

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0033
Bill Number: Z-20-10-04
Council District: 5-Geoff Paddock

Introduction Date: October 13, 2020

Plan Commission
Public Hearing Date: October 12, 2020 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.46 acres from I1/Limited Industrial to C3/General Commercial.

Location: 5805 Fairfield Avenue

Reason for Request: To bring the existing gas station and convenience store in compliance with the zoning ordinance.

Applicant: A & H Oil Co., LLC

Property Owner: A & H Oil Co., LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which will bring the existing gas station and convenience store in compliance with the zoning ordinance.

Effect of Non-Passage: The property will remain zoned C2/Limited Commercial. The gas station use not permitted in the district. The use is non-conforming and may remain, however, future financing and/or expansion may be hindered or limited.

#REZ-2020-0033

BILL NO. Z-20-10-04

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. L-23 (Sec. 26 of Wayne Township)**

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

SECTION 1. That the area described as follows is hereby designated a C3 (General
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

Lots numbered 265, 266, 267, and 268 in Fairfield Terrace Addition, Section "B", an
Addition to the City of Fort Wayne, as recorded in Plat Record 11, Pages 52-53,
EXCEPT that portion of Lot 265 conveyed to the City of Fort Wayne by Deed
recorded in Deed Record 631, Page 440 and by dedication to the City of Fort Wayne
recorded as Document Number 70-8461.

and the symbols of the City of Fort Wayne Zoning Map No. L-23 (Sec. 26 of Wayne
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.

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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:

Carol T. Helton, City Attorney



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.

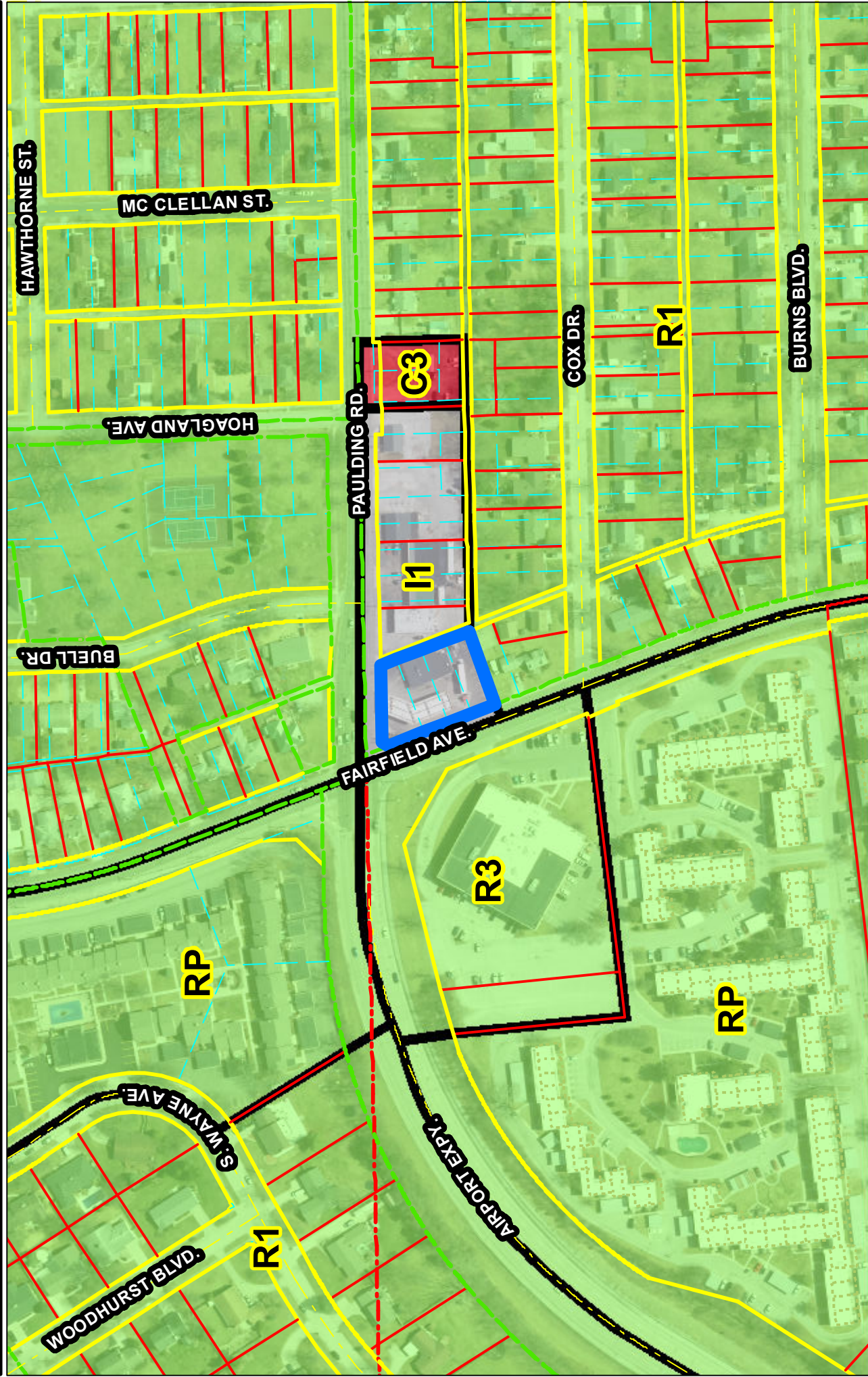
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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 9/16/2020



1 inch = 200 feet
 0 100 200 Feet

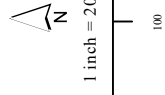


Rezoning Petition REZ-2020-0033 (5805 Fairfield Ave)



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/16/2020



**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant A and H oil co LLC
Address 5805 Fairfield Ave
City fort wayne State IN Zip 46807
Telephone 2607450975 E-mail Humaidim@gmail.com
260 3438383

Contact Person
Contact Person Ahmed Humaidi
Address 5805 Fairfield Ave
City fort wayne State IN Zip 46807
Telephone 2603438383 E-mail Humaidim@gmail.com

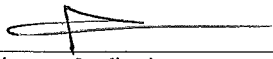
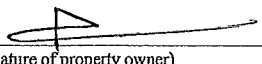
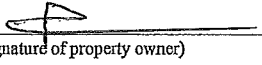
All staff correspondence will be sent only to the designated contact person.

Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 5805 Fairfield Ave
Present Zoning IL Proposed Zoning C3 Acreage to be rezoned .46
Proposed density ~~600~~ units per acre
Township name Wayne Township section # 26
Purpose of rezoning (attach additional page if necessary) To bring the subject real estate into compliance with the city of fort wayne zoning ordinance
Sewer provider city of fortwayne 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>A and H oil co LLC</u> (printed name of applicant)	 (signature of applicant)	<u>8-18-2020</u> (date)
<u>A and H oil co LLC</u> (printed name of property owner)	 (signature of property owner)	<u>8-18-2020</u> (date)
<u>Ahmed Humaidi</u> (printed name of property owner)	 (signature of property owner)	<u>8-18-2020</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received	Receipt No.	Hearing Date	Petition No.
8-18-2020	134912	10-12-2020	REZ 2020 - 0033

Fairfield
W. 1000



Regular 2.39⁹/₁₀

Regular 749⁹/₁₀

Food Mart

Shell



NEVER PAY
FULL PRICE
AGAIN

NEW
FORMULA
D-W-POWER
ATLANTIC

WALF
COURTESY



Fairfield