

1 #REZ-2023-0047

2 BILL NO. Z-23-09-24

3
4 ZONING MAP ORDINANCE NO. Z- 45-23

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. K-46 (Sec. 10 of Washington Township)

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

9 SECTION 1. That the area described as follows is hereby designated an R2 (Two
10 Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
11 of Fort Wayne, Indiana:

12 Part of Lots Numbered 2, 3, and 4 in Hollywood Acres, as recorded in Plat Record 7,
13 page 71, in the Office of the Recorder of Allen County, Indiana, being more
14 particularly described as follows, to-wit:

15 Beginning at a #5 rebar at the Northwest corner of said Lot Number 3; thence South
16 02 degrees 33 minutes 48 seconds East (GPS grid bearing and basis for all bearings
17 in this description), on and along the West line of said Lot Number 3, a distance of
18 85.42 feet to a #5 rebar; thence North 87 degrees 54 minutes 36 seconds East, a
19 distance of 150.00 feet to a #5 rebar; thence South 02 degrees 33 minutes 48 seconds
20 East and parallel to the West line of said Lots Numbered 2 and 3, a distance of
21 110.00 feet to a #5 rebar on the South line of a base tract of real estate described in a
22 deed to CD Investments LLC, in Document Number 2020059961 in the Office of the
23 Recorder of Allen County, Indiana; thence North 87 degrees 54 minutes 36 seconds
24 East, on and along said South line, a distance of 500.00 feet to a #5 rebar at the
25 Southeast corner thereof, being a point on the East line of said Lot Number 2; thence
26 North 02 degrees 33 minutes 48 seconds West, on and along the East line of said
27 Lots Numbered 2, 3 and 4, a distance of 325.84 feet to a #5 rebar at the Northeast
28 corner of said Lot Number 4; thence South 87 degrees 57 minutes 08 seconds West,
29 on and along the North line of said Lot Number 4, a distance of 82.14 feet to a #5
30 rebar; thence South 56 degrees 36 minutes 57 seconds West, a distance of 48.05 feet
to a #5 rebar; thence South 87 degrees 57 minutes 08 seconds West and parallel with
the North line of said Lot Number 4, a distance of 526.80 feet to a #5 rebar on the
West line of said Lot Number 4, being a point South 02 degrees 40 minutes 01
seconds East, a distance of 25.00 feet from the Northwest corner of said Lot Number
4; thence South 02 degrees 40 minutes 01 seconds East, on and along said West line,
a distance of 105.90 feet to the true point of beginning, containing 4.173 acres of
land, and subject to all easements of record.

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and the symbols of the City of Fort Wayne Zoning Map No. K-46 (Sec. 10 of Washington Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.


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

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



Council Member

APPROVED AS TO FORM AND LEGALITY:



Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0047
Bill Number: Z-23-09-24
Council District: 3-Tom Didier

Introduction Date: September 26, 2023
Plan Commission
Public Hearing Date: October 9, 2023 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 4.2 acres from R1/Single Family Residential to R2/Two Family Residential

Location: 7426 and 7504 Woodbine Avenue

Reason for Request: To permit the platting of a 32-lot attached single family subdivision.

Applicant: CD Investments, LLC

Property Owner: David Stockert II

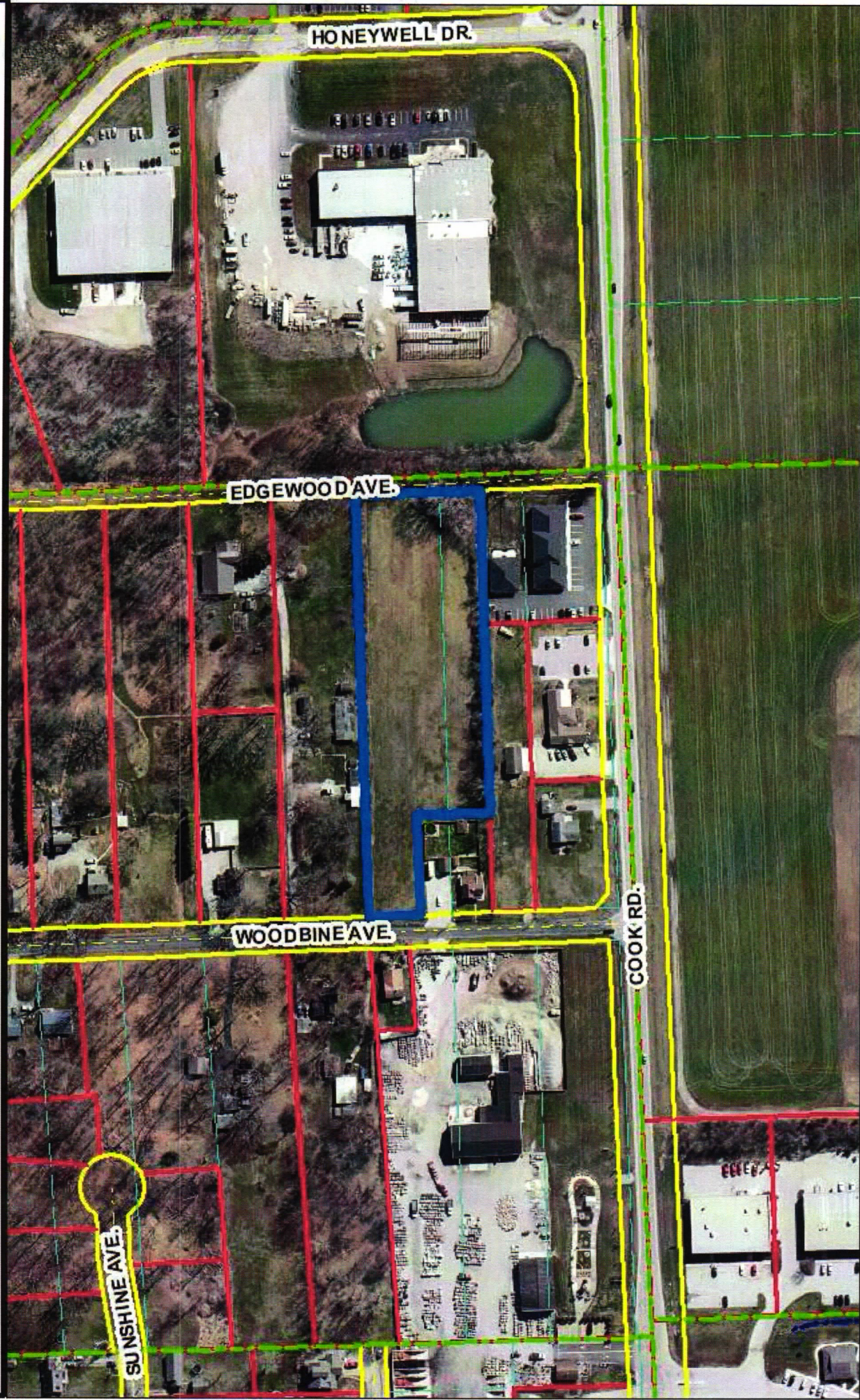
Related Petitions: Primary Plat, The Villas of Hollywood Heights

Effect of Passage: Property will be rezoned to the R2/Two Family Residential zoning district, which permits attached single family platted subdivisions.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and may develop with detached single family homes or subdivisions.

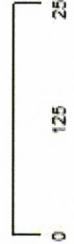


REZ-2023-0047 and PP-2023-0014 - Hollywood Heights



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

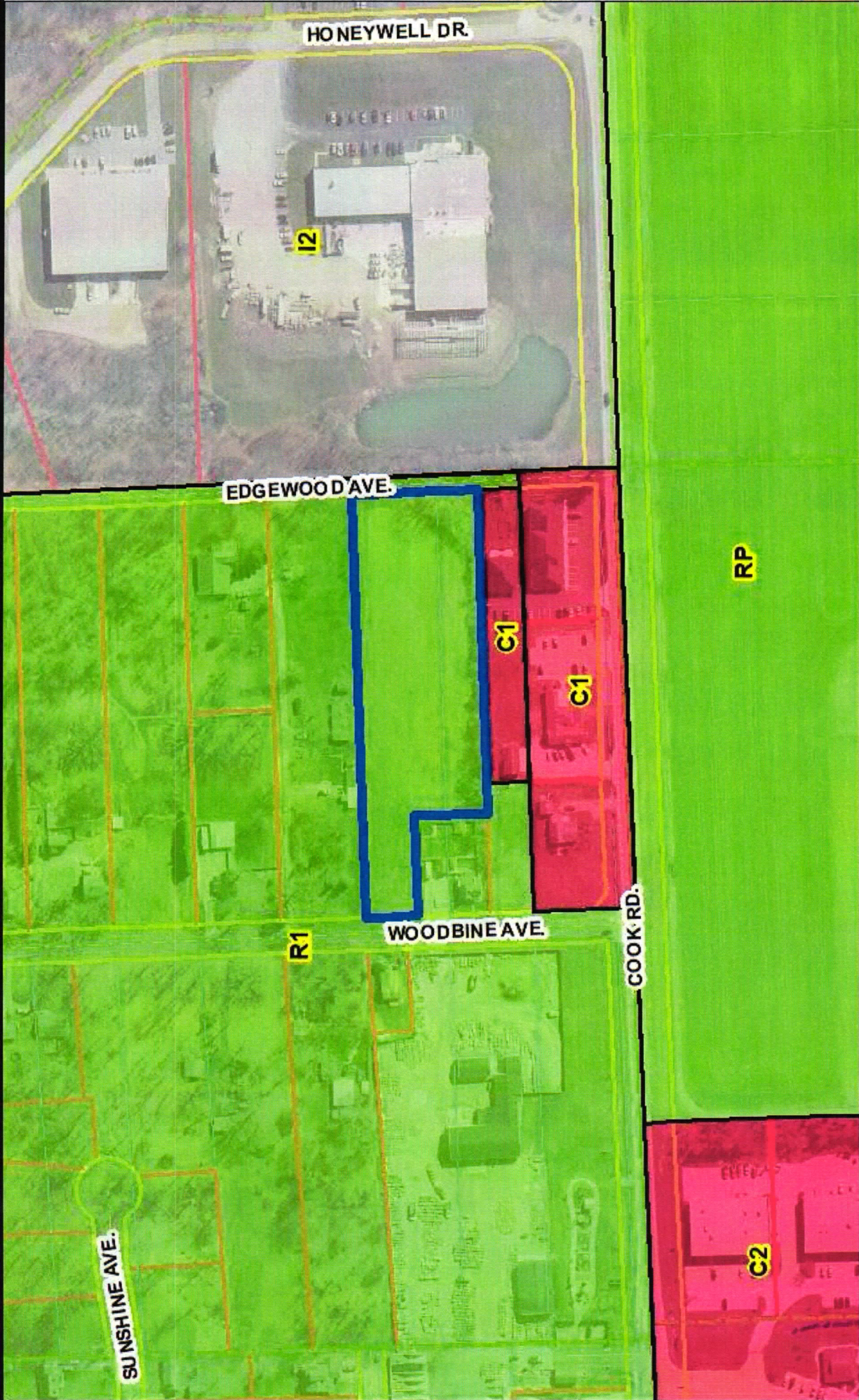
© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 09/19/2023



1 inch = 200 feet

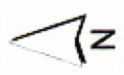


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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 9/19/2023



1 inch = 200 feet

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant CD Investments, LLC
 Address 606 Woodland Springs Place
 City Fort Wayne State IN Zip 46825
 Telephone 260-410-2722 E-mail clinerobert64@gmail.com

Contact Person
 Contact Person same
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

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 7426 & 7504 Woodbine Avenue
 Present Zoning R1 Proposed Zoning R2 Acreage to be rezoned 4.173 acres
 Proposed density 7.7 units per acre
 Township name Washington Township section # 10
 Purpose of rezoning (attach additional page if necessary) _____
To permit the platting of a 32 lot subdivision named The Villas of Hollywood Heights
 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>CD Investments, LLC</u> (printed name of applicant)	 (signature of applicant)	<u>9-5-23</u> (date)
<u>David A. Stockert II</u> (printed name of property owner)	STOCKERT.DAVID.ALLEN .ll.1082904182 <small>Digitally signed by STOCKERT.DAVID.ALLEN.1.1082904182 Date: 2023.09.01 13:32:07 -0600</small>	<u>09/01/2023</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>9/5/23</u>	Receipt No. <u>143991</u>	Hearing Date <u>10/9/23</u>	Petition No. <u>REZ-2023-0047</u>
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(printed name of property owner) (signature of property owner) (date)

BILL NO. Z-23-09-24

**REPORT OF COMMITTEE ON REGULATIONS
November 14, 2023**

Sharon Tucker Chair

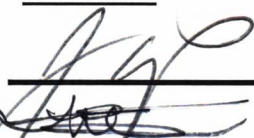







Tom Freistroffer Co-Chair

All Council Members

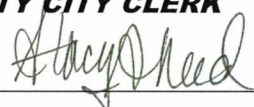
An Ordinance amending the City of Fort Wayne Zoning Map No. K-46 (Sec. 10 of Washington Township)

To rezone approximately 4.2 acres from R1/Single Family Residential to R2/Two Family Residential at 7426 and 7504 Woodbine Avenue

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			

**STACY REED
DEPUTY CITY CLERK**



Public Hearing Date: N/A

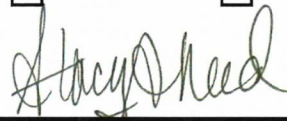
Read the first time in full and on motion by Councilperson Tucker.

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input 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"/>

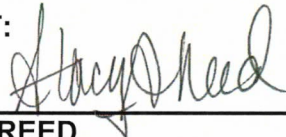
DATED: November 14, 2023



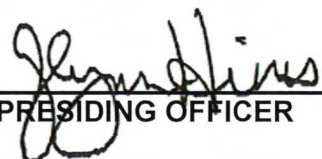
STACY REED, DEPUTY CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Ordinance No. Z-23-09-24 on the 14th day of November, 2023

ATTEST:

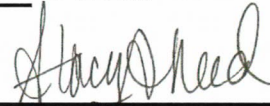


STACY REED
DEPUTY CITY CLERK



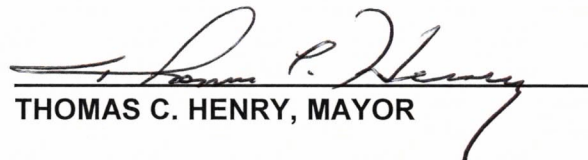
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th of November 2023, at the hour of 8:41 o'clock P.M. E.S.T.



STACY REED, DEPUTY CITY CLERK

Approved and signed by me this 17th day of November 2023, at the hour of 11:30 o'clock AM . E.S.T.



THOMAS C. HENRY, MAYOR

