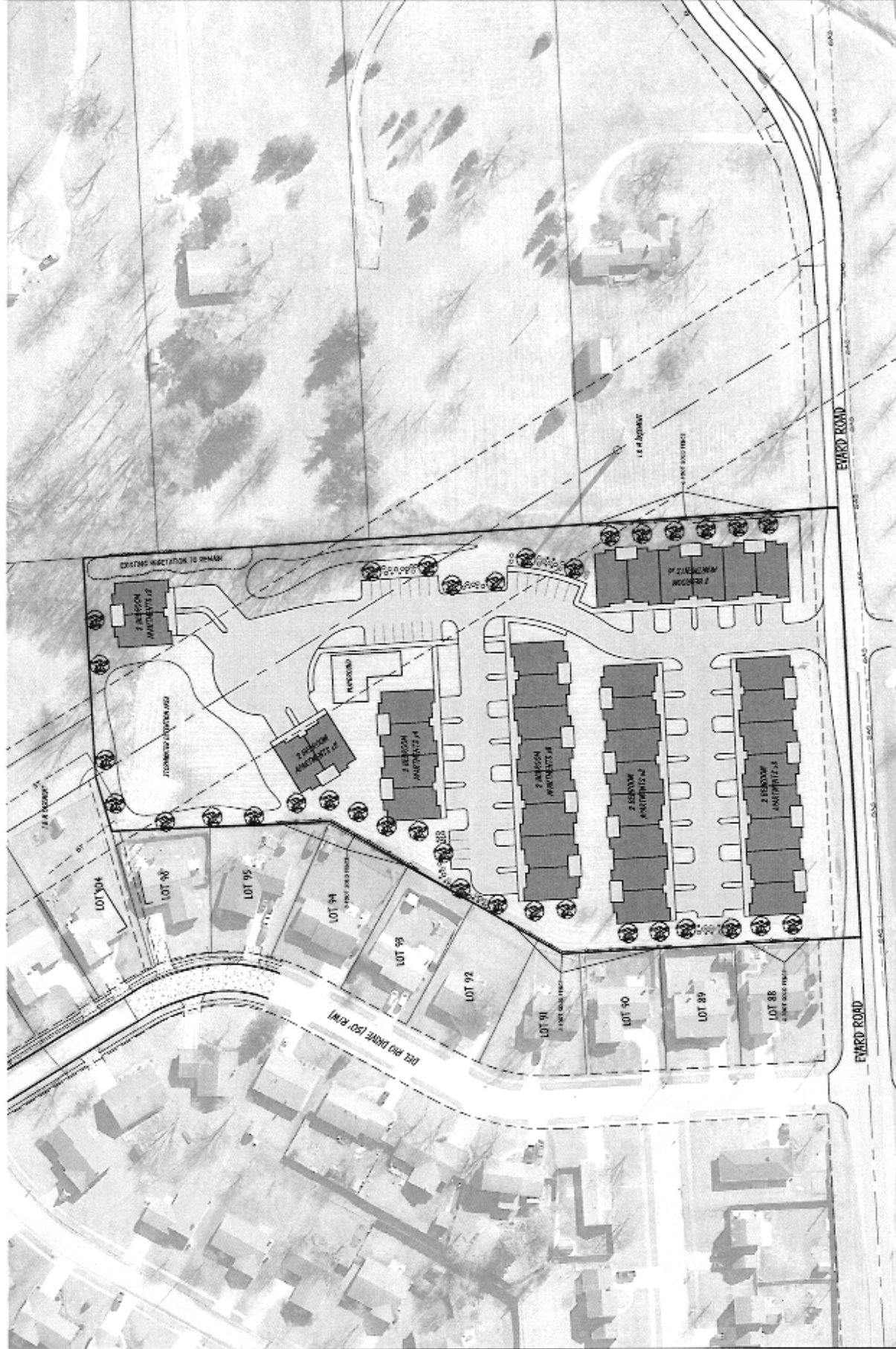
# Evard Road Apartments

6031 Evard Rd, Fort Wayne, IN 46835

Site Landscaping Plan for:

Drawing Revision

Sheet Number	192385
Date	October 11, 2019
Site	Site Landscaping
Plan	Sheet Number
Sheet Number	11.1



Site Landscaping Plan  
 Scale: 1" = 40'



## WRITTEN COMMITMENT

**THIS WRITTEN COMMITMENT** ("Commitment") is made as of this \_\_\_\_ day of November 2019, by **Solid Rock Properties, LLC** (herein the, "Declarant"), under the following circumstances:

### **WITNESSETH:**

**WHEREAS**, Declarant is the fee simple owner of approximately 5.437 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-2019-0064 (the "Zoning Application"), with respect to the Real Estate;

**WHEREAS**, pursuant to the Zoning Application, Declarant, has requested the Real Estate be rezoned to R3/Multiple Family Residential 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 lessces of all or a portion of the Real Estate.

1. Height Limitations. The Declarant commits to limit the apartment buildings of five (5) or more units to single story. Apartment buildings of four (4) or less units may be two stories.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

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

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

10. 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]

“DECLARANT”

SOLID ROCK PROPERTIES, LLC

By: \_\_\_\_\_

Its:

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF ALLEN        )

Before me, the undersigned, a Notary Public, in and for said County and State, this \_\_\_\_ day of November, 2019, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Solid Rock Properties, L.L.C, and acknowledged the execution of the foregoing.

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

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My Commission Expires: \_\_\_\_\_

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

**EXHIBIT "A"**

PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY, INDIANA, SAID POINT BEING 651.7 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 13 EAST; THENCE WEST ALONG SAID LINE, A DISTANCE OF 400 FEET; THENCE NORTHERLY BY A DEFLECTION ANGLE TO THE RIGHT OF 89 DEGREES, 57 MINUTES, 40 SECONDS, A DISTANCE OF 280 FEET; THENCE NORTHEASTERLY BY A DEFLECTION ANGLE TO THE RIGHT OF 32 DEGREES, 18 MINUTES, 20 SECONDS, A DISTANCE OF 250 FEET; THENCE NORTHEASTERLY BY A DEFLECTION ANGLE TO THE LEFT OF 31 DEGREES, 19 MINUTES, 30 SECONDS, A DISTANCE OF 205.47 FEET; THENCE NORTHEASTERLY BY A DEFLECTION ANGLE TO THE RIGHT OF 76 DEGREES, 2 MINUTES, 50 SECONDS, A DISTANCE OF 53 FEET; THENCE EASTERLY BY A DEFLECTION ANGLE TO THE RIGHT OF 12 DEGREES, 17 MINUTES, 00 SECONDS, A DISTANCE OF 202.69 FEET; THENCE SOUTHERLY BY A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 711.4 FEET TO THE POINT OF BEGINNING, CONTAINING 5.437 ACRES.

*(REAL ESTATE DESCRIPTION PER DOCUMENT NUMBER 2018059308 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA)*

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2019-0064  
Bill Number: Z-19-10-14  
Council District: 2-Russ Jehl

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Introduction Date: October 22, 2019  
Plan Commission  
Public Hearing Date: November 4, 2019 (not heard by Council)  
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: To rezone approximately 5.4 acres from R1/Single Family Residential to R3/Multiple Family Residential  
Location: 6031 Evard Road  
Reason for Request: To allow for a 38-unit apartment development  
Applicant: Solid Rock Properties, LLC (Chad Keysor)  
Property Owner: Solid Rock Properties, LLC (Chad Keysor)

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Related Petitions: Primary Development Plan, Evard Road Apartments

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Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential district to allow for the construction of an apartment complex.  
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and may develop with single family residential uses.

**BILL NO. Z-19-10-14**

**REPORT OF COMMITTEE ON REGULATIONS**

**November 26, 2019**

***Tom Freistroffer Chair***

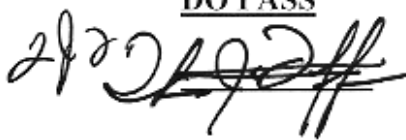
***Michael Barranda Co-Chair***

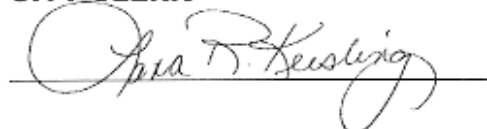
***All Council Members***

An Ordinance amending the City of Fort Wayne Zoning Map No. U-42 (Sec. 16 of St. Joseph Township)

*To rezone approximately 5.4 acres from R1/Single Family Residential to R3/Multiple Family Residential, 6031 Evard Road*

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

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


**BILL NO. Z-19-10-14**

**REPORT OF COMMITTEE ON REGULATIONS**

**December 10, 2019**

***Tom Freistroffer Chair***

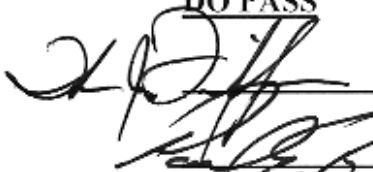


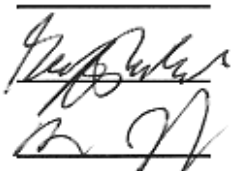

***Michael Barranda Co-Chair***

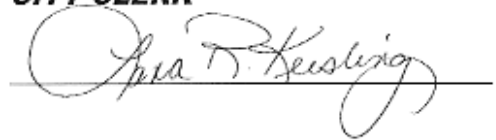
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<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
			
			
			
			

**LANA R. KEESLING  
CITY CLERK**  


Public Hearing Date: November 4, 2019

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

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

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

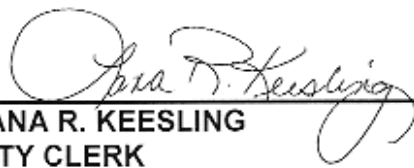
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>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

DATED: December 10, 2019

  
LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-19-10-14 on the 10th day of December, 2019

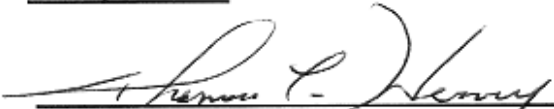
  
LANA R. KEESLING  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of December 2019, at the hour of 8:40 o'clock A.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 11<sup>th</sup> day of December 2019, at the hour of 2:00 o'clock PM E.S.T.

  
THOMAS C. HENRY, MAYOR

