

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0035
Bill Number: Z-20-10-06
Council District: 2-Russ Jehl

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 1.59 acres from C2/Limited Retail to C3/General Commercial.

Location: 7440 St. Joe Road

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

Applicant: River Bend Real Estate, Inc.

Property Owner: River Bend Real Estate, Inc.

Related Petitions: none

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

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

#REZ-2020-0035

BILL NO. Z-20-10-06

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. T-46 (Sec. 9 of St. Joseph 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:

Block B, Sunnybrook Acres, Third Addition, in St. Joseph Township, Allen County,
Indiana, as recorded in Plat Book 23, Page 129, in the Office of the Recorder of
Allen County, Indiana, except for the following described parcel:

Commencing at the Southwest corner of said Block; thence running Northeastward
on the West line thereof, as situated coincident with the center line of the public
road, known as the St. Joe Road, a distance of 180 feet; thence Southeastward on a
line parallel to the South line of said Block, a distance of 180 feet; thence
Southwestward and parallel to the St. Joe Road center line, a distance of 180 feet to
the South line of said Block; thence Northwestward on the aforesaid line, 180 feet to
the place of beginning, containing 31,619 square feet.

and the symbols of the City of Fort Wayne Zoning Map No. T-46 (Sec. 9 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.

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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.

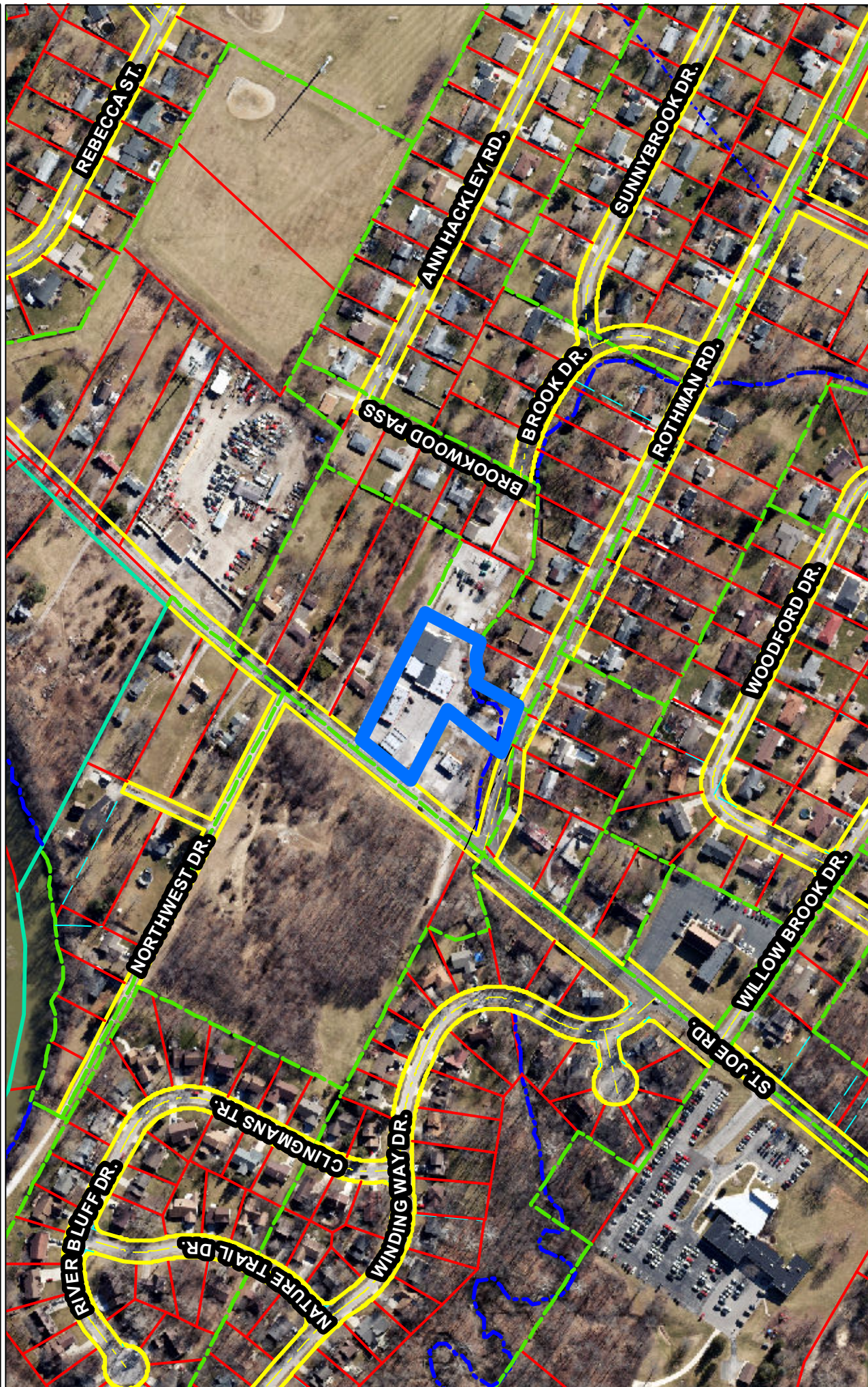
Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney



Rezoning Petition REZ-2020-0035 (7440 St. Joe Road)



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: 9/16/2020

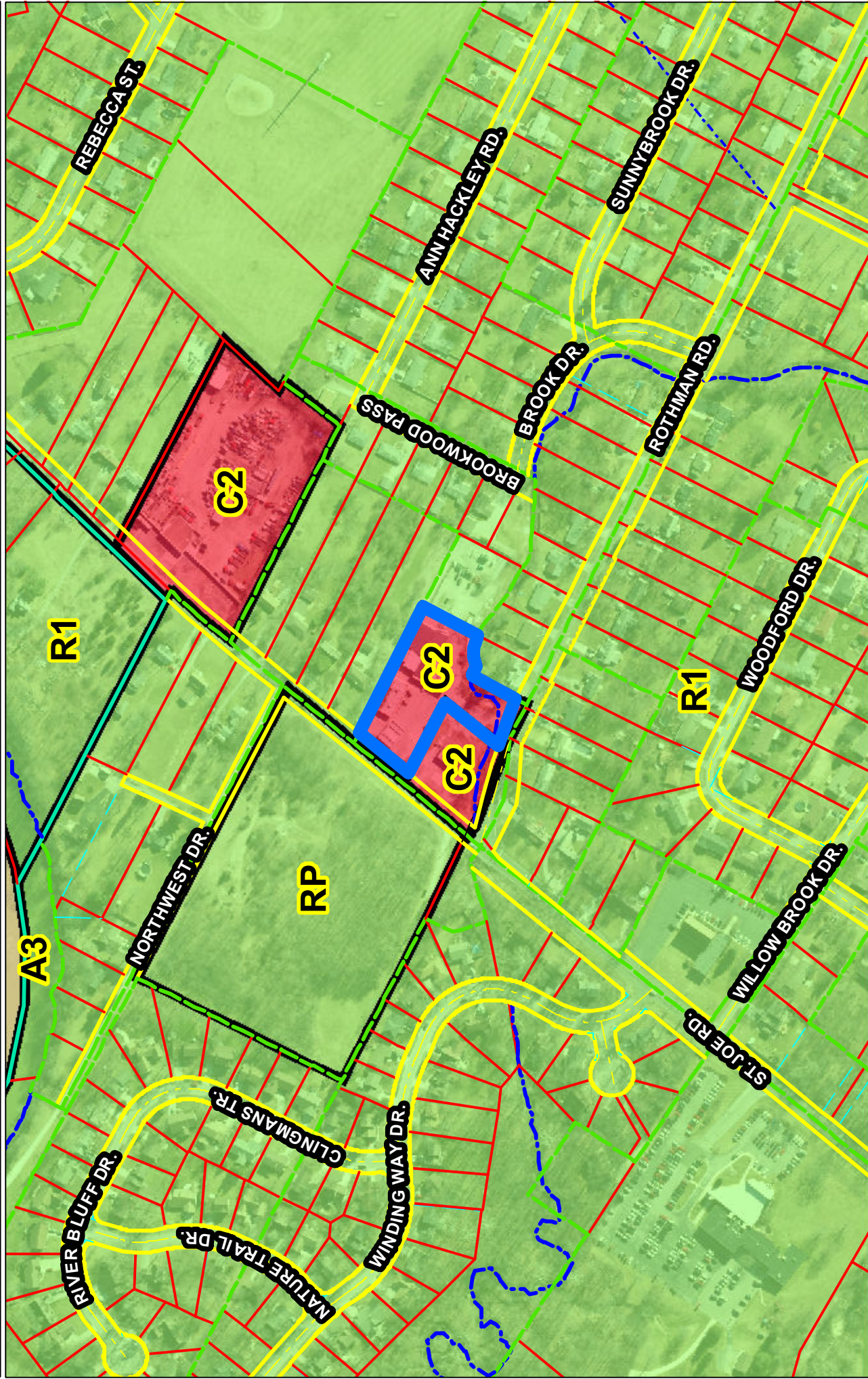


1 inch = 300 feet





Rezoning Petition REZ-2020-0035 (7440 St. Joe Road)



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Photos and Contours: Spring 2009
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1 inch = 300 feet



Department of Planning Services
Rezoning Petition Application

Applicant

Applicant

River Bend Real Estate Inc.

Address

7440 Saint Joe Road

City

Fort Wayne

State

IN

Zip

46835

Telephone

E-mail

Contact Person

Contact Person

Alison Podlaski, Barrett McNagny LLP

Address

215 E. Berry St. P.O. Box 2263

City

Fort Wayne

State

IN

Zip

46801-2263

Telephone

260-423-8904

E-mail

avp@barrettlaw.com

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

☐ Allen County Planning Jurisdiction

☒ City of Fort Wayne Planning Jurisdiction

Address of the property

7440 Saint Joe Road

Present Zoning

C2

Proposed Zoning

C3

Acreage to be rezoned

1.59

Proposed density

units per acre

Township name

St. Joseph

Township section #

9

Purpose of rezoning (attach additional page if necessary)

To bring the subject real estate into compliance with the City of Fort Wayne Zoning Ordinance.

See attached Exhibit A.

Sewer provider

City of Fort Wayne

Water provider

City of Fort Wayne

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 B.

(printed name of applicant)

(signature of applicant)

(date)

See attached Exhibit B.

(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)

(printed name of property owner)

(signature of property owner)

(date)

Received	Receipt No.	Hearing Date	Petition No.
9-1-2020	135090	10-12-2020	REZ-2020-0035



RECORD DESCRIPTION: DOCUMENT NUMBER 990053245

Block B, Sunnybrook Acres, Third Addition, in St. Joseph Township, Allen County, Indiana, as recorded in Plat Book 23, page 129, in the Office of the Recorder of Allen County, Indiana, except for the following described parcel:

Commencing at the Southwest corner of said Block; thence running Northeastward on the West line thereof, as situated coincident with the center line of the public road, known as the St. Joe Road Block, a distance of 180 feet; thence Southward on a line parallel to the South line of said Block, a distance of 180 feet; thence Southwestward and parallel to the St. Joe Road center line, a distance of 180 feet to the South line of said Block; thence Northeastward on the aforesaid line, 180 feet to the place of beginning, containing 31,618 square ft.

herby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief, was executed according to the survey requirements set forth in 805 AC 1-12.

Date of Plot or Mgmt August 31, 2020



7440 ST. JOE ROAD FORT WAYNE, INDIANA	SCALE: 1"=30'	DRAWN BY: KWH	SHEET 1
		DATE: 8-31-20	

RIVER BEND REAL ESTATE, INC.

[illegible]

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www.donovan-eng.com
Gregory L. Roberts, PS S0548

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www.donovan-eng.com

BLOCK B SIXTYEIGHT ACRES THREE SECTIONS FOURTH AND FIFTH TOWNSHIP NORTH RANGE TWENTY EAST

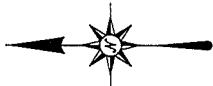
[illegible][illegible]

All monuments are of grade except as noted.

All property line distances are recorded

dimensions, except as noted.

Monuments found have no documented history, except as noted.



1"=30'

0 30 60'

