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#REZ-2020-0046

BILL NO. Z-20-11-09

ZONING MAP ORDINANCE NO. Z-Withdrawn

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. H-14 (Sec. 33 of Washington 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 R3
(Multiple Family Residential) District under the terms of Chapter 157 Title XV of the Code of
the City of Fort Wayne, Indiana:

Real Estate Description per Document Number 2020067653

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31
NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION
AND 955 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,
THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF
SAID SECTION, 165 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID
SOUTHWEST QUARTER 200 FEET; THENCE EAST 165 FEET PARALLEL WITH THE FIRST
LINE; THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, SAID IN PREVIOUS DEED
TO CONTAIN 0.76 ACRES, MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS TO NEUHAUS DRIVE, OVER
THE SOUTH 25 FEET OF THE NORTH 660 FEET OF THE SOUTH 2640 FEET OF THE WEST
200 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP
31 NORTH, RANGE 12 EAST, IN ALLEN COUNTY, INDIANA.

Real Estate Description per Document Number 2020043740

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31
NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION
AND 790 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,
THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF
SAID SECTION 330 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID
SOUTHWEST QUARTER 660 FEET; THENCE EAST 330 FEET PARALLEL WITH THE FIRST
LINE; THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, CONTAINING 5 ACRES
MORE OR LESS.

EXCEPTING THEREFROM:

1 THE NORTH 20 FEET CONVEYED TO THE BOARD OF COMMISSIONERS OF ALLEN COUNTY
2 FOR PUBLIC HIGHWAY PURPOSES BY DEED RECORD 202, PAGES 133-134.

3 ALSO EXCEPTING THEREFROM:

4 A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31
5 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

6 COMMENCING AT 1980 FEET NORTH OF THE SOUTH SECTION LINE OF SAID SECTION
7 AND 955 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 33,
8 THIS BEING THE STARTING POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF
9 SAID SECTION, 165 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID
10 SOUTHWEST QUARTER 200 FEET; THENCE EAST 165 FEET PARALLEL WITH THE FIRST
11 LINE; THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.76 ACRES
12 MORE OR LESS.

13 **Real Estate Description per Document Number 2012048948**

14 A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 31
15 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

16 COMMENCING AT A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST
17 QUARTER 1980 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 33; THENCE
18 RUNNING NORTH ON SAID WEST LINE, 660 FEET; THENCE EAST PARALLEL WITH THE
19 SOUTH LINE OF SAID SECTION 200 FEET; THENCE SOUTH PARALLEL WITH THE FIRST
20 LINE 660 FEE, THENCE WEST 200 FEET TO THE PLACE OF BEGINNING, EXCEPTING
21 THEREFROM THE RIGHT OF WAY FOR ROAD 25 FEET WIDE RUNNING FROM ROAD
22 DIRECTLY FRONTING SAID LAND ON THE SOUTH TO A FIVE ACRE TRACT OF LAND SOLD
23 TO EDWARD KLEINSCHMIDT AND WIFE, SAID LAND SOLD BEING 110 FEET EAST OF THE
24 EAST LINE OF SAID ROAD.

25 and the symbols of the City of Fort Wayne Zoning Map No. H-14 (Sec. 33 of Washington
26 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
27 Wayne, Indiana is hereby changed accordingly.


28 SECTION 2. If a written commitment is a condition of the Plan Commission's
29 recommendation for the adoption of the rezoning, or if a written commitment is modified and
30 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.

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Council Member

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0046
Bill Number: Z-20-11-09
Council District: 3-Tom Didier

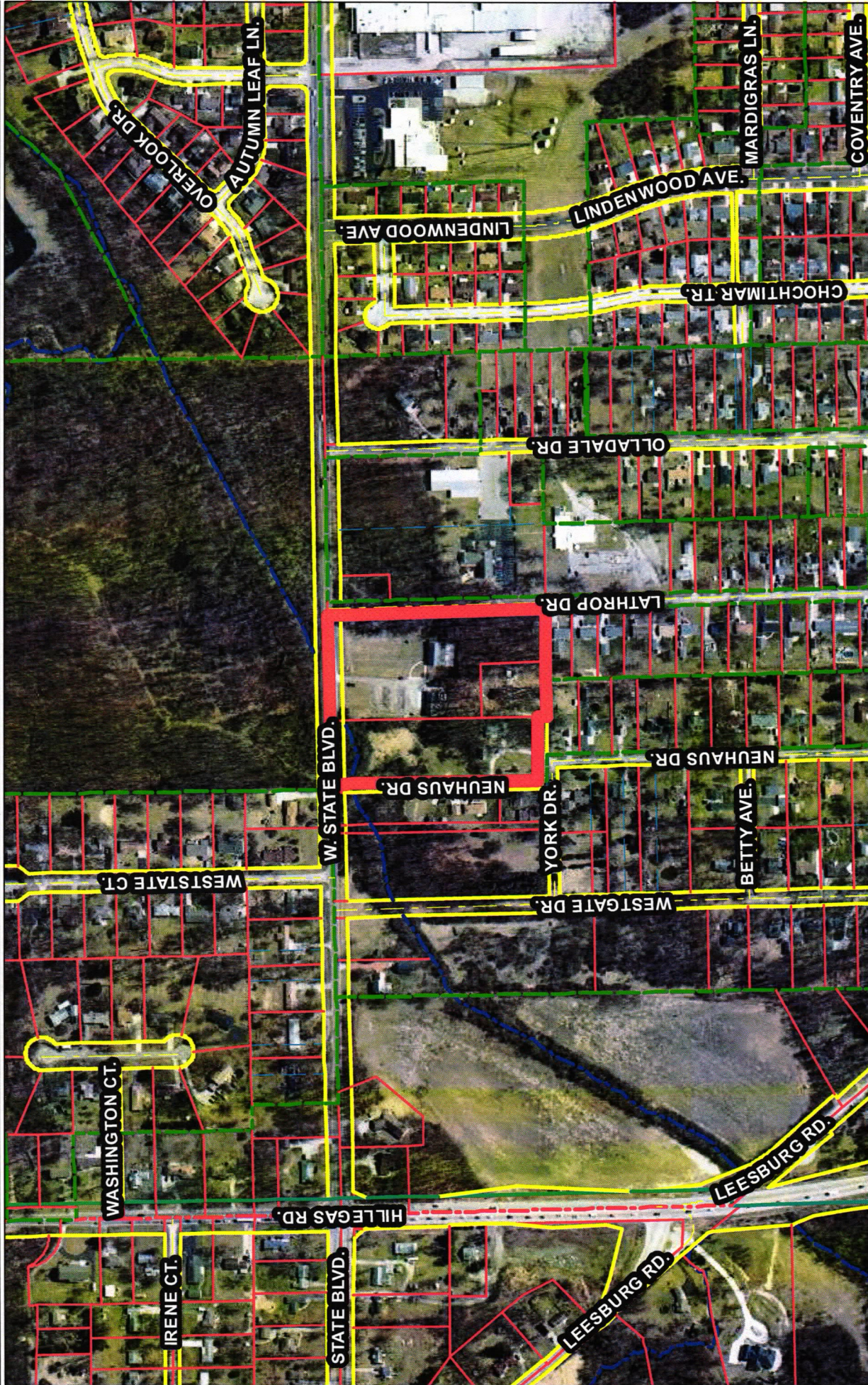
Introduction Date: November 24, 2020
Plan Commission
Public Hearing Date: December 7, 2020 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 7.78 acres from R1/Single Family Residential R3/Multiple Family Residential.
Location: 3515 West State Boulevard
Reason for Request: To permit a 48-unit multiple family residential development
Applicant: Martin J. Henry
Property Owner: Martin J. Henry

Related Petitions: Primary Development Plan, West State Apartments

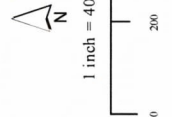
Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which will allow an apartment development.
Effect of Non-Passage: The property will remain zoned R1/Single Family Residential which permits single family homes on individual parcels.

Rezoning Petition REZ-2020-0046 and Primary Development Plan PDP-2020-0036 - West State Apartments

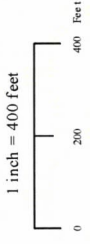
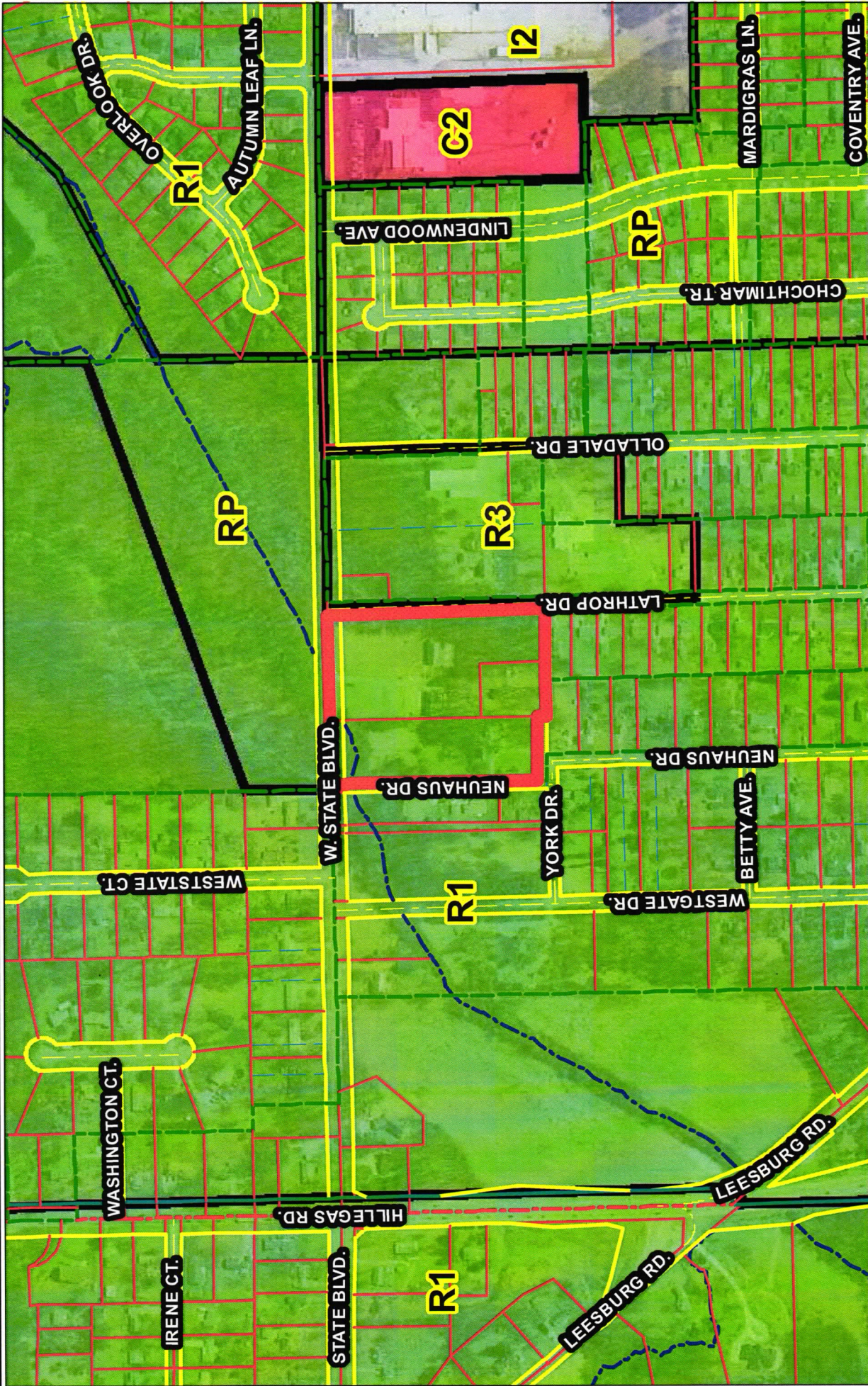


Although strict accuracy standards have been employed in the compilation of this map, Allen County is not responsible for any errors or omissions of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/16/2020



Rezoning Petition REZ-2020-0046 and Primary Development Plan PDP-2020-0036 - West State Apartments



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©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: 11/16/2020

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Neuhaus Properties LLC
 Address PO Box 11227
 City Fort Wayne State Indiana Zip 46856
 Telephone 260-410-7513 E-mail mhenry@upstatemetal.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 3515 West State Boulevard
 Present Zoning R-1 Proposed Zoning R-3 Acreage to be rezoned 7.78
 Proposed density 6.17 units per acre
 Township name Washington Township section # 33
 Purpose of rezoning (attach additional page if necessary) To accommodate a Multi-Family USE.
 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.

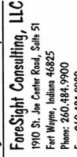
<u>Martin J. Henry</u> (printed name of applicant)	<u>Martin J Henry</u> <small>Digitally signed by Martin J Henry Date: 2020.11.03 08:57:37 -0500</small> (signature of applicant)	<u>11/3/2020</u> (date)
<u>Martin J. Henry</u> (printed name of property owner)	<u>Martin J Henry</u> <small>Digitally signed by Martin J Henry Date: 2020.11.03 08:57:46 -0500</small> (signature of property owner)	<u>11/3/2020</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
11-3-2020	135698	12-7-2020	REZ-2020-0046

Primary Development Plan For West State Apartments

3515 West State Boulevard, Fort Wayne, Indiana 46808

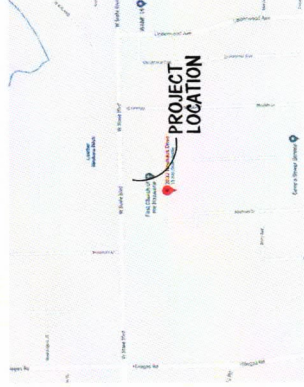
Project Civil Engineer/Land Surveyor:



Foresight Consulting, LLC
1910 S. Joe Center Road, Suite 51
Fort Wayne, Indiana 46825
Phone: 260.484.9900
Fax: 260.484.9980

Development Statistics:

Project Area: 5.45 Acres
Number of Units: 38 Two Bedroom (1,100-1,300 sq.ft.)
Parking Spaces: 2 Per Unit + 27 Guest Spaces



Real Estate Description per Document #2020067653:

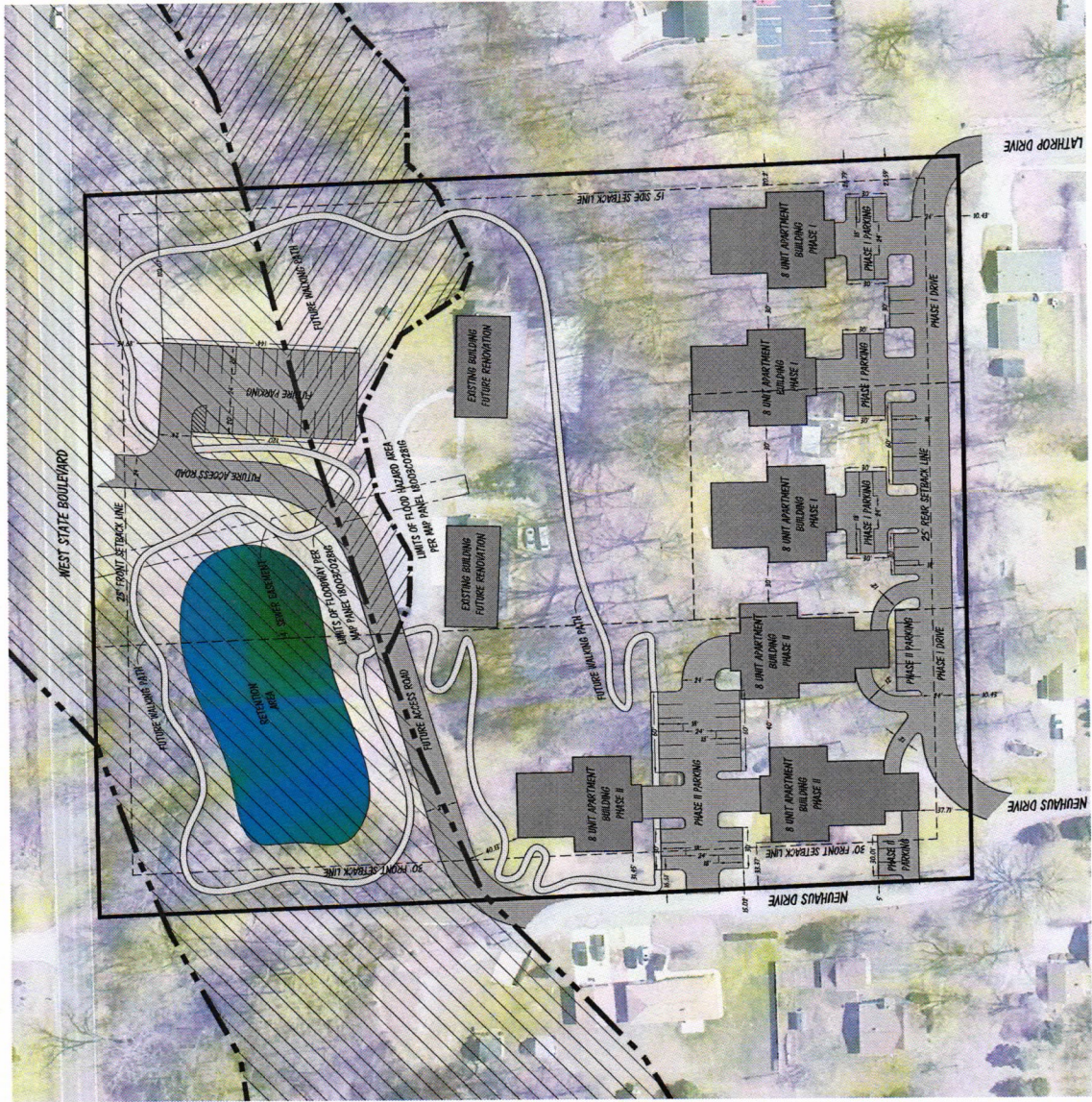
A PLANK OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:
THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:
COMMENSAL AT 180 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND 140 FEET WEST OF THE EAST LINE OF SAID SECTION, 18 FEET THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION QUARTER 300 FEET; THENCE EAST 88 FEET ACRES, MORE OR LESS; LINE THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, SAID 180 FEET BEING 10 FEET SOUTH OF THE NORTH 180 FEET OF AN EASEMENT FOR HIGHWAY DRIVE OVER THE SOUTH 25 FEET OF THE NORTH 88 FEET OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 3 EAST, ALLEN COUNTY, INDIANA.

Real Estate Description per Document #2020043740:

A PLANK OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:
COMMENSAL AT 180 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND 140 FEET WEST OF THE EAST LINE OF SAID SECTION, 18 FEET THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION QUARTER 300 FEET; THENCE EAST 88 FEET ACRES, MORE OR LESS; LINE THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS. ALSO BEGINNING THEREON TO THE BOUND OF COMMISSIONERS OF ALLEN COUNTY FOR PUBLIC HIGHWAY PURPOSES BY DEED DATED 10/22/2003 PAGES 104-105.

Real Estate Description per Document #2012048948:

A PLANK OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:
COMMENSAL AT 180 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND 140 FEET WEST OF THE EAST LINE OF SAID SECTION, 18 FEET THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION QUARTER 300 FEET; THENCE EAST 88 FEET ACRES, MORE OR LESS; LINE THENCE SOUTH 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS. ALSO BEGINNING THEREON TO THE BOUND OF COMMISSIONERS OF ALLEN COUNTY FOR PUBLIC HIGHWAY PURPOSES BY DEED DATED 10/22/2003 PAGES 104-105.



Primary Development Plan

Scale: 1" = 40'



Know what's below.
Call before you dig.

Professional Engineers & Surveyors
1910 S. Joe Center Road, Suite #51
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4sire.biz

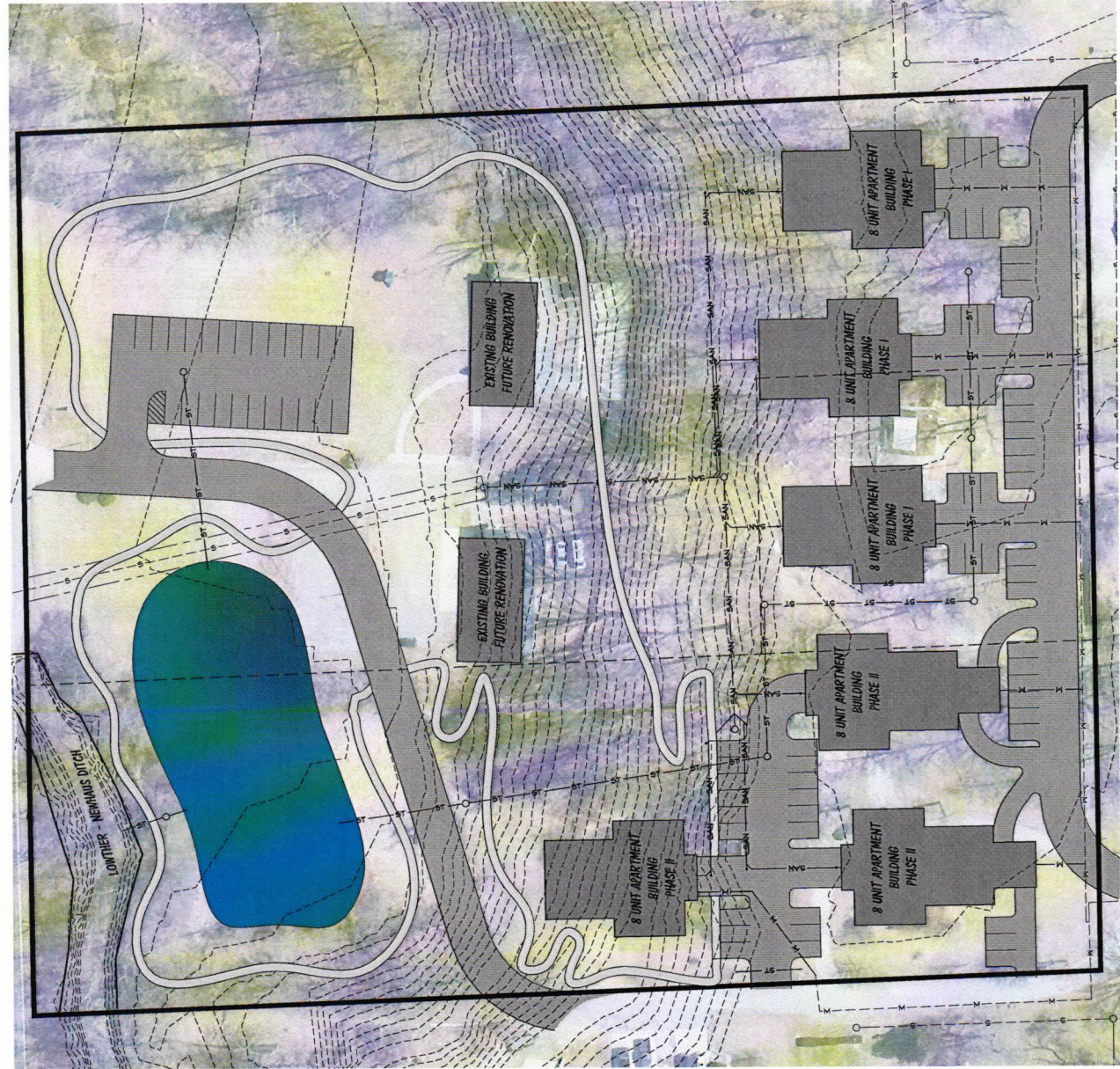
Creating a Better Tomorrow.....with Foresight



Performed for:

Primary Development Plan For:
Neuhaus Properties LLC
3515 West State Boulevard, Fort Wayne, Indiana 46806

Drafting Revisions
Commission Number 202897
Date November 3rd, 2020
Title Primary Development Plan
Sheet Number PD1



Primary Development Plan
Scale: 1" = 30'



Site Location Map
NOT TO SCALE

Existing Utility Provider Information	
Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NPSCD

Contact Information	
City of Fort Wayne Department of Land Use Management-Monica Wood	260-427-1129
City of Fort Wayne Fire Department-Monica Black	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Crystal Baker	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Rumer	260-427-5064
City of Fort Wayne Summer Engineering Department-Patrick July	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Sack	260-427-1172
City of Fort Wayne Traffic Engineering Department-Kyle Worling	260-408-1863
American Electric Power-Karen Ploner	260-461-3325
Victorian Energy Solutions	260-435-1408
NPSCD-Mike Pugh	765-449-3811
Contact-Drew Laskowski	

Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #51
Fort Wayne, Indiana 46825
260.484.9980 phone
260.484.9980 fax
www.a-site.biz

Creating a Better Tomorrow.....with Foresight

Certification:

Performed for:

Primary Development Plan For:
Neuhaus Properties LLC
3515 West State Boulevard, Fort Wayne, Indiana 46806

Drafting Revisions

Commission Number
202897

Date
November 3rd, 2020

Title
Primary Development Plan

Sheet Number
PD2

