

1 **#REZ-2022-0003**

2 **BILL NO. Z-22-02-03**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. O-14 (Sec. 36 of Washington Township)**

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

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

13 Lots Numbered 5, 6 und 7, Block Numbered 7, Forest Park Addition to the City of
14 Fort Wayne, Indiana, according to the plat thereof, recorded in Plat Record 4, page
15 65, in the Office of the Recorder of Allen County, Indiana, EXCEPT the East 25 feet
16 of each lot thereof, appropriated for the widening of Anthony Boulevard, as recorded
17 in Plat Book 78, page 67, in the Office of the Recorder of Allen County, Indiana.

18 Subject to real estate taxes, easements, restrictions and limitations of record.

19 and the symbols of the City of Fort Wayne Zoning Map No. O-14 (Sec. 36 of Washington
20 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
21 Wayne, Indiana is hereby changed accordingly.

22 SECTION 2. If a written commitment is a condition of the Plan Commission's
23 recommendation for the adoption of the rezoning, or if a written commitment is modified and
24 approved by the Common Council as part of the zone map amendment, that written
25 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:


Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0003
Bill Number: Z-22-02-03
Council District: 2 – Russ Jehl

Introduction Date: February 8, 2022

Plan Commission
Public Hearing Date: February 14, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone 0.44 acres from C2/Limited Commercial to C3/General
Commercial with a Written Commitment to restrict certain uses

Location: 1501 N. Anthony

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

Applicant: Onkar Oil, LLC

Property Owner: Onkar Oil, LLC

Related Petitions: none

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district,
which will allow the existing use as a permitted use by right. A recorded
Written Commitment on the property will restrict all C3 uses except those
on site currently and those permitted in the C2/Limited Commercial
district.

Effect of Non-Passage: The property will remain zoned for limited commercial uses. The gas
station and convenience store may remain as a non-conforming use, but
the owner may be limited on future maintenance, expansion, and
financing resources because of the non-conforming status.



Rezoning Petition REZ-2022-0003 - 1501 North Anthony Blvd.



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.

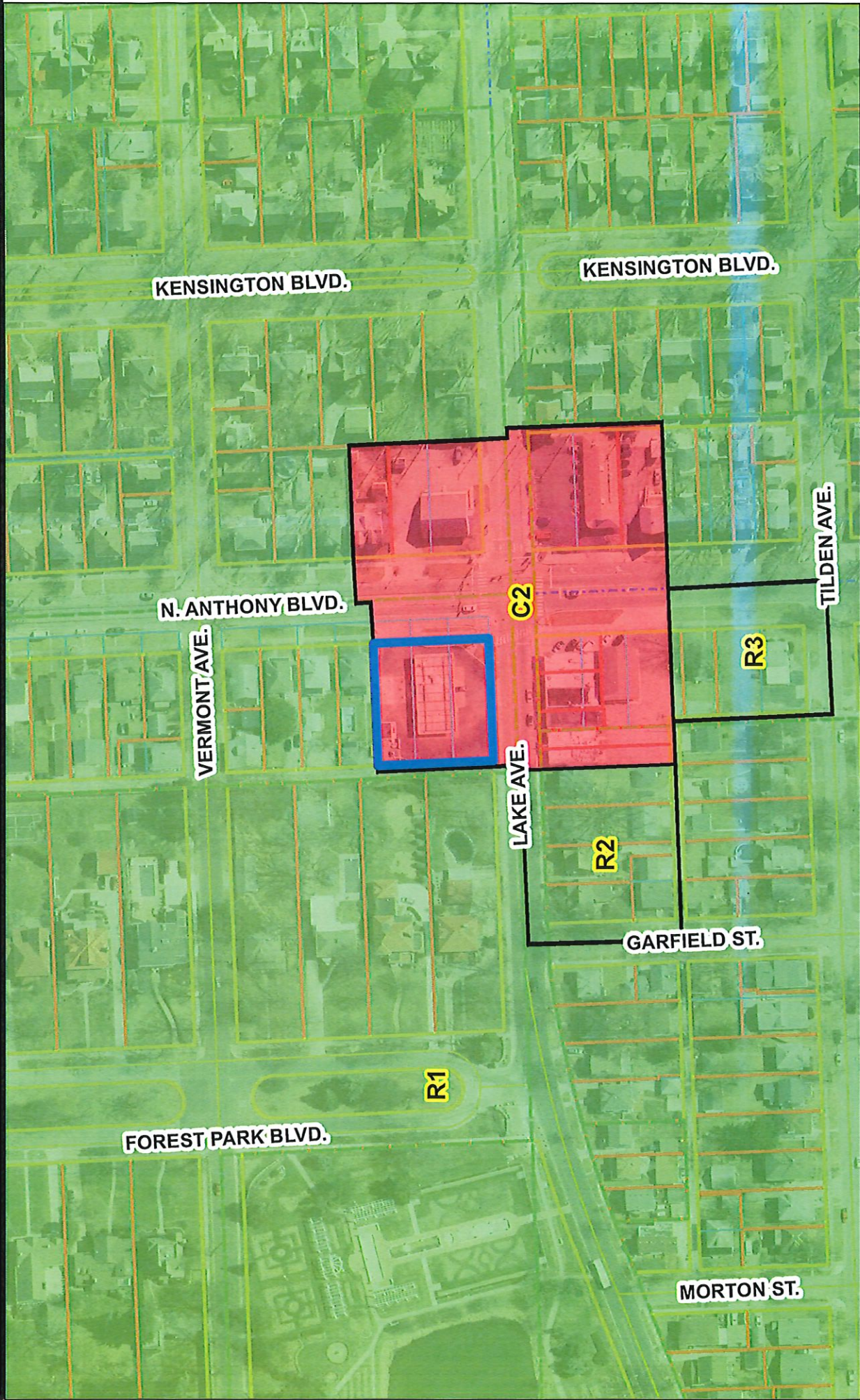
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 1/19/2022



0 125 250 Feet

1 inch = 150 feet

Rezoning Petition REZ-2022-0003 - 1501 North Anthony Blvd.



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1 inch = 150 feet



Department of Planning Services
Rezoning Petition Application

Applicant Onkar Oil, LLC
Address 624 East Lewis Street
City Fort Wayne State IN Zip 46802
Telephone 260-452-7728 E-mail _____

Contact Person Kelly Tappy Design, Inc. (Matt Kelly)
Address 116 East Berry Street, Suite 700
City Fort Wayne State IN Zip 46802
Telephone 260-426-7770 E-mail mail@kellytappy.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 1501 North Anthony Boulevard, Fort Wayne, IN 46805
Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 0.44 acres
Proposed density (see attached site development schematic) _____ units per acre
Township name Wayne Township section # 0363112
Purpose of rezoning (attach additional page if necessary) Purpose of re-zoning is to
accomplish zoning consistent with current use.

Sewer provider Fort Wayne Water provider 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 planimetry submission requirements.*

- Filing Requirements
- ☒ Applicable filing fee
 - ☒ Applicable number of surveys showing area to be rezoned (plan must be filed)
 - ☒ Legal Description of parcel to be rezoned
 - ☒ Rezoning Questionnaire (original and 10 copies) County Readings Only

I/We understand and agree, upon execution and submission of this application, that I/we (as 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 Planning Commission as from 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 \$0.35 per notice and a public notice for \$500.00 per notice with each.

Mann Onkar
(printed name of applicant) _____
(signature of applicant) [Signature] _____
(date) December 28, 2021

Mann Onkar
(printed name of property owner) _____
(signature of property owner) [Signature] _____
(date) December 28, 2021

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

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

Received	Receipt No. <u>139122</u>	Hearing Date <u>2/14/21</u>	Petition No. <u>REZ-2022-0003</u>
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NI: ANTHONY

#205044076
Recorded
07/24/2006 09:48:19
PREPARED BY
ALLEN COUNTY REC'D
RECEIPT NO. 20061
DPRD 5.00
LPRD 6.00
LSPF 2.00
Total 13.00

Mail Tax Bills To:
1501 Anthony Blvd
Fort Wayne, Indiana 46805

WARRANTY DEED

THIS INDENTURE WITNESSETH THAT: THORNHILL FAMILY LIMITED
PARTNERSHIP, of Allen County, State of Indiana, CONVEYS AND WARRANTS TO: DPR OIL
CORP., of Allen County, State of Indiana, in consideration of One Dollar (\$1.00) and other valuable
consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Allen County, in the
State of Indiana, to wit:

Lots Numbered 5, 6 and 7, Block Numbered 7, Forest Park Addition to the City of Fort Wayne, Indiana,
according to the plat thereof, recorded in Plat Record 4, page 65, in the Office of the Recorder of Allen
County, Indiana, EXCEPT the East 25 feet of each lot thereof, appropriated for the widening of Anthony
Boulevard, as recorded in Plat Book 7B, page 67, in the Office of the Recorder of Allen County, Indiana.

(This real estate is commonly known as 1501 North Anthony Blvd., Fort Wayne, Indiana 46805)

Subject to real estate taxes, easements, restrictions and limitations of record.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed this 29th day of October, 2002.

THORNHILL FAMILY LIMITED
PARTNERSHIP

Amie Thornhill
By: Amie Thornhill
Its: Managing Partner

STATE OF INDIANA)
COUNTY OF ALLEN)



BEFORE ME, a Notary Public, in and for said County and State, personally appeared THORNHILL
FAMILY LIMITED PARTNERSHIP, by Amie Thornhill, its President, being over the age of eighteen
(18) years, and acknowledged the execution of the foregoing Deed for and on behalf of Grantor,
having been duly sworn, stated that the representations herein contained are true.

WITNESS my hand and Notarial Seal this 29th day of October, 2002.

My Commission Expires:
April 24, 2008

Dale Bloom
A. Dale Bloom, Notary Public
A resident of Allen County, Indiana

This instrument prepared by: A. Dale Bloom, Attorney at Law, 200 E. Main St., 1000 Standard Federal
Plaza, Fort Wayne, Indiana 46854-0810; Telephone: (219) 426-1300

MAIL TO: 474 8th X 6875

FILED

JUL 21 2006

SALES DISCLOSURE
FORM

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for taxation.

JUL 21 2006

Dale Bloom
AUDITOR OF ALLEN COUNTY

11980

19

