

1 #REZ-2021-0006

2 BILL NO. Z-21-02-13

3
4 ZONING MAP ORDINANCE NO. Z-11-21

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. V-38 (Sec. 15 of Saint Joseph Township)

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

8 SECTION 1. That the area described as follows is hereby designated an R3 (Multiple
9 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of
10 Fort Wayne, Indiana:

11 Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of
12 Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly
13 described as follows:

14 Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15,
15 Township 31 North, Range 13 East, Allen County, Indiana; thence North along the East line of
16 the W ½ of the SW ¼ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a
17 distance of 40.0 feet to the POINT OF BEGINNING; thence continuing North along the West
18 ½ of the SW ¼ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a
19 distance of 432.9 feet to the Southeast corner of Lot 41 in Jonathon Oaks, Section I; thence West
20 with a deflection angle to the left of 89 degrees 57 minutes (88 degrees 13 minutes 30 seconds,
21 recorded) along the South line of Lot 40 and Lot 41 in Jonathon Oaks Section I and the South
22 line of Lot 53 in Jonathon Oaks, Section II, a distance of 191.0 feet to the Northeast corner of a
23 tract of land conveyed to Fort Wayne Community Schools as recorded in Document 79-09956;
24 thence South with a deflection angle to the left of 91 degrees 33 minutes along the East line of
25 the Fort Wayne Community Schools tract a distance of 436.5 feet to a point 40 ft. North on the
26 South line of the W ½ of the SW ¼ of Section 15-31-13; thence East with a deflection angle to
27 the left of 89 degrees 33 minutes parallel with the South line of the W ½ of the SW ¼ of Section
28 15-31-13 a distance of to the Point of Beginning 1.848 acres, excepting therefrom the South 30
29 feet taken for road right of way.

30 and the symbols of the City of Fort Wayne Zoning Map No. V-38 (Sec. 15 of St. Joseph
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.

1
2 SECTION 3. That this Ordinance shall be in full force and effect from and after its
3 passage and approval by the Mayor.

4
5 
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

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9 
10 Carol T. Helton, City Attorney

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City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2021-0006
Bill Number: Z-21-02-13
Council District: 1 – Paul Ensley

Introduction Date: February 23, 2021
Plan Commission
Public Hearing Date: March 8, 2021 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone 1.8 acres from R1/Single Family Residential to R3/Multiple Family Residential
Location: 6641 St. Joe Center Road (north of)
Reason for Request: To allow for a residential townhome development with 10 duplex units and 2 single units.
Applicant: Envision US, LLC
Property Owner: Christopher Cammack

Related Petitions: Primary Development Plan, Cottages of St. Joe Center

Effect of Passage: Property will be rezoned to the R3/Multiple Family Residential zoning district, which will allow the construction of multiple attached townhomes.
Effect of Non-Passage: The property will remain zoned for single family residential uses and may redevelop as such.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Envision US, LLC
 Address P.O. Box 85022
 City Fort Wayne State IN Zip 46885
 Telephone 260-452-6005 E-mail chris@cammackstates.com

Contact Person
 Contact Person Thomas M. Niezer
 Address 215 East Berry Street
 City Fort Wayne State IN Zip 46802
 Telephone 260-423-8898 E-mail tmn@barrettlaw.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 TBD / 6641 St. Joe Center Road
 Present Zoning R-1 Proposed Zoning R-3 Acreage to be rezoned 1.848
 Proposed density N/A units per acre
 Township name St. Joseph Township section # 15
 Purpose of rezoning (attach additional page if necessary) To provide for rezoning and primary development plan for multi-family residential housing; known as the Cottages of St. Joe Center Road.
 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.

See attached Exhibit "A"

_____ (printed name of applicant)	_____ (signature of applicant)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>2-2-2021</u>	Receipt No. <u>136080</u>	Hearing Date <u>3-8-2021</u>	Petition No. <u>REZ-2021-0006</u>
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EXHIBIT A

Signature Page

**ENVISION US, LLC
Applicant and Owner**

By:

Chris C.
Christopher Cammack, Manager

February 2, 2021
Date



BarrettMcNagny.

ATTORNEYS AT LAW

Thomas M. Niezer
(260) 423-8898
tmn@barrettlaw.com

February 2, 2021

Via Hand Delivery

City of Fort Wayne - Allen County
Department of Planning Services
Attn: Michelle Wood, Senior Land Use Planner
200 East Berry Street, Suite 150
Fort Wayne, IN 46802

Re: Cottages of St. Joe Center Road

Dear Michelle:

This office represents Envision US, LLC the owner of 1.848 acres at 6641 St. Joe Center Road.

Enclosed with this letter are the following:

1. Rezoning Application to rezone the entirety of the property from its existing R-1 classification to R-3, multi-family;
2. Primary Development Plan Application for 1.594 acres of the subject parcel;
3. Waiver Application;
4. Filing fee checks for the Rezoning Application, Primary Development Plan Application, and Waiver Application.

The purposed Cottages project contemplates a series of twelve two-story townhomes being developed on the subject parcel. I am enclosing an elevation drawing of the design of the townhomes together with the proposed First and Second Floor plans of the buildings. These documents are schematic at this time and do not represent the final design or layout. We will have more information on these documents for you at the public hearing.

Our Client while rezoning the existing residence at 6641 St. Joe Center Road, is not including that property within the scope of the primary development plan. Our client anticipates this site eventually being redeveloped and incorporated into the existing primary development plan as a Phase II of the project at a later date.

The waiver application is necessary as a result of the narrow configuration of the subject parcel. Notwithstanding, the waiver request, if accepted, will not interfere with adequate buffering and screening of the development from the adjacent properties and will not result in adequate access, parking, and lighting standards being met for the property.



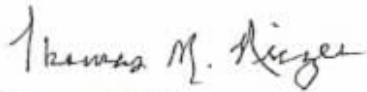
St. Joe Center Road continues to witness an increase in traffic volume. Rezoning the subject parcel to R-3 is compatible to the adjacent land use of Fort Wayne Community Schools to the west, as well as the commercial rezoning of a whole host of properties to the South of St. Joe Center Road. The development will serve as an adequate buffer for the surrounding land uses.

Our client utilizes an outside management firm for the management of its properties. More information as to the management and leasing of the townhomes, together with background on Envision and its prior work within the Fort Wayne community will be made available at the public hearing. Notwithstanding, the Cottages development does represent a project that will be well constructed and maintained consistent with other properties in the surrounding area. The development will not incorporate or utilize IRC §42, Low-Income Housing Credit and its rent structure will be market based.

Should you have any questions, please do not hesitate to call. I look forward to working with you or the staff member eventually assigned to these applications. I am,

Very truly yours,

BARRETT MCNAGNY LLP



Thomas M. Niezer

TMN:pas/2865944
Enclosures

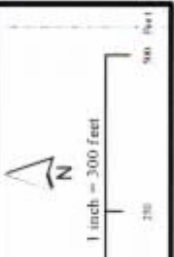
Cc: Charles Cammack (*via e-mail*)
Gregory Roberts, L.S. (*via e-mail*)



Rezoning Petition REZ-2021-0006 and Primary Development Plan PDP-2021-0006 - Cottages of St. Joe Center

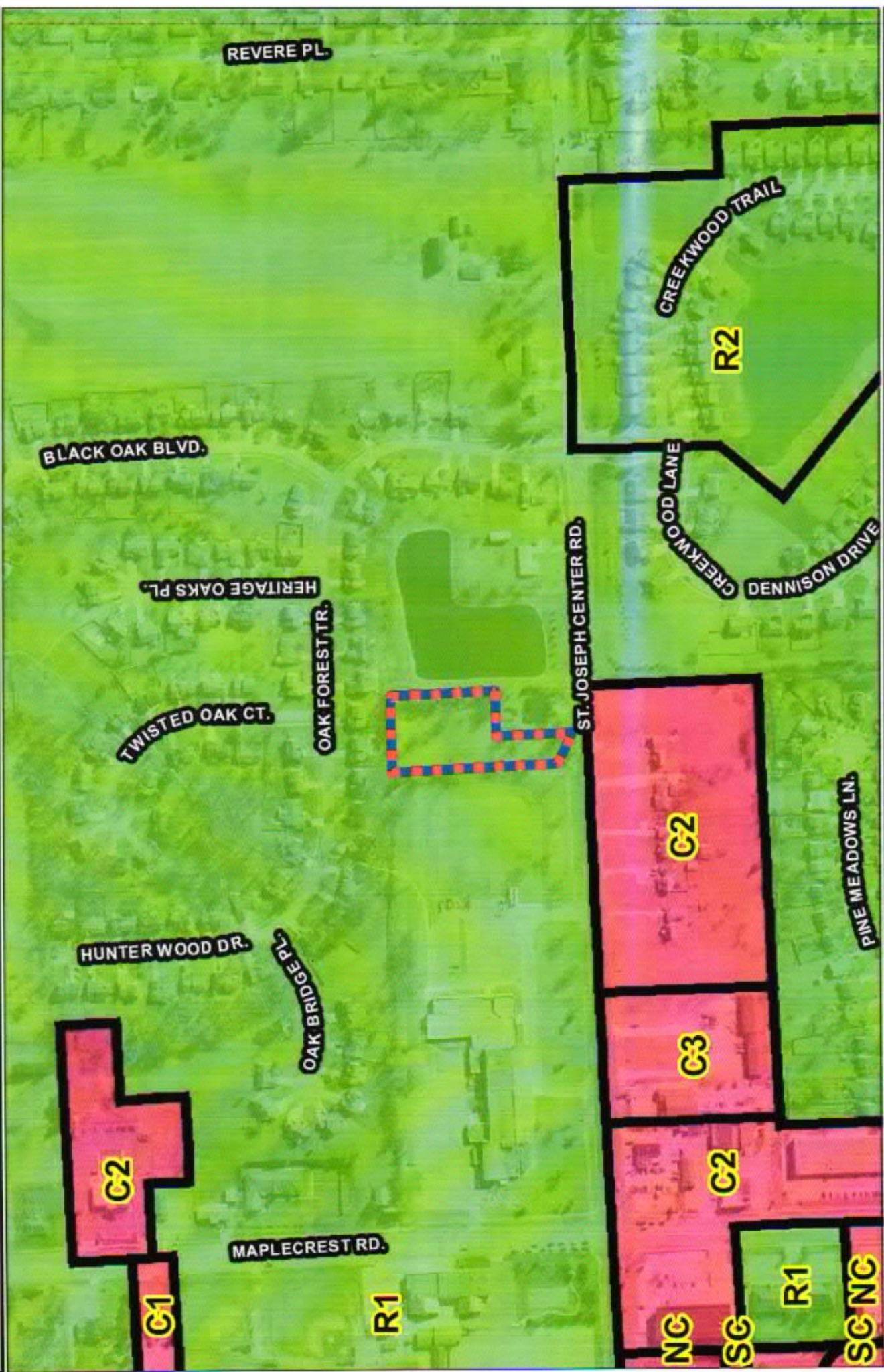


Although every necessary check has been completed in the completion of this map, Abbeville County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability for any errors or omissions in this map. North American Datum 1983. Photo and Contour's Spring 2009. Date: 2/11/2021.





Rezoning Petition REZ-2021-0006 and Primary Development Plan PDP-2021-0006 - Cottages of St. Joe Center



Although not necessary, candidates have been provided in the explanation of this map.

Allen, County does not own or guarantee the accuracy of the information contained herein and it is not intended to constitute any warranty or liability, including, but not limited to, any use or reliance on this map.

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 1000 North American Street, Suite 100
 Allen, Texas 75015
 Phone: 972.346.6666 Fax: 972.346.6667
 Email: info@cityofallen.com

1 inch = 300 feet

0 100 200 300 Feet

North Arrow

Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana; thence North along the East line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 40.0 feet to the POINT OF BEGINNING; thence continuing North along the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 432.9 feet to the Southeast corner of Lot 41 in Jonathon Oaks, Section I; thence West with a deflection angle to the left of 89 degrees 57 minutes (88 degrees 13 minutes 30 seconds, recorded) along the South line of Lot 40 and Lot 41 in Jonathon Oaks Section I and the South line of Lot 53 in Jonathon Oaks, Section II, a distance of 191.0 feet to the Northeast corner of a tract of land conveyed to Fort Wayne Community Schools as recorded in Document 79-09956; thence South with a deflection angle to the left of 91 degrees 33 minutes along the East line of the Fort Wayne Community Schools tract a distance of 436.5 feet to a point 40 ft. North on the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13; thence East with a deflection angle to the left of 89 degrees 33 minutes parallel with the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 a distance of to the point of beginning 1.848 acres, excepting therefrom the South 30 feet taken for road right of way.

PRELIMINARY DEVELOPMENT PLAN DESCRIPTION

Part of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County Indiana; thence North 02 degrees 55 minutes 25 seconds West (INDOT GPS datum and basis for this description) along the East line of the West Half of the Southwest Quarter of Section 15 a distance of 170.7 feet to the POINT OF BEGINNING; thence North 02 degrees 55 minutes 25 seconds West along the East line of the West Half of the Southwest Quarter of Section 15 and along the West line of Block "E" in Jonathon Oaks Section I (Plat Cabinet A, page 74) a distance of 301.68 feet to the Southwest corner of Lot Number 42 in Jonathon Oaks Section I; thence South 89 degrees 05 minutes 36 seconds West along the South line of Jonathon Oaks section I and Jonathon Oaks section II a distance of 191.23 feet; thence South 04 degrees 26 minutes 01 seconds East along the East line of a tract of land conveyed to Fort Wayne Community Schools a distance of 403.48 feet to a point on the North right of way line of St. Joe Center Road; thence South 66 degrees 43 minutes 58 seconds East (South 65 degrees 54 minutes 44 seconds East, recorded) along said right of way line a distance of 80.0 feet; thence North 87 degrees 19 minutes 27 seconds East along said right of way line a distance of 25.69 feet; thence North 02 degrees 55 minutes 24 seconds West a distance of 110.0 feet; thence North 73 degrees 18 minutes East a distance of 85.46 feet to the point of beginning containing 1.594 Acres.



SQUARE FOOTAGE:

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDING. BUILDERS AND OTHER CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE EXECUTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING COMPONENTS, SEATING UNITS, ETC. ANY MODIFICATION TO THE ABOVE MENTIONED CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE DESIGNER FOR CHANGE. OTHERWISE THE DESIGNER SHALL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 3/4" UNLESS OTHERWISE NOTED.

SUMMIT CITY DESIGN, LLC
 RESIDENTIAL & COMMERCIAL DESIGN
 10 BOX 2971
 FORT WORTH, TX 76102
 817.737.7338
 SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
 51, JOE RD, DUPLEXES

DRAWING DATES:
 DATE DEC 14, 2020
 FINAL
 SCALE 1/4" = 1'-0"
 DATE NOV 4, 2020
 DRAWN BY GBS
 FILE NO. 22-078
 DWG NO.

A-1

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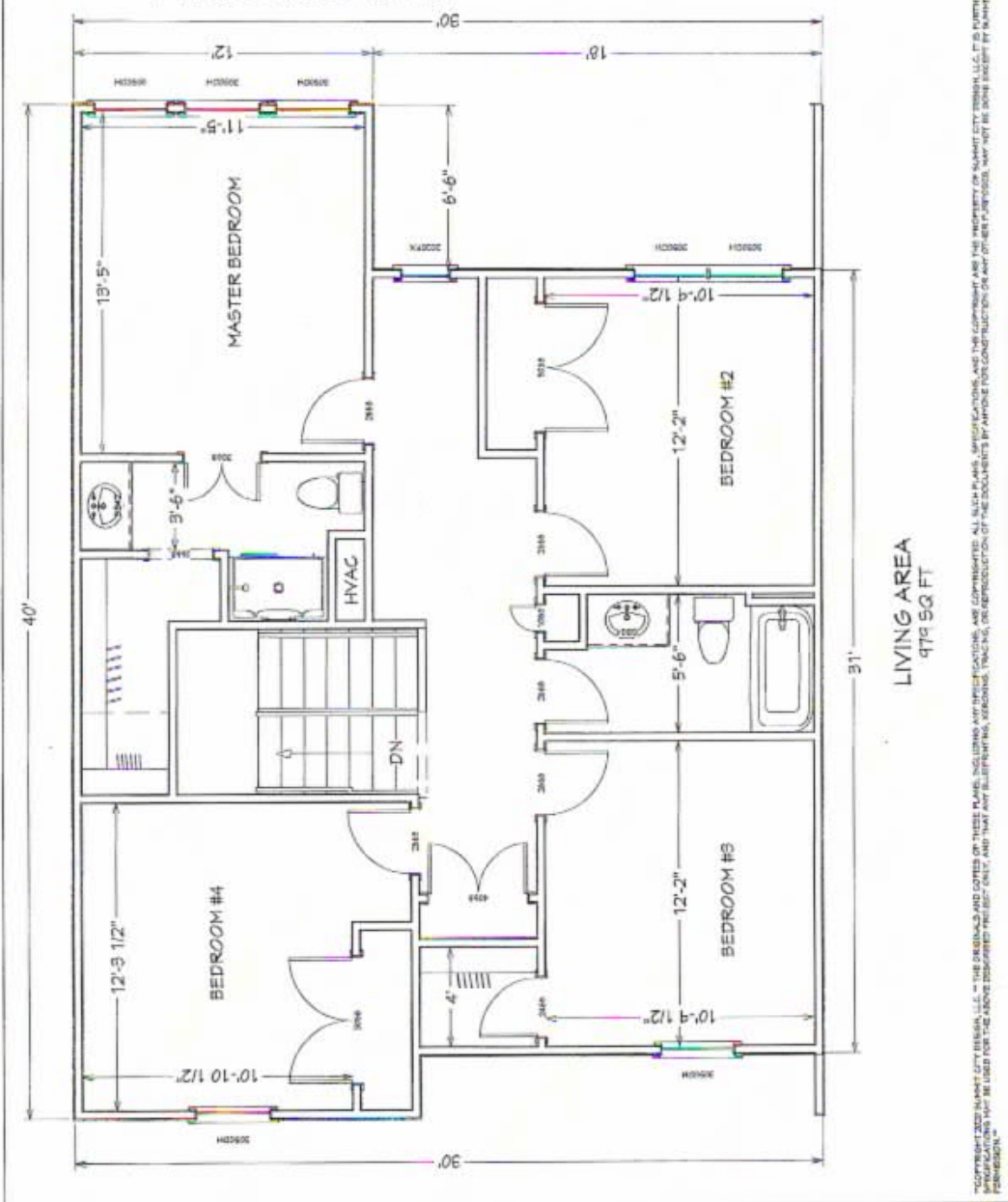
	SUMMIT CITY DESIGN, LLC RESIDENTIAL & COMMERCIAL DESIGN 4007 FORT WARRIE, IRVING, TX 75038 972.251.2731 SUMMITCITYDESIGN@GMAIL.COM	DUPLEX #3 ST. JOE RD. DUPLEXES	DRAWING DATES: DATE: DEC. 14, 2023 FINAL
			SCALE: 1/4" = 1'-0" DATE: NOV. 6, 2023 DRAWN BY: EBF FILE NO.: 201718 DWG NO.:

A-3

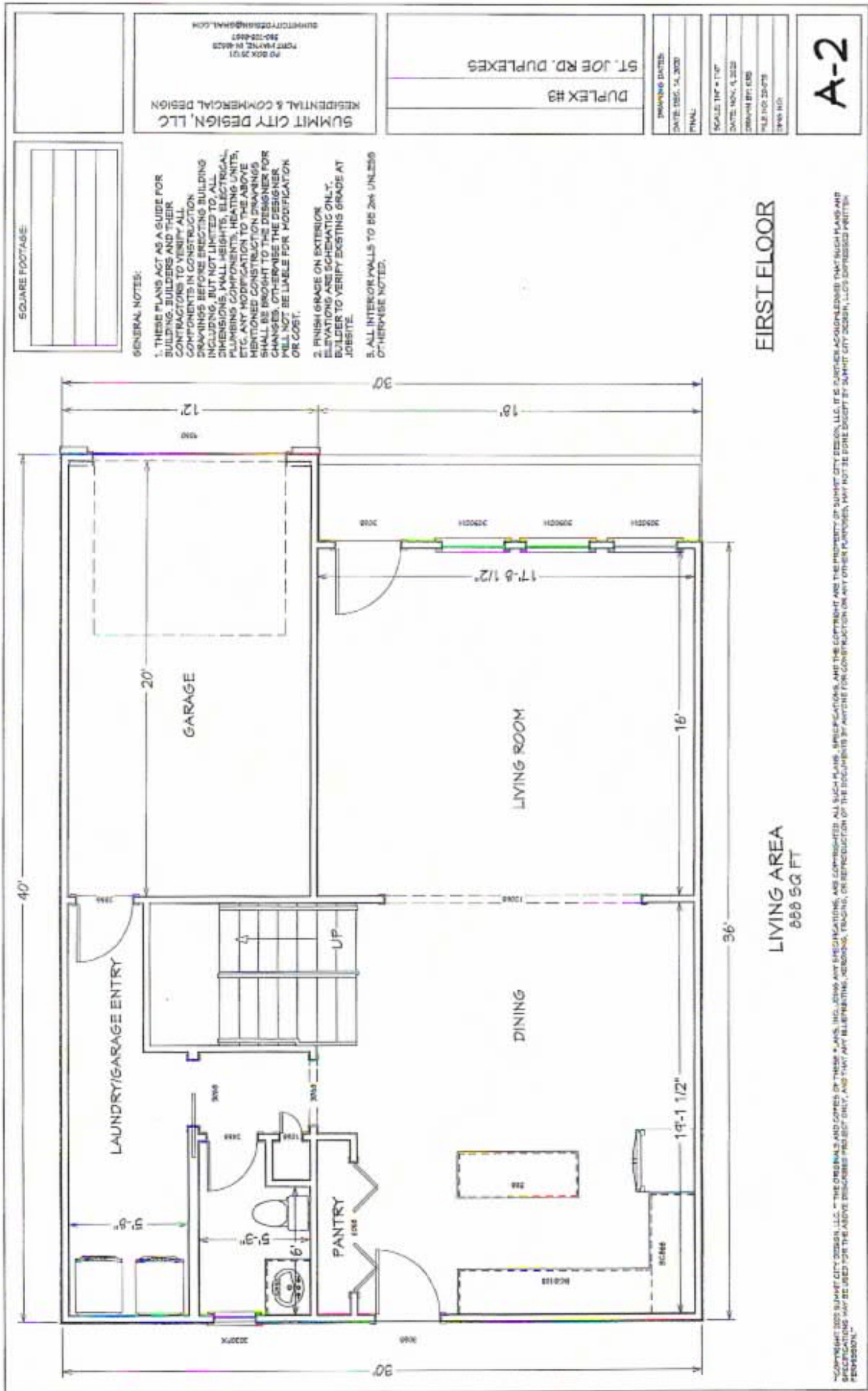
SECOND FLOOR

LIVING AREA
979 SQ. FT.

GENERAL NOTES:
 1. THESE PLANS ACT AS A GUIDE FOR BUILDING. BUILDERS AND THEIR CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING COMPONENTS, HEATING UNITS, ETC. ANY DEVIATIONS TO THE ABOVE DRAWINGS MUST BE BROUGHT TO THE DESIGNER FOR CHANGES. OTHERWISE THE DESIGNER WILL NOT BE LIABLE FOR MODIFICATION OR COST.
 2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOBSITE.
 3. ALL INTERIOR WALLS TO BE 3/4 UNLESS OTHERWISE NOTED.



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SQUARE FOOTAGE

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDING. BUILDERS AND THEIR CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING COMPONENTS, HEATING UNITS, ETC. ANY MODIFICATION TO THE ABOVE MENTIONED CONSTRUCTION DRAWINGS SHALL BE MADE AT THE DESIGNER'S DISCRETION. THE DESIGNER SHALL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 2x4 UNLESS OTHERWISE NOTED.

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DUPLEX #3
ST. JOE RD. DUPLEXES

DRAWING DATES:
DATE ISS. 11.30.20
FINAL
SCALE: 1/4" = 1'-0"
DATE: NOV. 9, 2020
DRAWN BY: EBB
FILE NO: 20-073
DWG NO:

A-2

FIRST FLOOR

LIVING AREA
888 SQ FT

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FACT SHEET

Case #REZ-2021-0006		Bill # Z-21-02-13	Project Start: February 2021
APPLICANT:	Envision US, LLC		
REQUEST:	To rezone property from R1/Single Family Residential to R3/Multiple Family Residential; and approve a primary development plan for a 12-unit multiple family residential complex, including waiver requests for building setbacks.		
LOCATION:	The site is located on the north side of the 6600 block of St. Joe Center Road. The site lies to the east of St. Joseph Central School, and south and west of Jonathon Oaks Subdivision (Section 15 of St. Joseph Township).		
LAND AREA:	Approximately 1.9 acres for rezoning Approximately 1.6 acres for development		
PRESENT ZONING:	R1/Single Family Residential		
PROPOSED ZONING:	R3/Multiple Family Residential		
COUNCIL DISTRICT:	1-Paul Ensley		
ASSOCIATED PROJECT:	Primary Development Plan, Cottages of St. Joe Center Road		
SPONSOR:	City of Fort Wayne Plan Commission		

March 8, 2021 Public Hearing

- Three property owners spoke at the hearing with concerns, questions, or in opposition.
- Ryan Neumeister, Justin Shurley and Rachel Tobin-Smith were absent.

March 15, 2021 Business Meeting

Plan Commission Recommendation: DO PASS w/Written Commitment

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

6-0 MOTION PASSED

- Ryan Neumeister, Paul Sauerteig, and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
April 5, 2021

PROJECT SUMMARY

SITE HISTORY

- The property has historically been a metes and bounds single family residential property.
- In 2013, a rezoning petition to RP/Planned Residential was proposed for a 6-unit multiple family residential development. The rezoning request received a Do Pass recommendation from the Plan Commission but was denied by City Council.

STAFF DISCUSSION

The petitioner originally requested a rezoning from R1/Single Family Residential to R3/Multiple Family Residential to allow the construction of a seven-building, 12-unit multiple family residential development. Following the public hearing and discussions with representatives from the Jonathon Oaks neighborhood, the plan was reduced to 10 units in seven buildings: four duplex buildings and two stand-alone homes.

The proposed rezoning parcel is located on the north side of St. Joe Center Road, between St. Joe Central Elementary School and Section I of Jonathon Oaks subdivision. The parcel is occupied by a single family home that will remain. The zoning proposal covers the entire property, but the home site is excluded from the development plan submittal. The adjacent parcels surrounding the site to the north, south and east are developed with subdivisions or metes and bounds residential, and St. Joe Central Elementary School borders the entire west property line. The C2 zoning to the south is over the metes and bounds parcels, which have yet to develop with commercial uses.

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The residential proposal will place additional living options within close proximity to goods and retail services, and well as medical services. The comprehensive plan supports this development through the following objectives:

- LU1.** Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
- 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;
- LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The development proposes seven separate structures for a total of 10 units. Two structures are proposed as stand-alone single family units and four structures are duplexes. All of the units have attached garages and driveway space for parking. The applicant has submitted building elevations and proposed floorplan for a typical unit. The Zoning Ordinance minimum building size is 950 square feet. The single access to the site will be from St. Joe Center Road. An internal sidewalk will connect to the recently installed public sidewalk along St. Joe Center Road, which also connects to St. Joe Elementary School. Stormwater detention will be provided along the entry drive at the southwest corner of the site. Due to the site having multiple units on a single parcel adjacent to residential zoning districts, screening is required between the complex and the adjacent neighborhood. Code B-3 consists of a 6-foot tall solid fence with trees planted every 30 feet; within a 25-foot width. The approved development plan includes privacy fencing and trees along the east, north and west property lines, meeting the ordinance requirement. The applicant would like to save as many existing trees along the east property line as they can.

The applicant is proposing a freestanding monument sign along St. Joe Center Road. The sign shall not exceed 8 feet in height and 50 square feet in area.

Two waivers of setback standards are being requested for the development. The interior building separation on the eastern units will be reduced to 15 feet (from 25) and the southernmost unit will be 11 feet from the existing single family home parcel. The exterior setbacks on the north and east property lines will be met, while the western edge will have a reduction from 30 feet to 25 feet, adjacent to the school.

The applicant submitted a voluntary written commitment that was revised through the public hearing process. The commitment limits the building height to 35 feet (all residential districts are allowed 40 feet), and the units are capped at a total of 10 for the site. The revised landscape and screening plan is also tied to the written commitment, which will run with the land, not the property owner.

Here are the items that were modified from the original submittal as a result of the public hearing, comments from reviewing agencies and neighbors:

- Total units reduced from 12 to 10.
- Perimeter setback increased adjacent to neighborhood.
- Landscaping and fencing included to meet the ordinance and address comments from the school.
- Increased turn-around which accommodates emergency vehicles.
- Internal sidewalk added on the private drive to connect to public walk.
- Decreased density at northern end of project.

PUBLIC HEARING SUMMARY:

Presenter: Thomas Niezer, Barrett McNagny, representing Envision US, presented the proposal as outlined above.

Public Comments:

Betty Forehand, 6227 Twisted Oak Court – Concerns include number of units, fire access, garbage pickup, sidewalks, screening, light pollution, too much happening in the space allowed.

Steve Bohan, 6606 Oak Forest Trail – Concerns include landscape screening, drainage, waivers, and too much in the space allowed.

Eugene Daley, 6523 Oak Mill Place – Concerns include property values, waivers, pond liability, drainage, traffic safety, developers are too young/new, spot zoning.

Rebuttal: Tom Niezer

Offered to meet with the neighborhood before the hearing but the offer was not accepted. The property is adjacent to a school, commercial zoning and near a commercially developed intersection. The property will not redevelop as a single family use. A transitional use like a duplex project is an appropriate redevelopment type. They are willing to restrict the number of units and the height, add landscaping and will reconsider the waiver requests.

Post-Hearing: The applicants met with representatives from the neighborhood and submitted a revised plan and written commitment, with the changes listed above.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

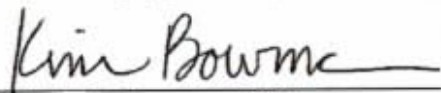
Rezoning Petition REZ-2021-0006

APPLICANT: Envision US, LLC
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LOCATION: The site is located on the north side of the 6600 block of St. Joe Center Road. The site lies to the east of St. Joseph Central School, and south and west of Jonathon Oaks Subdivision (Section 15 of St. Joseph Township).
LAND AREA: Approximately 1.9 acres for rezoning
Approximately 1.6 acres for development
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: R3/Multiple Family Residential

The Site Committee returns Rezoning Petition REZ-2021-0006 with a Written Commitment to Common Council, with a recommendation of "Do Pass" for the reasons stated below:

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 commercial to single-family residential land uses. This proposal will provide infill development using existing infrastructure. The comprehensive plan supports this development through the following objectives:
 - LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
 - 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;
 - 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. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the neighborhood.
3. Approval is consistent with the preservation of property values in the area. This proposal provides another housing choice for residents who choose to age in place in the northeast community. The proposed residential development provides a buffer between the single family residential uses and the commercial and other non-residential uses to the west and south.
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 residential uses and adequate infrastructure is available to service the site.

These findings approved by the Fort Wayne Plan Commission on March 15, 2021.



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



Rezoning Petition REZ-2021-0006 and Primary Development Plan PDP-2021-0006 - Cottages of St. Joe Center



Although these are not intended to be used as a legal instrument, the City of Allouez hereby certifies that the rezoning and primary development plan are in accordance with the Comprehensive Zoning Ordinance and the Comprehensive Land Use Ordinance and all applicable zoning, subdivision, and other laws of the City of Allouez.
© 2024 Board of Commissioners of the City of Allouez
1000 North Avenue, De Pere, WI 53530
Phone: 920.233.3333, Fax: 920.233.3334
www.cityofallouez.com

North arrow pointing up. Scale bar: 1 inch = 300 Feet. Markings at 0, 100, 200, 300 Feet.



Although these rezoning boundaries have been adopted, it is the obligation of the applicant to verify the accuracy of the information contained herein and to ensure that all applicable zoning codes and other regulations are met. The City of Allamogosa is not responsible for any errors or omissions in this map.

©2024 Board of Commissioners of the County of Allamogosa
 South American Fork in 1980
 State Plane Coordinate System, NAD83
 Position and Coordinate System: NAD83
 Date: 2/11/2024



SQUARE FOOTAGE:

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDINGS, BUILDERS AND THEIR CONTRACTORS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING, MECHANICAL, PAINTING UNITS, ETC. ANY MODIFICATIONS TO THE ABOVE MENTIONED CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE DESIGNER FOR CHANGES. OTHERWISE THE DESIGNER WILL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 3/4 UNLESS OTHERWISE NOTED.

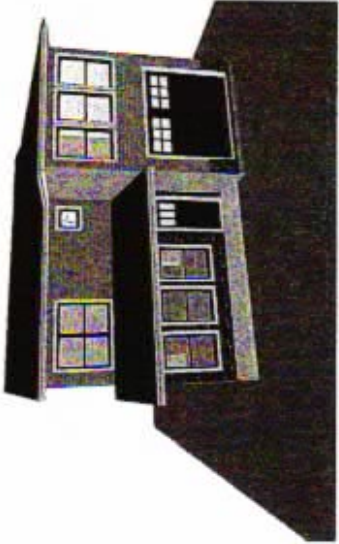
SUMMIT CITY DESIGN, LLC
RESIDENTIAL & COMMERCIAL DESIGN
PO BOX 28711
FORT WORTH, TX 76168
954-103-4881
SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
ST. JOE RD. DUPLEXES

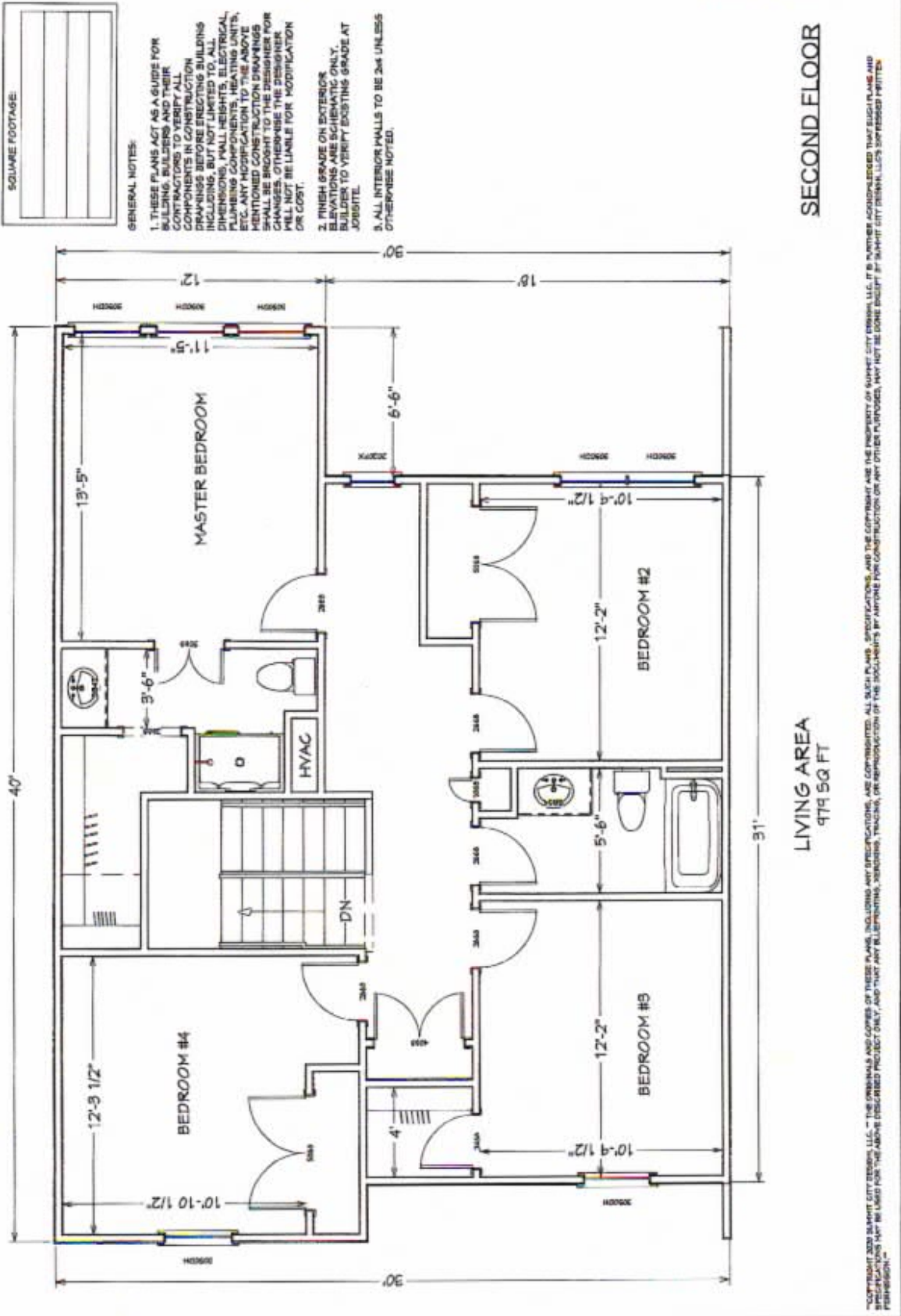
DRAWING DATE:
DATE DEC. 14, 2020
FINAL

SCALE: 1/4" = 1'-0"
DATE: NOV. 5, 2020
DRAWN BY: CMB
FILE NO: 20-078
DWG NO:

A-1



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GENERAL NOTES:

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2. FINISH GRADE ON EXTERIOR SHALL BE AS SHOWN. FINISH GRADE ON INTERIOR SHALL BE AS SHOWN. BUILDERS TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 2x4 UNLESS OTHERWISE NOTED.

SUMMIT CITY DESIGN, LLC
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 317.322.8487
 SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
 97. JOE RD, DUPLEXES

DRAWING DATES
 DATE: DEC. 14, 2020
 FINAL

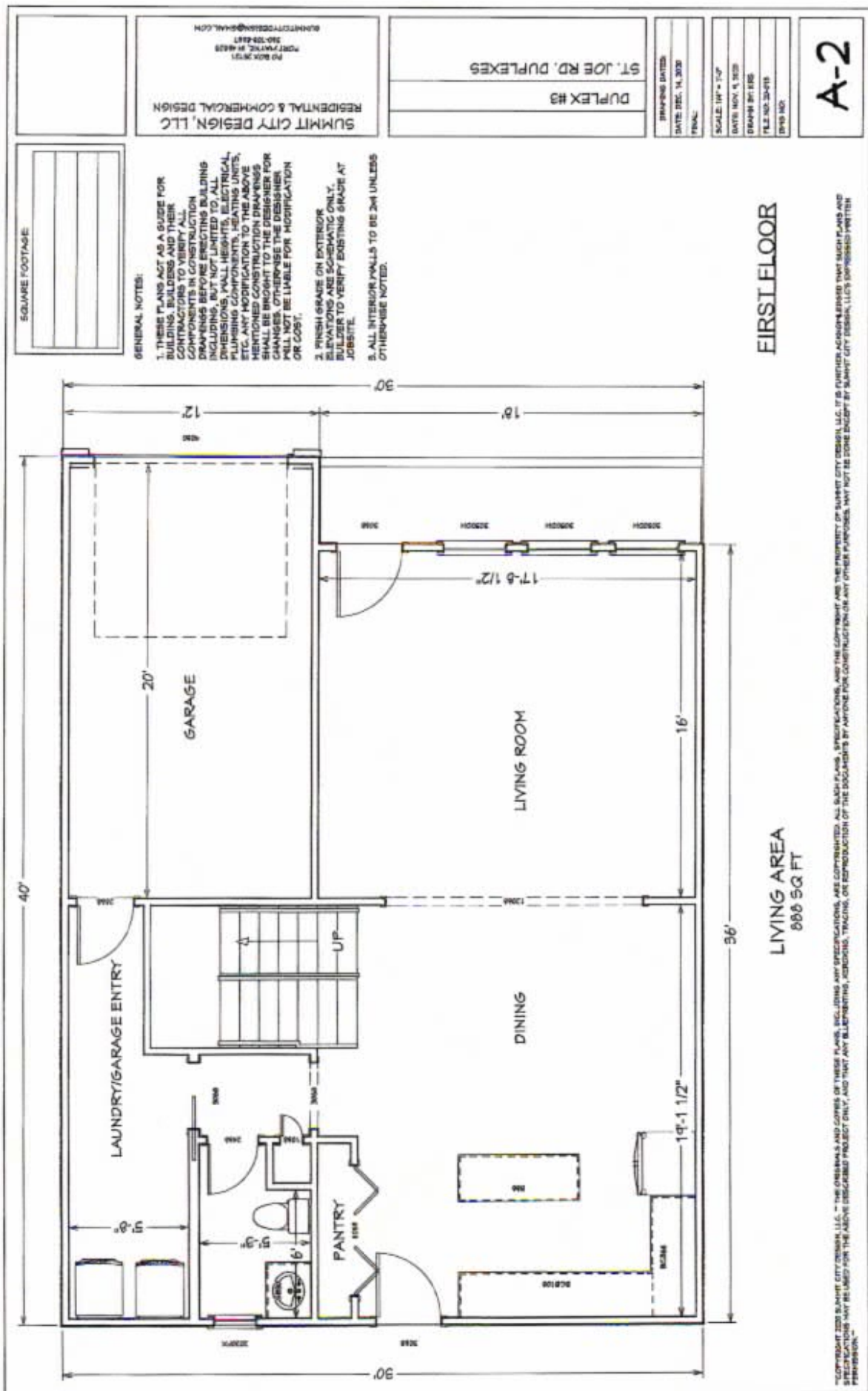
SCALE: 1/8" = 1'-0"
 DATE: NOV. 4, 2020
 DRAWN BY: ERS
 FILE NO: 20-078
 DPA NO:

A-3

SECOND FLOOR

LIVING AREA
 979 5/8 FT

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SQUARE FOOTAGE

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDERS, BUILDERS AND THEIR CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING, MECHANICAL, ETC. ANY MODIFICATION TO THE ABOVE MENTIONED CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE DESIGNER FOR CHANGES. OTHERWISE THE DESIGNER WILL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR BUILDINGS ARE SCHEMATIC ONLY. BUILDERS TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 2M UNLESS OTHERWISE NOTED.

SUMMIT CITY DESIGN, LLC
 RESIDENTIAL & COMMERCIAL DESIGN
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 PO BOX 28121
 FORT WAYNE, IN 46828
 SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
 ST. JOE RD, DUPLEXES

DRAWING DATED:
 DATE: DEC. 14, 2020
 FINAL

SCALE: 1/4" = 1'-0"
 DATE: NOV. 15, 2020
 DRAWN BY: JRS
 FILE NO: 20-2478
 DWG NO:

A-2

FIRST FLOOR

LIVING AREA
 888 SQ FT

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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Envision US, LLC
 Address P.O. Box 85022
 City Fort Wayne State IN Zip 46885
 Telephone 260-452-6005 E-mail chris@cammackstates.com

Contact Person
 Contact Person Thomas M. Niezer
 Address 215 East Berry Street
 City Fort Wayne State IN Zip 46802
 Telephone 260-423-8898 E-mail tmn@barrettlaw.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 TBD / 6641 St. Joe Center Road
 Present Zoning R-1 Proposed Zoning R-3 Acreage to be rezoned 1.848
 Proposed density N/A units per acre
 Township name St. Joseph Township section # 15
 Purpose of rezoning (attach additional page if necessary) To provide for rezoning and primary development plan for multi-family residential housing; known as the Cottages of St. Joe Center Road.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

- Filing 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.

See attached Exhibit "A"

_____	_____	_____
(printed name of applicant)	(signature of applicant)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)

Received <u>2-2-2021</u>	Receipt No. <u>136080</u>	Hearing Date <u>3-8-2021</u>	Petition No. <u>REZ-2021-0006</u>
-----------------------------	------------------------------	---------------------------------	--------------------------------------

EXHIBIT A

Signature Page

ENVISION US, LLC
Applicant and Owner

By:



Christopher Cammack, Manager

February 2, 2021
Date

WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT (“Commitment”) is made this ___ day of March, 2021 by Envision US, LLC, (the “Declarant”).

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 1.848 acres of real estate located on Saint Joe Center Road in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

WHEREAS, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from R1/Single Family Residential to a R3/Multiple Family Residential zoning district, bearing number REZ-2021-0006 (the “Petition”), which Petition has been approved by the City of Fort Wayne Plan Commission (the “Plan Commission (the “Plan Commission”) and City Council; and

WHEREAS, contemporaneously with the Petition, Declarant submitted a primary development plan application for development of the Real Estate bearing number PDP-2021-0006 (the “PDP”), which PDP has also been approved by the Plan Commission; and

WHEREAS, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

WHEREAS, in conjunction with the Petition and PDP, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition and PDP by the Plan Commission and approval of the Petition by Fort Wayne Common Council.

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 any portion of the Real Estate.

1. Prohibited Uses. Subject to the terms and conditions herein contained, the following use shall be prohibited upon the Real Estate:
 - a. Fraternity or sorority house;
 - b. Off-site campus housing;
 - c. Group residential facility; and
 - d. Two family dwelling

2. Building Height. No structure shall exceed thirty-five feet (35’) in height and be designed with no more than two stories of building construction above ground level.

3. Units. The maximum number of dwelling units upon the Real Estate within the confines of the PDP shall be 10.
4. Landscape and Buffer Plan. Declarant shall install and landscape and buffering plan consistent with the PDP, which is attached hereto as Exhibit "B" (the "Buffer and Landscape Plan"). The Buffer and Landscape Plan shall, at time of installation, conform with the terms and provisions of the City of Fort Wayne Zoning Ordinance and shall be installed and planted no later than issuance of the initial certificate of completion for the first dwelling unit constructed upon the Real Estate. Declarant shall use all commercially reasonable efforts to maintain and, as necessary, replace, the elements and materials which comprise the Buffer and Landscape Plan.
5. Permits. No permits shall be issued under the Ordinance by the Zoning Administrator until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
6. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission or the Board of Zoning Appeals (the "BZA"), as applicable, following a public hearing held by the Plan Commission or BZA wherein notice has been given as provided by the Plan Commission's and BZA's rules of procedure.
7. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
8. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect 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 Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance are cumulative, not exclusive.
9. Authority to Sign. The person signing this Commitment in a representative capacity on behalf of Declarant warrants and represents that: (a) the person has the actual authority and power to so sign, and to bind the respective entity to the provisions of this Commitment;

and (b) all corporate or other entity action necessary for the making of this Commitment has been duly taken.

10. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number 2020053425.
11. 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.
12. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
13. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

[Signature page follows.]

"DECLARANT"

ENVISION US, LLC

By: _____
Printed Name: Christopher Cammack
Title: Manager

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this ___ day of March ___, 2021, personally appeared Christopher Cammack, the Manager of Envision US, LLC. 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: _____

THIS INSTRUMENT prepared by Thomas M. Niezer, Esq., Barrett McNagny LLP, 215 East Berry Street, Fort Wayne, IN 46802, Attorney ID 11274-02

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Thomas M. Niezer, Esq.

When Recorded, mail to: Thomas M. Niezer, Esq., 215 East Berry Street, Fort Wayne, IN 46802

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana; thence North along the East line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 40.0 feet to the POINT OF BEGINNING; thence continuing North along the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 432.9 feet to the Southeast corner of Lot 41 in Jonathon Oaks, Section I; thence West with a deflection angle to the left of 89 degrees 57 minutes (88 degrees 13 minutes 30 seconds, recorded) along the South line of Lot 40 and Lot 41 in Jonathon Oaks Section I and the South line of Lot 53 in Jonathon Oaks, Section II, a distance of 191.0 feet to the Northeast corner of a tract of land conveyed to Fort Wayne Community Schools as recorded in Document 79-09956; thence South with a deflection angle to the left of 91 degrees 33 minutes along the East line of the Fort Wayne Community Schools tract a distance of 436.5 feet to a point 40 ft. North on the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13; thence East with a deflection angle to the left of 89 degrees 33 minutes parallel with the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 a distance of to the point of beginning 1.848 acres, excepting therefrom the South 30 feet taken for road right of way.

PRELIMINARY DEVELOPMENT PLAN DESCRIPTION

Part of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County Indiana; thence North 02 degrees 55 minutes 25 seconds West (INDOT GPS datum and basis for this description) along the East line of the West Half of the Southwest Quarter of Section 15 a distance of 170.7 feet to the POINT OF BEGINNING; thence North 02 degrees 55 minutes 25 seconds West along the East line of the West Half of the Southwest Quarter of Section 15 and along the West line of Block "E" in Jonathon Oaks Section I (Plat Cabinet A, page 74) a distance of 301.68 feet to the Southwest corner of Lot Number 42 in Jonathon Oaks Section I; thence South 89 degrees 05 minutes 36 seconds West along the South line of Jonathon Oaks section I and Jonathon Oaks section II a distance of 191.23 feet; thence South 04 degrees 26 minutes 01 seconds East along the East line of a tract of land conveyed to Fort Wayne Community Schools a distance of 403.48 feet to a point on the North right of way line of St. Joe Center Road; thence South 66 degrees 43 minutes 58 seconds East (South 65 degrees 54 minutes 44 seconds East, recorded) along said right of way line a distance of 80.0 feet; thence North 87 degrees 19 minutes 27 seconds East along said right

of way line a distance of 25.69 feet; thence North 02 degrees 55 minutes 24 seconds West a distance of 110.0 feet; thence North 73 degrees 18 minutes East a distance of 85.46 feet to the point of beginning containing 1.594 Acres.

FACT SHEET

Case #	REZ-2021-0006	Bill #	Z-21-02-13	Project Start:	February 2021
APPLICANT:	Envision US, LLC				
REQUEST:	To rezone property from R1/Single Family Residential to R3/Multiple Family Residential; and approve a primary development plan for a 12-unit multiple family residential complex, including waiver requests for building setbacks.				
LOCATION:	The site is located on the north side of the 6600 block of St. Joe Center Road. The site lies to the east of St. Joseph Central School, and south and west of Jonathon Oaks Subdivision (Section 15 of St. Joseph Township).				
LAND AREA:	Approximately 1.9 acres for rezoning Approximately 1.6 acres for development				
PRESENT ZONING:	R1/Single Family Residential				
PROPOSED ZONING:	R3/Multiple Family Residential				
COUNCIL DISTRICT:	1-Paul Ensley				
ASSOCIATED PROJECT:	Primary Development Plan, Cottages of St. Joe Center Road				
SPONSOR:	City of Fort Wayne Plan Commission				

March 8, 2021 Public Hearing

- Three property owners spoke at the hearing with concerns, questions, or in opposition.
- Ryan Neumeister, Justin Shurley and Rachel Tobin-Smith were absent.

March 15, 2021 Business Meeting

Plan Commission Recommendation: DO PASS w/Written Commitment

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

6-0 MOTION PASSED

- Ryan Neumeister, Paul Sauerteig, and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
April 5, 2021

PROJECT SUMMARY

SITE HISTORY

- The property has historically been a metes and bounds single family residential property.
- In 2013, a rezoning petition to RP/Planned Residential was proposed for a 6-unit multiple family residential development. The rezoning request received a Do Pass recommendation from the Plan Commission but was denied by City Council.

STAFF DISCUSSION

The petitioner originally requested a rezoning from R1/Single Family Residential to R3/Multiple Family Residential to allow the construction of a seven-building, 12-unit multiple family residential development. Following the public hearing and discussions with representatives from the Jonathon Oaks neighborhood, the plan was reduced to 10 units in seven buildings: four duplex buildings and two stand-alone homes.

The proposed rezoning parcel is located on the north side of St. Joe Center Road, between St. Joe Central Elementary School and Section I of Jonathon Oaks subdivision. The parcel is occupied by a single family home that will remain. The zoning proposal covers the entire property, but the home site is excluded from the development plan submittal. The adjacent parcels surrounding the site to the north, south and east are developed with subdivisions or metes and bounds residential, and St. Joe Central Elementary School borders the entire west property line. The C2 zoning to the south is over the metes and bounds parcels, which have yet to develop with commercial uses.

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The residential proposal will place additional living options within close proximity to goods and retail services, and well as medical services. The comprehensive plan supports this development through the following objectives:

- LU1.** Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
- 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;
- LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The development proposes seven separate structures for a total of 10 units. Two structures are proposed as stand-alone single family units and four structures are duplexes. All of the units have attached garages and driveway space for parking. The applicant has submitted building elevations and proposed floorplan for a typical unit. The Zoning Ordinance minimum building size is 950 square feet. The single access to the site will be from St. Joe Center Road. An internal sidewalk will connect to the recently installed public sidewalk along St. Joe Center Road, which also connects to St. Joe Elementary School. Stormwater detention will be provided along the entry drive at the southwest corner of the site. Due to the site having multiple units on a single parcel adjacent to residential zoning districts, screening is required between the complex and the adjacent neighborhood. Code B-3 consists of a 6-foot tall solid fence with trees planted every 30 feet; within a 25-foot width. The approved development plan includes privacy fencing and trees along the east, north and west property lines, meeting the ordinance requirement. The applicant would like to save as many existing trees along the east property line as they can.

The applicant is proposing a freestanding monument sign along St. Joe Center Road. The sign shall not exceed 8 feet in height and 50 square feet in area.

Two waivers of setback standards are being requested for the development. The interior building separation on the eastern units will be reduced to 15 feet (from 25) and the southernmost unit will be 11 feet from the existing single family home parcel. The exterior setbacks on the north and east property lines will be met, while the western edge will have a reduction from 30 feet to 25 feet, adjacent to the school.

The applicant submitted a voluntary written commitment that was revised through the public hearing process. The commitment limits the building height to 35 feet (all residential districts are allowed 40 feet), and the units are capped at a total of 10 for the site. The revised landscape and screening plan is also tied to the written commitment, which will run with the land, not the property owner.

Here are the items that were modified from the original submittal as a result of the public hearing, comments from reviewing agencies and neighbors:

- Total units reduced from 12 to 10.
- Perimeter setback increased adjacent to neighborhood.
- Landscaping and fencing included to meet the ordinance and address comments from the school.
- Increased turn-around which accommodates emergency vehicles.
- Internal sidewalk added on the private drive to connect to public walk.
- Decreased density at northern end of project.

PUBLIC HEARING SUMMARY:

Presenter: Thomas Niezer, Barrett McNagny, representing Envision US, presented the proposal as outlined above.

Public Comments:

Betty Forehand, 6227 Twisted Oak Court – Concerns include number of units, fire access, garbage pickup, sidewalks, screening, light pollution, too much happening in the space allowed.

Steve Bohan, 6606 Oak Forest Trail – Concerns include landscape screening, drainage, waivers, and too much in the space allowed.

Eugene Daley, 6523 Oak Mill Place – Concerns include property values, waivers, pond liability, drainage, traffic safety, developers are too young/new, spot zoning.

Rebuttal: Tom Niezer

Offered to meet with the neighborhood before the hearing but the offer was not accepted. The property is adjacent to a school, commercial zoning and near a commercially developed intersection. The property will not redevelop as a single family use. A transitional use like a duplex project is an appropriate redevelopment type. They are willing to restrict the number of units and the height, add landscaping and will reconsider the waiver requests.

Post-Hearing: The applicants met with representatives from the neighborhood and submitted a revised plan and written commitment, with the changes listed above.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

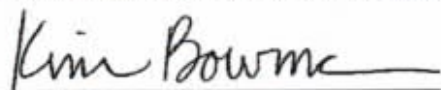
Rezoning Petition REZ-2021-0006

APPLICANT: Envision US, LLC
REQUEST: To rezone property from R1/Single Family Residential to R3/Multiple Family Residential for a primary development plan for a 12-unit multiple family residential complex.
LOCATION: The site is located on the north side of the 6600 block of St. Joe Center Road. The site lies to the east of St. Joseph Central School, and south and west of Jonathon Oaks Subdivision (Section 15 of St. Joseph Township).
LAND AREA: Approximately 1.9 acres for rezoning
Approximately 1.6 acres for development
PRESENT ZONING: R1/Single Family Residential
PROPOSED ZONING: R3/Multiple Family Residential

The Site Committee returns Rezoning Petition REZ-2021-0006 with a Written Commitment to Common Council, with a recommendation of "Do Pass" for the reasons stated below:

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 commercial to single-family residential land uses. This proposal will provide infill development using existing infrastructure. The comprehensive plan supports this development through the following objectives:
 - LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;
 - 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;
 - 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. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements the neighborhood.
3. Approval is consistent with the preservation of property values in the area. This proposal provides another housing choice for residents who choose to age in place in the northeast community. The proposed residential development provides a buffer between the single family residential uses and the commercial and other non-residential uses to the west and south.
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 residential uses and adequate infrastructure is available to service the site.

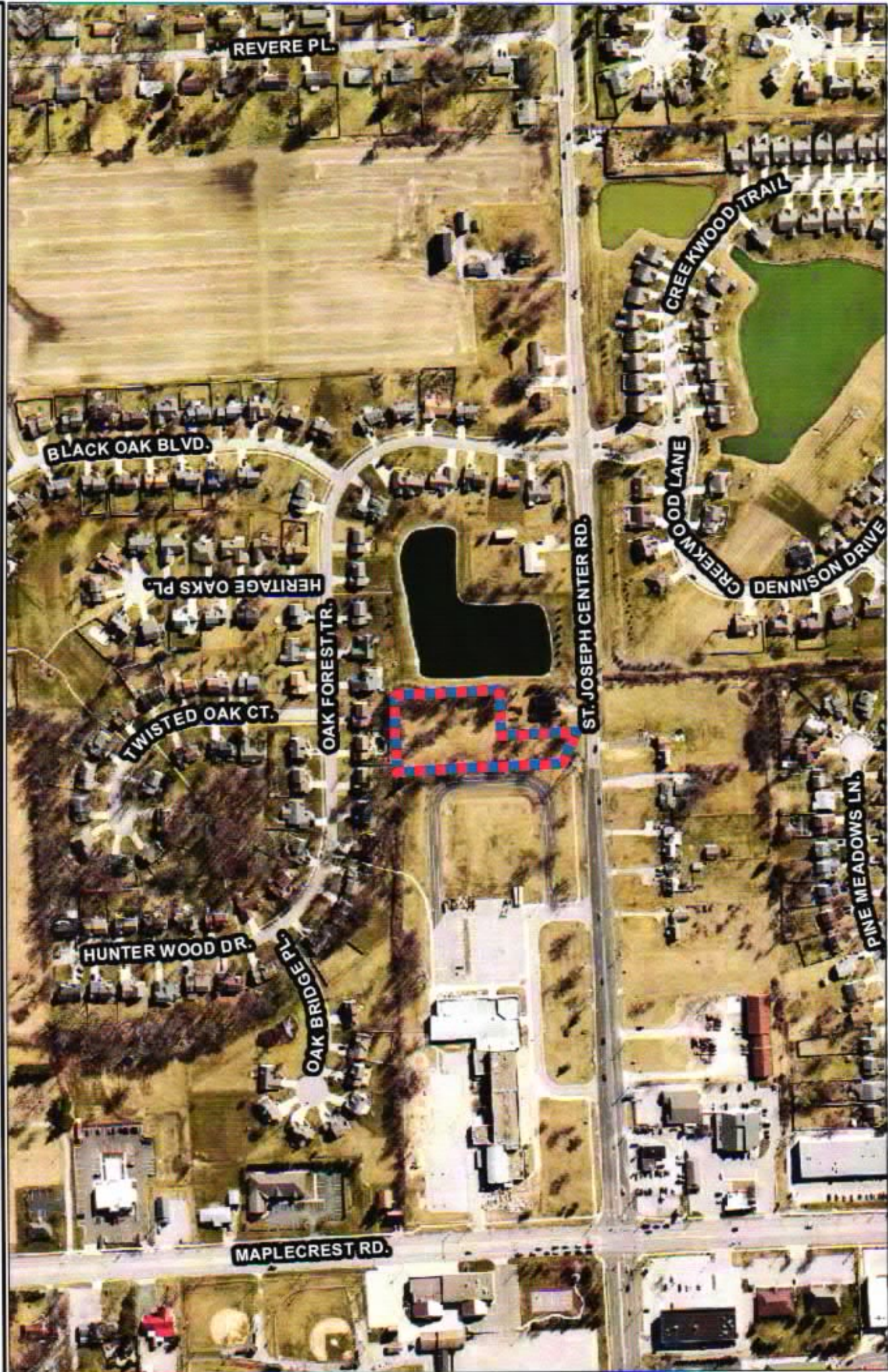
These findings approved by the Fort Wayne Plan Commission on March 15, 2021.



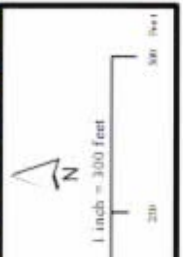
Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission



Rezoning Petition REZ-2021-0006 and Primary Development Plan PDP-2021-0006 - Cottages of St. Joe Center



Although every accuracy cannot be guaranteed, we warrant that the information contained herein is true and correct to the best of our knowledge and belief. Any error or omission on this map is the responsibility of the user. © 2021 Board of Commissioners of the City of St. Joe, North American Dakota (NAD) North American Datum System, NAD83, UTM Zone 18Q, Contour Interval 2.00'. Date: 2/11/2021





Although cities & counties are authorized to
 be a party to the rezoning process, the City of Allen
 does not warrant or guarantee the accuracy of this 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
 3000 American Parkway, Suite 100
 Allen, Texas 75013
 Date: 2/10/2021





SQUARE FOOTAGE:

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDING. BUILDERS AND THEIR CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, PLUMBING COMPONENTS, HEATING UNITS, ETC. ANY APPLICATION TO THE ABOVE SHALL BE BROUGHT TO THE DESIGNER FOR CHANGES. OTHERWISE THE DESIGNER SHALL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOBSITE.
3. ALL INTERIOR WALLS TO BE 2M UNLESS OTHERWISE NOTED.

SUMMIT CITY DESIGN, LLC
 RESIDENTIAL & COMMERCIAL DESIGN
 701 FOX 28761
 FORT WYNE, IN 46833
 940-932-8483
 SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
 ST. JOE RD. DUPLEXES

DRAWING DATE:
 DATE: DEC. 14, 2020
 FINAL

SCALE: 1/4" = 1'-0"
 DATE: NOV. 4, 2020
 DRAWN BY: GDB
 FILE NO: 20-078
 DRAW NO:

A-1

"COPYRIGHT 2020 SUMMIT CITY DESIGN, LLC." THE ORIGINALS AND COPIES OF THESE PLANS, INCLUDING ANY SPECIFICATIONS, ARE COPYRIGHTED. ALL SUCH PLANS, SPECIFICATIONS, AND THE CONTENTS AND THE ENTIRETY ARE THE PROPERTY OF SUMMIT CITY DESIGN, LLC. IT IS FURTHER ACKNOWLEDGED THAT SUCH PLANS AND SPECIFICATIONS MAY BE USED FOR THE ABOVE DESCRIBED PROJECT ONLY, AND THAT ANY REPRODUCTION, ALTERATION, COPYING, TRACING, OR REPRODUCTION OF THE DOCUMENTS BY ANYONE FOR CONSTRUCTION OR ANY OTHER PURPOSES, MAY NOT BE DONE WITHOUT THE WRITTEN PERMISSION OF SUMMIT CITY DESIGN, LLC.

SUMMIT CITY DESIGN, LLC
RESIDENTIAL & COMMERCIAL DESIGN
70 BOX 2821
FORT MYERS, FL 33903
888.752.6847
SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
97. JOE RD, DUPLEXES

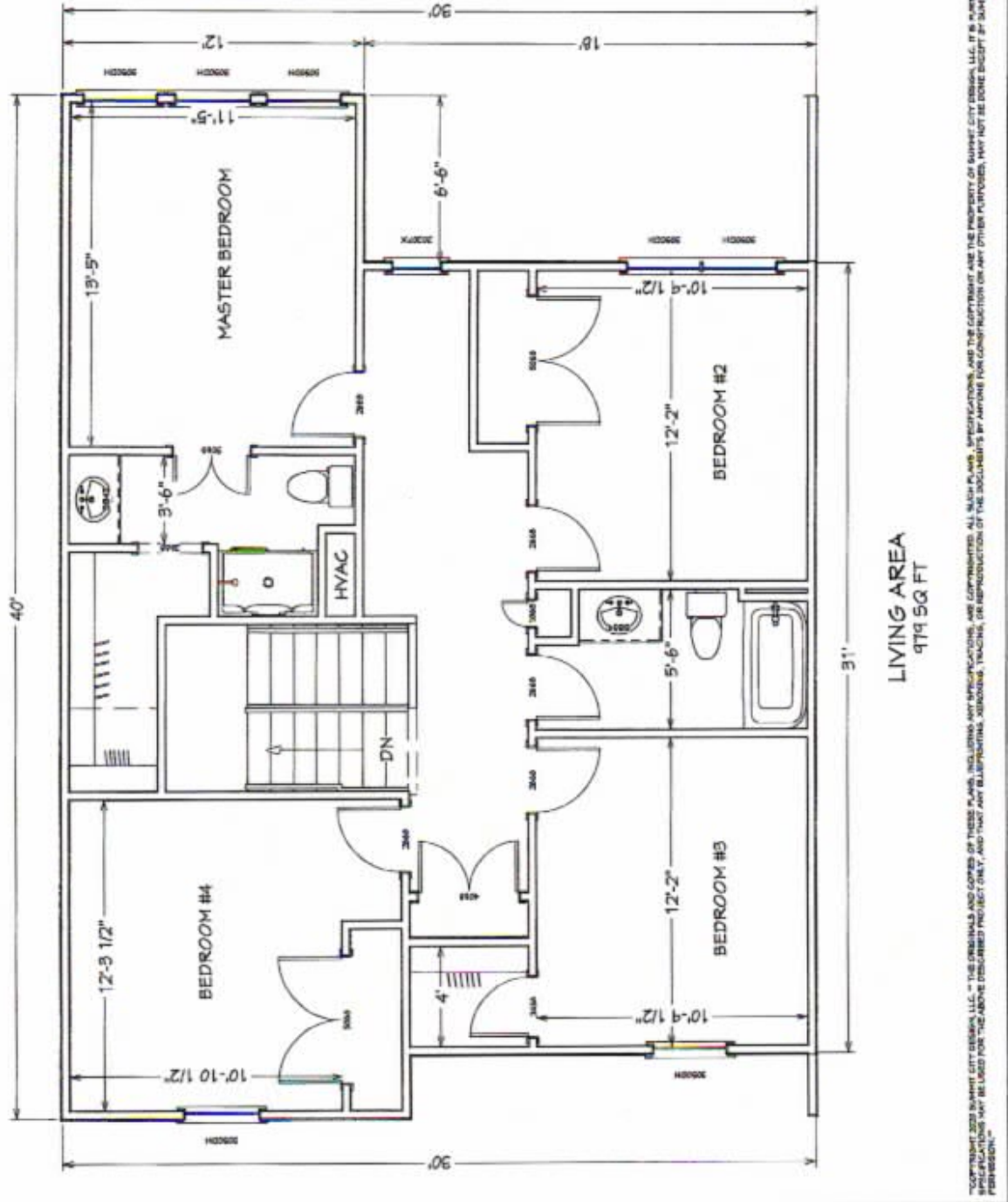
ISSUING DATE: DATE: NOV. 14, 2020
FINAL

SCALE: 1/4" = 1'-0"
DATE: NOV. 4, 2020
DRAWN BY: EDS
FILE NO: 20-078
DWG NO:

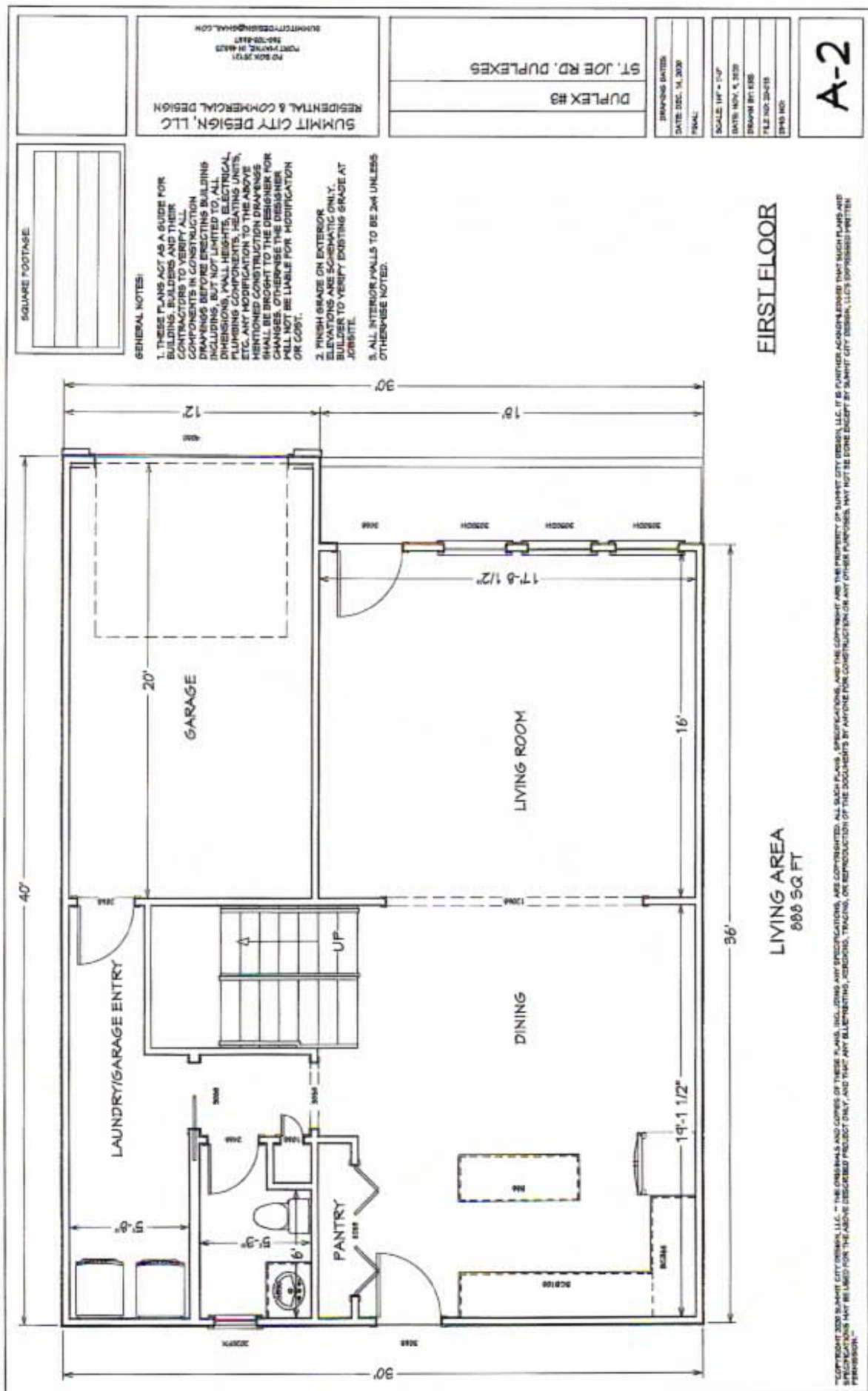
A-3

SECOND FLOOR

LIVING AREA
979 SQ FT



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SQUARE FOOTAGE

GENERAL NOTES:

1. THESE PLANS ACT AS A GUIDE FOR BUILDERS, BUILDERS AND THEIR CONTRACTORS TO VERIFY ALL COMPONENTS IN CONSTRUCTION DRAWINGS BEFORE ERECTING BUILDING INCLUDING, BUT NOT LIMITED TO, ALL DIMENSIONS, WALL HEIGHTS, ELECTRICAL, MECHANICAL, PLUMBING, AND FINISHES, ETC. ANY MODIFICATION TO THE ABOVE MENTIONED CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE DESIGNER FOR CHANGES. OTHERWISE THE DESIGNER WILL NOT BE LIABLE FOR MODIFICATION OR COST.
2. FINISH GRADE ON EXTERIOR ELEVATIONS ARE SCHEMATIC ONLY. BUILDER TO VERIFY EXISTING GRADE AT JOB SITE.
3. ALL INTERIOR WALLS TO BE 3/4 UNLESS OTHERWISE NOTED.

SUMMIT CITY DESIGN, LLC
 RESIDENTIAL & COMMERCIAL DESIGN
 10 BOX 28721
 FORT WAYNE, IN 46827
 SUMMITCITYDESIGN@GMAIL.COM

DUPLEX #3
 ST. JOE RD, DUPLEXES

DRAWING DATES
 DATE: DEC. 14, 2020
 FINAL

SCALE: 1/4" = 1'-0"
 DATE: NOV. 5, 2020
 DRAWN BY: EBS
 FILE NO: 20-0478
 DWS NO:

A-2

FIRST FLOOR

LIVING AREA
 888 SQ FT

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**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Envision US, LLC
 Address P.O. Box 85022
 City Fort Wayne State IN Zip 46885
 Telephone 260-452-6005 E-mail chris@cammackstates.com

Contact Person
 Contact Person Thomas M. Niezer
 Address 215 East Berry Street
 City Fort Wayne State IN Zip 46802
 Telephone 260-423-8898 E-mail tmn@barrettllaw.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 TBD / 6641 St. Joe Center Road
 Present Zoning R-1 Proposed Zoning R-3 Acreage to be rezoned 1.848
 Proposed density N/A units per acre
 Township name St. Joseph Township section # 15
 Purpose of rezoning (attach additional page if necessary) To provide for rezoning and primary development plan for multi-family residential housing; known as the Cottages of St. Joe Center Road.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

- Filing 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.

See attached Exhibit "A"

_____	_____	_____
(printed name of applicant)	(signature of applicant)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(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.
2-2-2021	136080	3-8-2021	REZ-2021-0006

EXHIBIT A

Signature Page

**ENVISION US, LLC
Applicant and Owner**

By:

Chris C.
Christopher Cammack, Manager

February 2, 2021
Date

WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT (“Commitment”) is made this ___ day of March, 2021 by Envision US, LLC, (the “Declarant”).

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 1.848 acres of real estate located on Saint Joe Center Road in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

WHEREAS, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from R1/Single Family Residential to a R3/Multiple Family Residential zoning district, bearing number REZ-2021-0006 (the “Petition”), which Petition has been approved by the City of Fort Wayne Plan Commission (the “Plan Commission (the “Plan Commission”) and City Council; and

WHEREAS, contemporaneously with the Petition, Declarant submitted a primary development plan application for development of the Real Estate bearing number PDP-2021-0006 (the “PDP”), which PDP has also been approved by the Plan Commission; and

WHEREAS, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

WHEREAS, in conjunction with the Petition and PDP, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition and PDP by the Plan Commission and approval of the Petition by Fort Wayne Common Council.

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 any portion of the Real Estate.

1. Prohibited Uses. Subject to the terms and conditions herein contained, the following use shall be prohibited upon the Real Estate:
 - a. Fraternity or sorority house;
 - b. Off-site campus housing;
 - c. Group residential facility; and
 - d. Two family dwelling

2. Building Height. No structure shall exceed thirty-five feet (35’) in height and be designed with no more than two stories of building construction above ground level.

3. Units. The maximum number of dwelling units upon the Real Estate within the confines of the PDP shall be 10.
4. Landscape and Buffer Plan. Declarant shall install and landscape and buffering plan consistent with the PDP, which is attached hereto as Exhibit "B" (the "Buffer and Landscape Plan"). The Buffer and Landscape Plan shall, at time of installation, conform with the terms and provisions of the City of Fort Wayne Zoning Ordinance and shall be installed and planted no later than issuance of the initial certificate of completion for the first dwelling unit constructed upon the Real Estate. Declarant shall use all commercially reasonable efforts to maintain and, as necessary, replace, the elements and materials which comprise the Buffer and Landscape Plan.
5. Permits. No permits shall be issued under the Ordinance by the Zoning Administrator until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
6. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission or the Board of Zoning Appeals (the "BZA"), as applicable, following a public hearing held by the Plan Commission or BZA wherein notice has been given as provided by the Plan Commission's and BZA's rules of procedure.
7. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
8. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect 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 Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission, the BZA, or any enforcement official designated in the zoning ordinance are cumulative, not exclusive.
9. Authority to Sign. The person signing this Commitment in a representative capacity on behalf of Declarant warrants and represents that: (a) the person has the actual authority and power to so sign, and to bind the respective entity to the provisions of this Commitment;

and (b) all corporate or other entity action necessary for the making of this Commitment has been duly taken.

10. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number 2020053425.
11. 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.
12. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
13. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

[Signature page follows.]

"DECLARANT"

ENVISION US, LLC

By: _____
Printed Name: Christopher Cammack
Title: Manager

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this ___ day of March ___, 2021, personally appeared Christopher Cammack, the Manager of Envision US, LLC, 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: _____

THIS INSTRUMENT prepared by Thomas M. Niezer, Esq., Barrett McNagny LLP, 215 East Berry Street, Fort Wayne, IN 46802, Attorney ID 11274-02

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Thomas M. Niezer, Esq.

When Recorded, mail to: Thomas M. Niezer, Esq., 215 East Berry Street, Fort Wayne, IN 46802

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

Part of the East 2 acres of the South 15 acres of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana; thence North along the East line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 40.0 feet to the POINT OF BEGINNING; thence continuing North along the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 and the West line Block "E" of Jonathon Oaks, Section I a distance of 432.9 feet to the Southeast corner of Lot 41 in Jonathon Oaks, Section I; thence West with a deflection angle to the left of 89 degrees 57 minutes (88 degrees 13 minutes 30 seconds, recorded) along the South line of Lot 40 and Lot 41 in Jonathon Oaks Section I and the South line of Lot 53 in Jonathon Oaks, Section II, a distance of 191.0 feet to the Northeast corner of a tract of land conveyed to Fort Wayne Community Schools as recorded in Document 79-09956; thence South with a deflection angle to the left of 91 degrees 33 minutes along the East line of the Fort Wayne Community Schools tract a distance of 436.5 feet to a point 40 ft. North on the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13; thence East with a deflection angle to the left of 89 degrees 33 minutes parallel with the South line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15-31-13 a distance of to the point of beginning 1.848 acres, excepting therefrom the South 30 feet taken for road right of way.

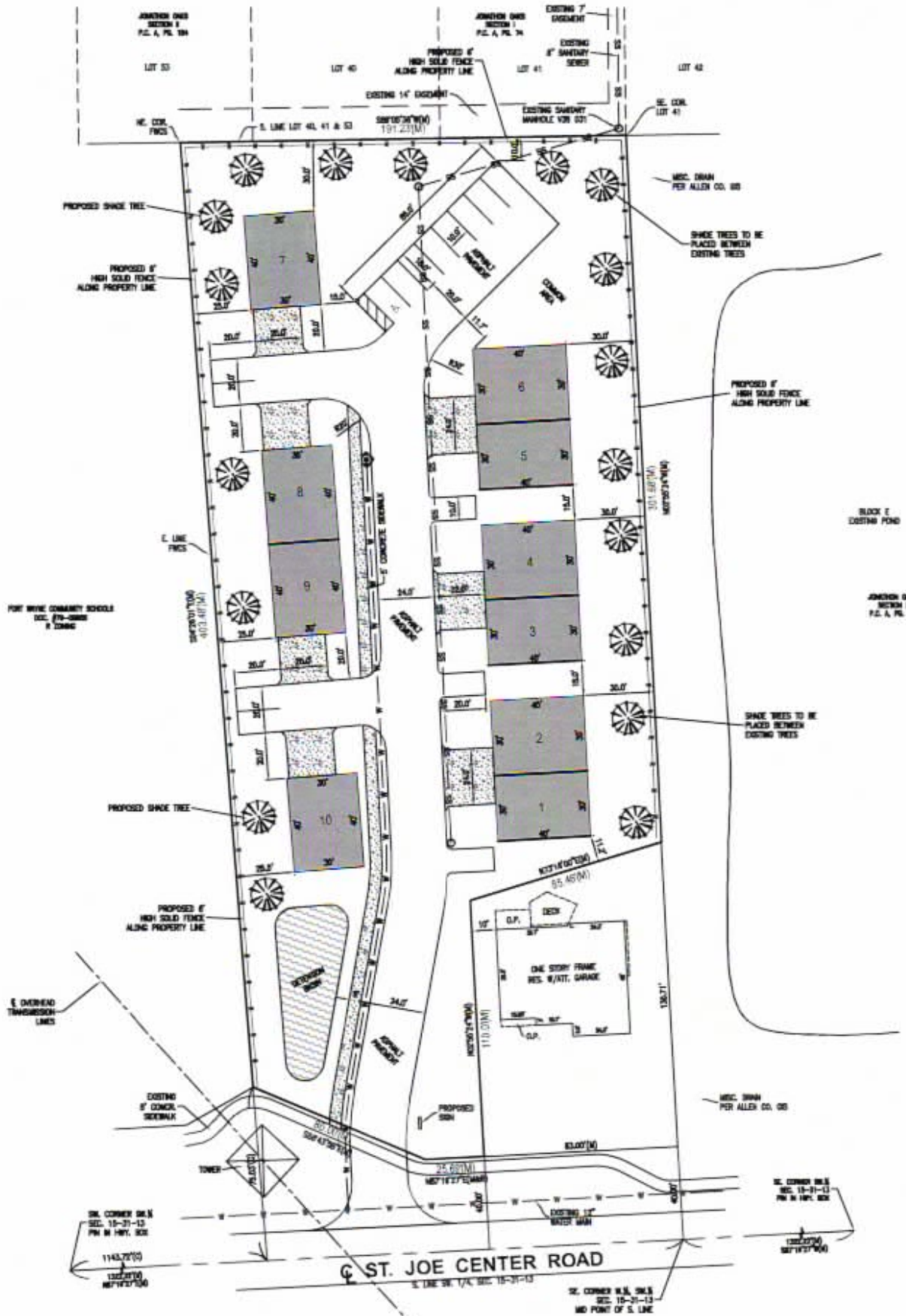
PRELIMINARY DEVELOPMENT PLAN DESCRIPTION

Part of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County Indiana; thence North 02 degrees 55 minutes 25 seconds West (INDOT GPS datum and basis for this description) along the East line of the West Half of the Southwest Quarter of Section 15 a distance of 170.7 feet to the POINT OF BEGINNING; thence North 02 degrees 55 minutes 25 seconds West along the East line of the West Half of the Southwest Quarter of Section 15 and along the West line of Block "E" in Jonathon Oaks Section I (Plat Cabinet A, page 74) a distance of 301.68 feet to the Southwest corner of Lot Number 42 in Jonathon Oaks Section I; thence South 89 degrees 05 minutes 36 seconds West along the South line of Jonathon Oaks section I and Jonathon Oaks section II a distance of 191.23 feet; thence South 04 degrees 26 minutes 01 seconds East along the East line of a tract of land conveyed to Fort Wayne Community Schools a distance of 403.48 feet to a point on the North right of way line of St. Joe Center Road; thence South 66 degrees 43 minutes 58 seconds East (South 65 degrees 54 minutes 44 seconds East, recorded) along said right of way line a distance of 80.0 feet; thence North 87 degrees 19 minutes 27 seconds East along said right

of way line a distance of 25.69 feet; thence North 02 degrees 55 minutes 24 seconds West a distance of 110.0 feet; thence North 73 degrees 18 minutes East a distance of 85.46 feet to the point of beginning containing 1.594 Acres.

EXHIBIT B



BILL NO. Z-21-02-13

REPORT OF COMMITTEE ON REGULATIONS

April 13, 2021

Tom Freistroffer Chair



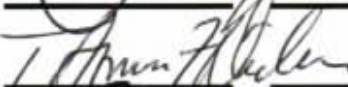

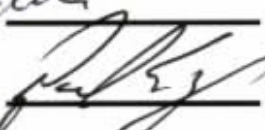
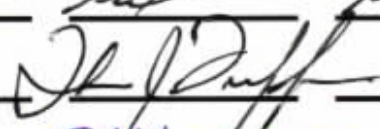
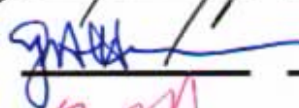
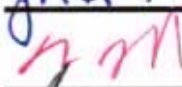
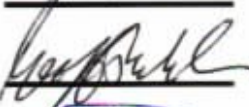
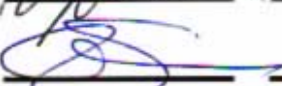
Geoff Paddock Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. V-38 (Sec. 15 of Saint Joseph Township)

Rezone 1.8 acres from R1/Single Family Residential to R3/Multiple Family Residential at 6641 St. Joe Center Rd (north of)

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: March 8, 2021

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

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

Read the third time in full and on motion by Councilperson 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: April 13, 2021


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
Zoning Ordinance No. Z-21-02-13 on the 13th day of April, 2021

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th
of April 2021, at the hour of 10:20 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 14th day of APRIL 2021, at the
hour of 12:30 o'clock PM E.S.T.


THOMAS C. HENRY, MAYOR

