

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0014
Bill Number: Z-17-03-21
Council District: 6-Glynn Hines

Introduction Date: March 28, 2017

Plan Commission
Public Hearing Date: April 10, 2017 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 1.75 acres of property from C2-Limited Retail to C3-General Commercial

Location: The northwest corner of East Pontiac and South Anthony

Reason for Request: To allow for retail shops, a neighborhood market, gas canopy and pumps.

Applicant: Virk Brothers, LLC

Property Owner: Core Consulting Group, LLC

Related Petitions: Primary Development Plan, South Anthony Market and alley vacation petition

Effect of Passage: Property will be rezoned to the C3-General Commercial district which will allow the gas canopy and pumps.

Effect of Non-Passage: The property will remain zoned C2-Limited Retail. As of 2014, the zoning ordinance no longer allows gas canopies and pumps in the C2 district. This property was rezoned to C2 in 2010 for a gas station and attached retail.

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**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Virk Brothers, LLC
Address 3212 North Wells Street
City Fort Wayne State IN Zip 46808
Telephone 260-705-1346 E-mail newhavenquickstop@gmail.com

Contact Person
Contact Person Thomas M. Niezer, Esq.
Address 215 East Berry Street
City Fort Wayne State IN Zip 46802
Telephone 260-423-9551 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 Unassigned - Northwest Corner of E. Pontiac and S. Anthony
Present Zoning C-2 Proposed Zoning C-3 Acreage to be rezoned 1.475 acres
Proposed density n/a units per acre
Township name Wayne Township section # 30N - 12E
Purpose of rezoning (attach additional page if necessary) To allow for use of a gasoline station as part of an overall retail development upon the real estate.

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 filed)
- ☒ Legal Description of parcel to be rezoned
- ☐ Rezoning Questionnaire (original and 10 copies) County Rezonings Only

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

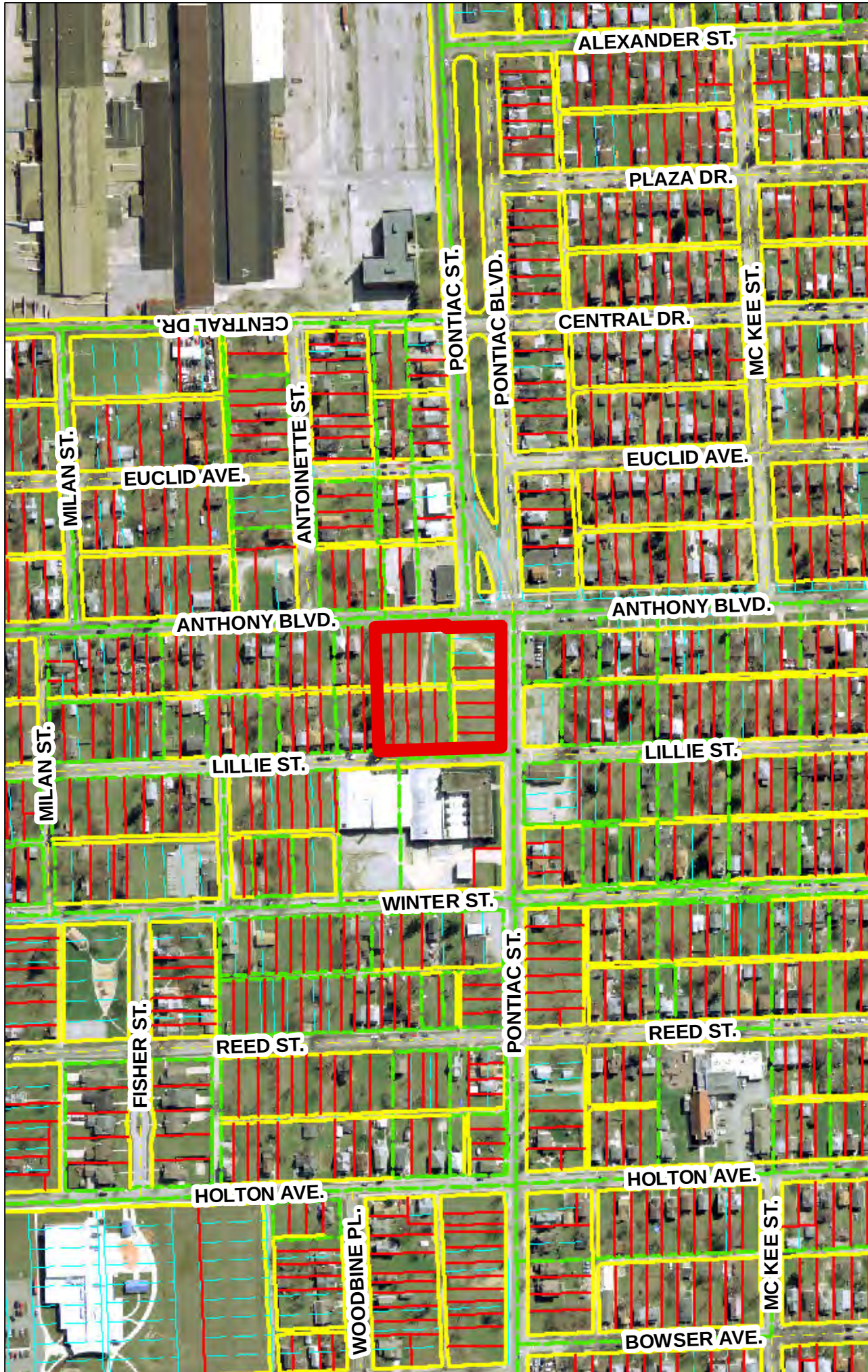
Virk Brothers, LLC C. Smay 2/21/17
(printed name of applicant) (signature of applicant) (date)
Core Consulting Group, LLC Rebecca L. Flaherty 2/21/17
(printed name of property owner) (signature of property owner) (date)
of Eugene Parker
(printed name of property owner) (signature of property owner) (date)
(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
<u>3/7/16</u>	<u>123246</u>	<u>4/10/17</u>	<u>Rez-2017-0014</u>



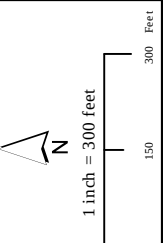
Exhibit "A"
Rezoning Application
Legal Description
Virk Brothers, LLC

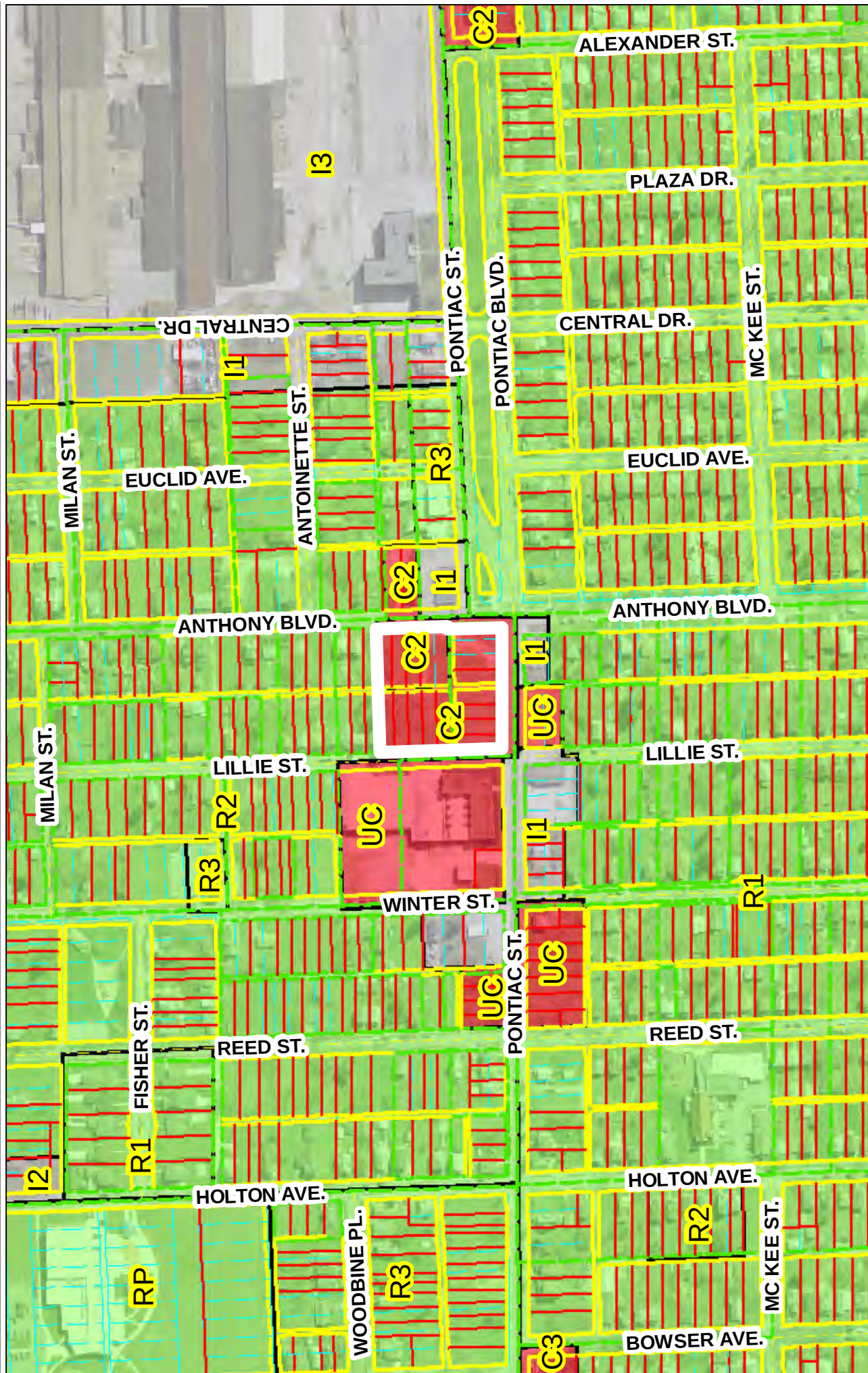
Lots Number 9, 10, 11, 12 and 13 in E.E. Eckel's Subdivision of Lots Numbered 43 and 44 in Lillie's Out Lots in the City of Fort Wayne, as recorded in Plat record 2, page 8, in the Office of the Recorder of Allen County, Indiana



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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Data: 2/24/2017





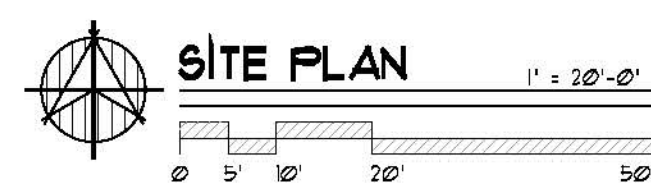
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1 inch = 300 feet





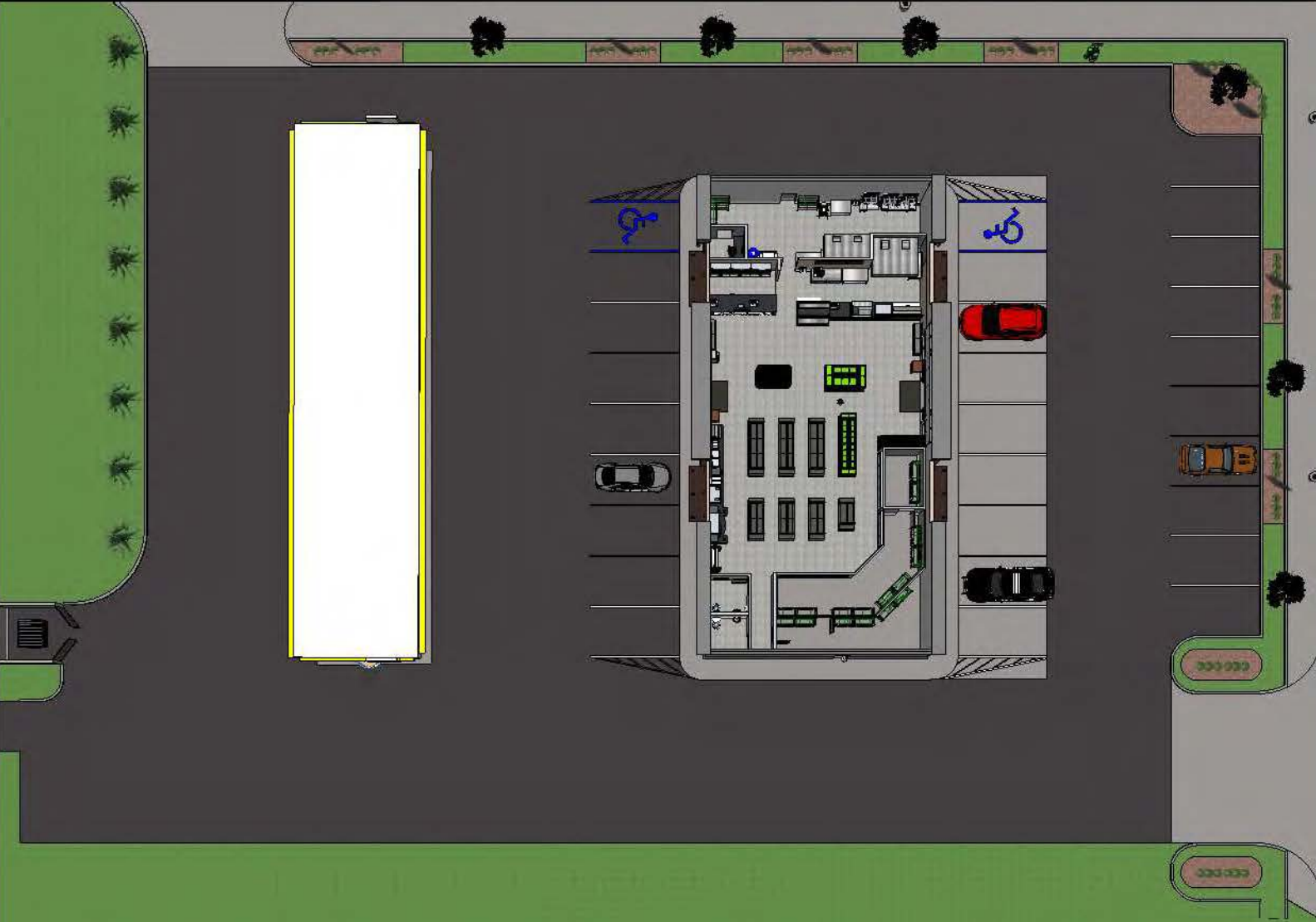
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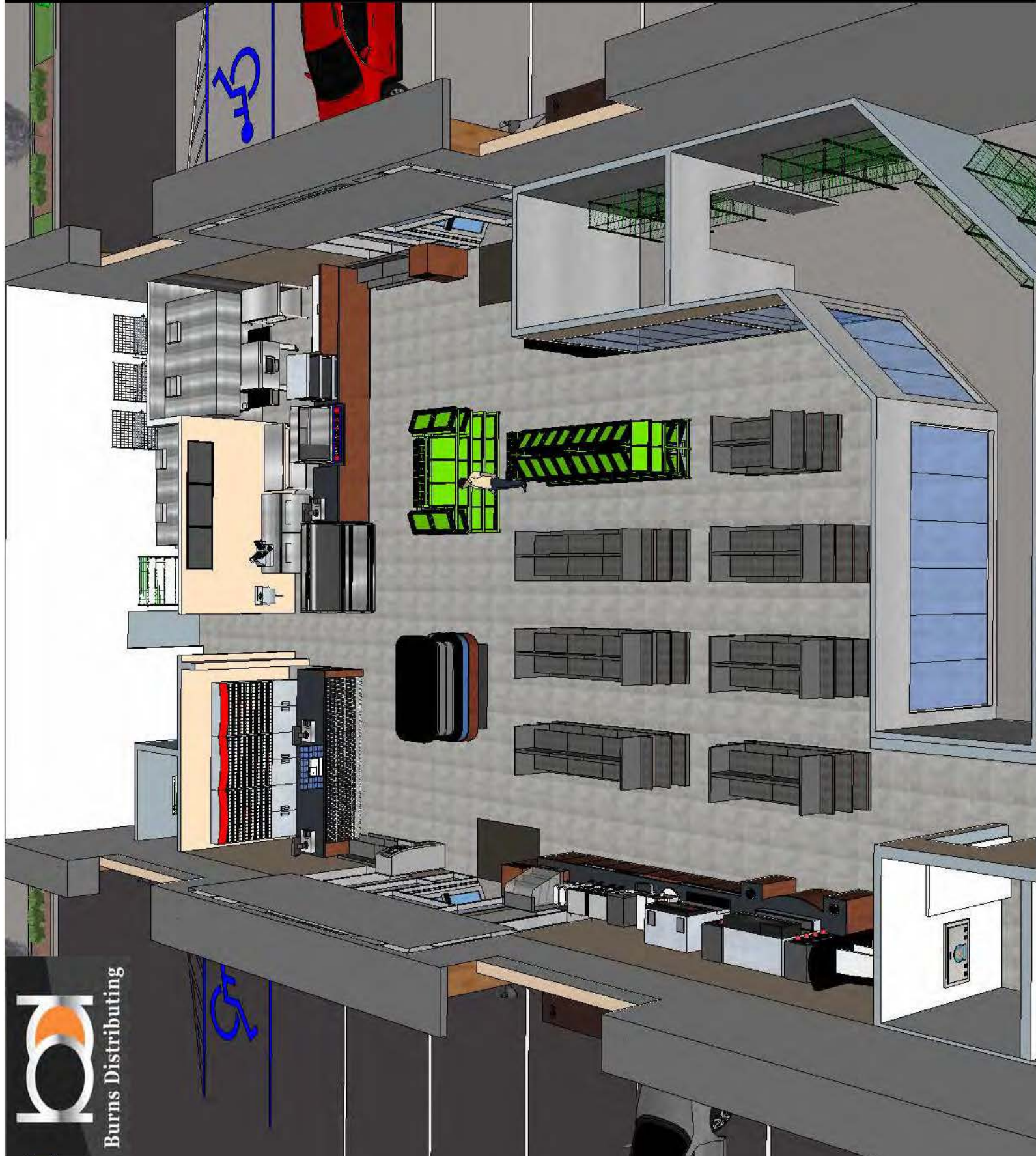
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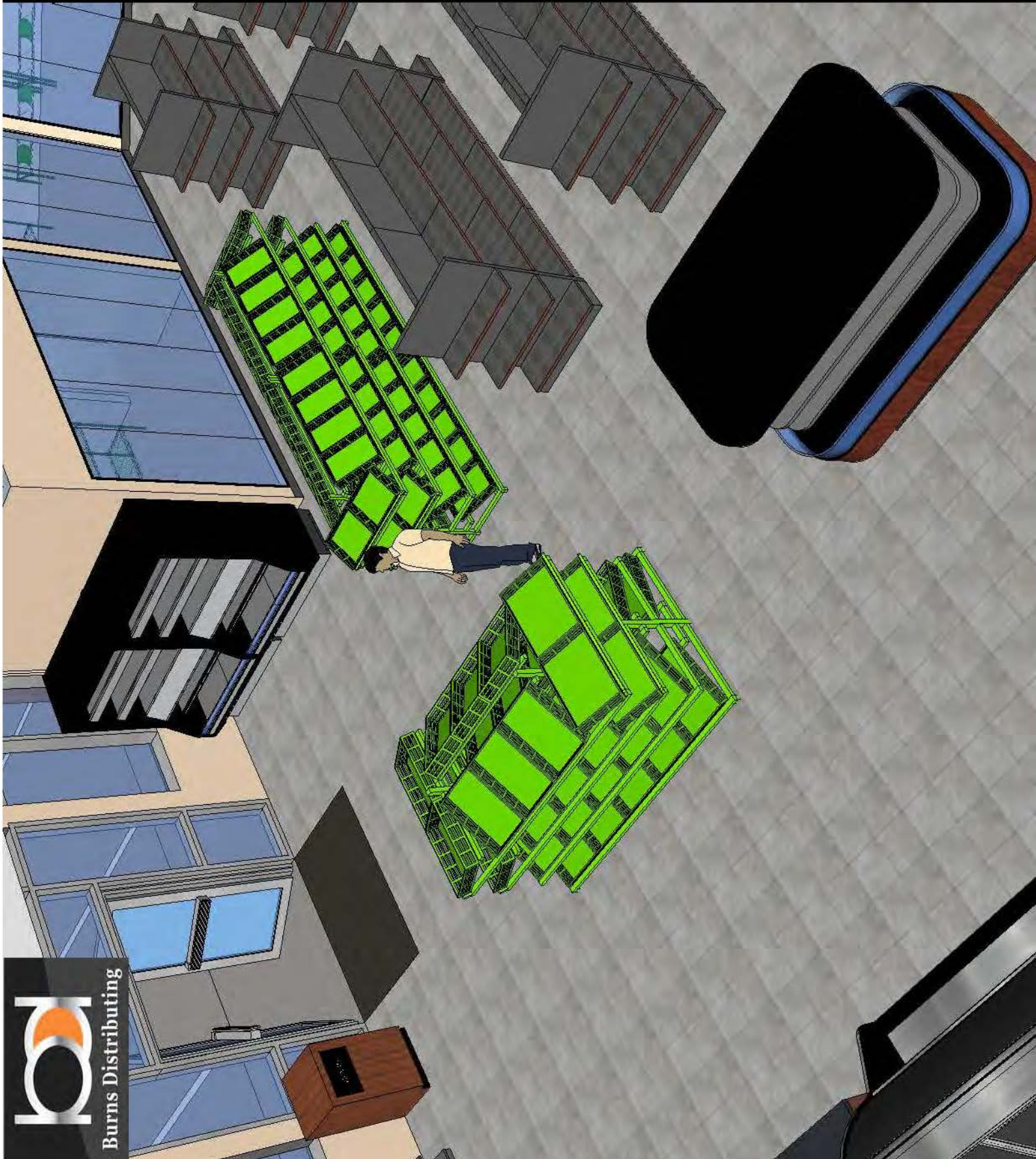
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