

1 #REZ-2020-0027

2 BILL NO. Z-20-09-01

3
4 ZONING MAP ORDINANCE NO. Z-Withdrawn

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. I-14 (Sec. 33 of Wayne Township)

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

9
10 SECTION 1. That the area described as follows is hereby designated an R1 (Single Family
11 Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
12 Wayne, Indiana:

13 Part of the Southeast Quarter of Section 33, Township 31 North, Range 12 East,
14 Allen County, Indiana, described as follows:

15 Starting on the West line of the right of way of the former Grand Rapids and Indiana
16 Railroad at a point situated 290 feet normally distant South of the North line of said
17 Southeast Quarter of Section 33, to a 5/8 inch rebar stake at the Northeast corner of
18 of the .058 acre tract described in Document Number 202022953; thence South 14
19 degrees 10 minutes 50 seconds East along the aforesaid right of way line, 95 feet to a
20 mag nail at the Southeast corner of said 0.58 acre tract; thence North 90 degrees 00
21 minutes 00 seconds West, 132.19 feet along said South line to a 5/8 inch rebar stake
22 which shall be the Place of Beginning; thence South 14 degrees 34 minutes 04
23 seconds East, 80 feet to a 5/8 inch rebar stake; thence South 00 degrees 22 minutes
24 36 seconds East, 52.52 feet to a 5/8 inch rebar stake; thence South 86 degrees 50
25 minutes 31 seconds West, 115.03 feet; thence North 00 degrees 02 minutes 00
26 seconds East, 136.28 feet to the South line of said 0.58 acre tract; thence South 90
27 degrees 00 minutes 00 seconds East, 94.31 feet along said South line to the Place of
28 Beginning.

29 Together with the right of ingress and egress over the following described tract:
30 Starting on the West line of the right of way of the former Grand Rapids and Indiana
Railroad at a point situated 290 feet normally distant South of the North line of said
Southeast Quarter of Section 33, also being the Northeast corner of the 3.16 acre
tract described in Document Number 80-26424, thence Southeasterly, along the
aforesaid right of way line, 52 feet to the Place of Beginning; thence continuing
Southeasterly 43 feet along said right of way line; thence Westerly, deflecting right

1 104 degrees 10 minutes 05 seconds, 239 feet parallel with the North line of said 3.16
2 acre tract; thence Northerly, deflecting right 90 degrees 02 minutes 00 seconds, 49
3 feet parallel with the West line of said 3.16 acre tract; thence Northwesterly,
4 deflecting left 58 degrees 44 minutes 30 seconds, 34.87 feet; thence Westerly,
5 deflecting left 31 degrees 17 minutes 30 seconds, 130 feet, parallel with the North
6 line of said 3.16 acre tract, to the West line of said 3.16 acre tract; thence Northerly,
7 deflecting right 90 degrees 02 minutes 00 seconds, 25 feet along said West line to the
8 Northwest corner of said 3.16 acre tract; thence Easterly, deflecting right 89 degrees
9 58 minutes 00 seconds, 185.00 feet along the North line of said 3.16 acre tract;
10 Thence Southerly, deflecting right 90 degrees 02 minutes 00 seconds, 40 feet,
11 parallel with the West line of said 3.16 acre tract; thence Southeasterly, deflecting
12 left 71 degrees 01 minutes 49 seconds, 32 feet to a point on the North line of an
13 existing asphalt driveway; thence Easterly, 173.08 feet along said North line to the
14 Place of Beginning.

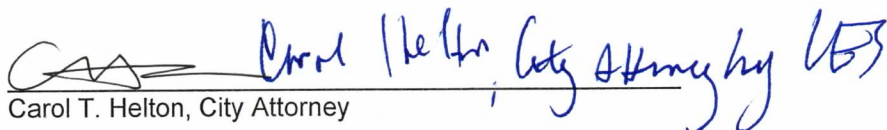
15 and the symbols of the City of Fort Wayne Zoning Map No. I-14 (Sec. 33 of Wayne
16 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
17 Wayne, Indiana is hereby changed accordingly.

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

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

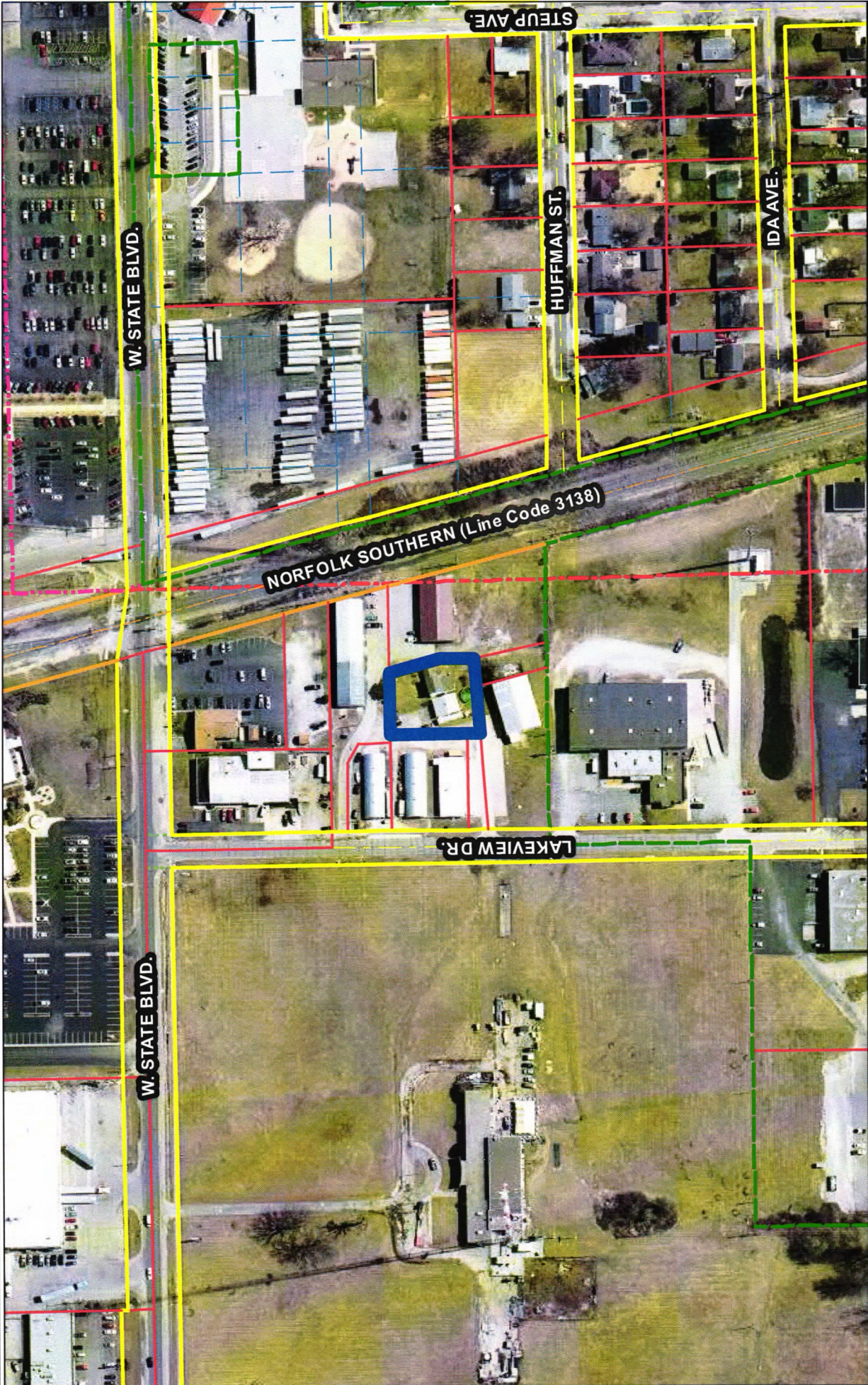
24 _____
25 Council Member

26 APPROVED AS TO FORM AND LEGALITY:

27 
28 Carol T. Helton, City Attorney



Rezoning Petition REZ-2020-0027 (2128 Lakeview Dr)

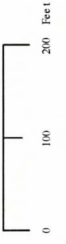


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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contour: Spring 2009
 Date: 8/19/2020

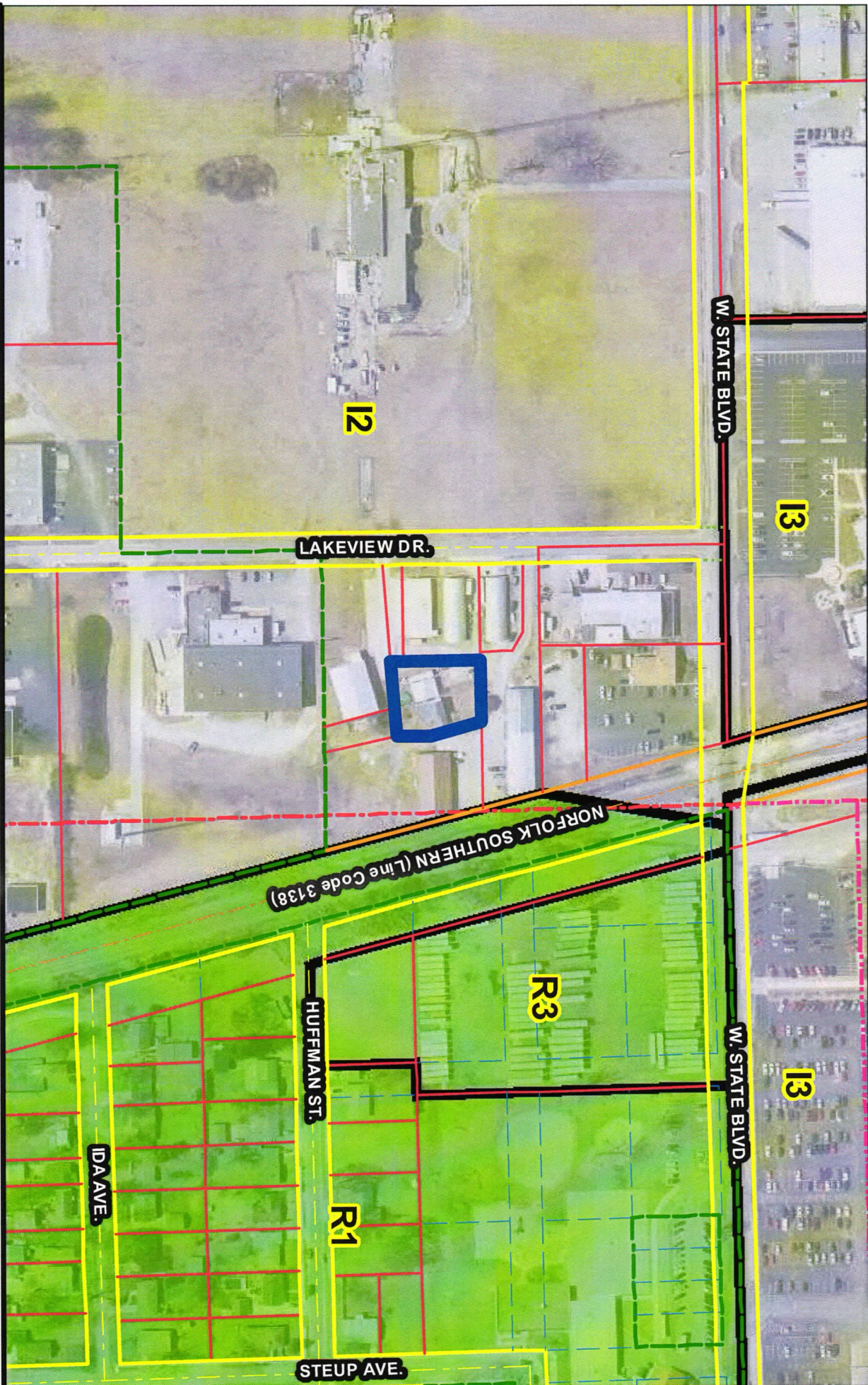


1 inch = 200 feet



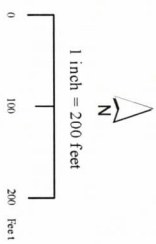


Rezoning Petition REZ-2020-0027 (2128 Lakeview Dr)



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 North American Datum 1983
 State Plane Coordinate System, Indiana East
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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant JAMES D. Smith
 Address 2128 LAKEVIEW DR
 City FT WAYNE State IN Zip 46808
 Telephone 260.414.1237 E-mail CARSMART3322@afpsoc.com

Contact Person
 Contact Person Jim Smith
 Address 6111 LANDMARK DR
 City FT WAYNE State IN Zip 46815
 Telephone 260.414.1237 E-mail CARSMART3322@afpsoc.com
All staff correspondence will be sent only to the designated contact person.

Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 2128 LAKEVIEW DR
 Present Zoning Com Proposed Zoning RES Acreage to be rezoned .33
 Proposed density _____ units per acre
 Township name Washington Township section # 33
 Purpose of rezoning (attach additional page if necessary)
Residents Living In Property For Last 10 YRS
 Sewer provider City Water provider City

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 Rezonings 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.

JAMES D Smith (printed name of applicant) [Signature] (signature of applicant) 7/23/2020 (date)
JAMES D Smith (printed name of property owner) [Signature] (signature of property owner) 7-23/2020 (date)
 _____ (printed name of property owner) _____ (signature of property owner) _____ (date)
 _____ (printed name of property owner) _____ (signature of property owner) _____ (date)

Received	Receipt No.	Hearing Date	Petition No.
7/23/2020	154650	8/10/2020	REZ - 2020 - 0027

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0027
Bill Number: Z-20-09-01
Council District: 3-Tom Didier

Introduction Date: September 8, 2020
Plan Commission
Public Hearing Date: September 14, 2020 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 1.00 acre from I2/General Industrial to R1/Single Family Residential.

Location: 2128 Lakeview Drive

Reason for Request: To allow an existing home to be compliant with the zoning ordinance.

Applicant: James D. Smith

Property Owner: James D. Smith

Related Petitions: none

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district, which will bring the current use on the property into compliance with the zoning ordinance.

Effect of Non-Passage: The property will remain zoned industrial and the existing use will continue to be non-conforming. The applicant cannot refinance the property with the current zoning.