

#REZ-2022-0022
BILL NO. Z-22-05-25

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. J-23 (Sec. 27 of Wayne)**

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 an R1 (Single
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Lot Number 18 and the South 10 feet of Lot Number 19, in William May Addition, Section B, as
recorded in Plat Record 18, page 25, in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. J-23 (Sec. 27 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.

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-2022-0022
Bill Number: Z-22-05-25
Council District: 4 – Jason Arp

Introduction Date: May 24, 2022

Plan Commission
Public Hearing Date: June 13, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.40 acre from C3/General Commercial to R1/Single Family Residential

Location: 6411 Bluffton Road

Reason for Request: To return the property back to single family residential to support the use as a single family home.

Applicant: Silverstream Investments, LLC

Property Owners: Silverstream Investments, LLC

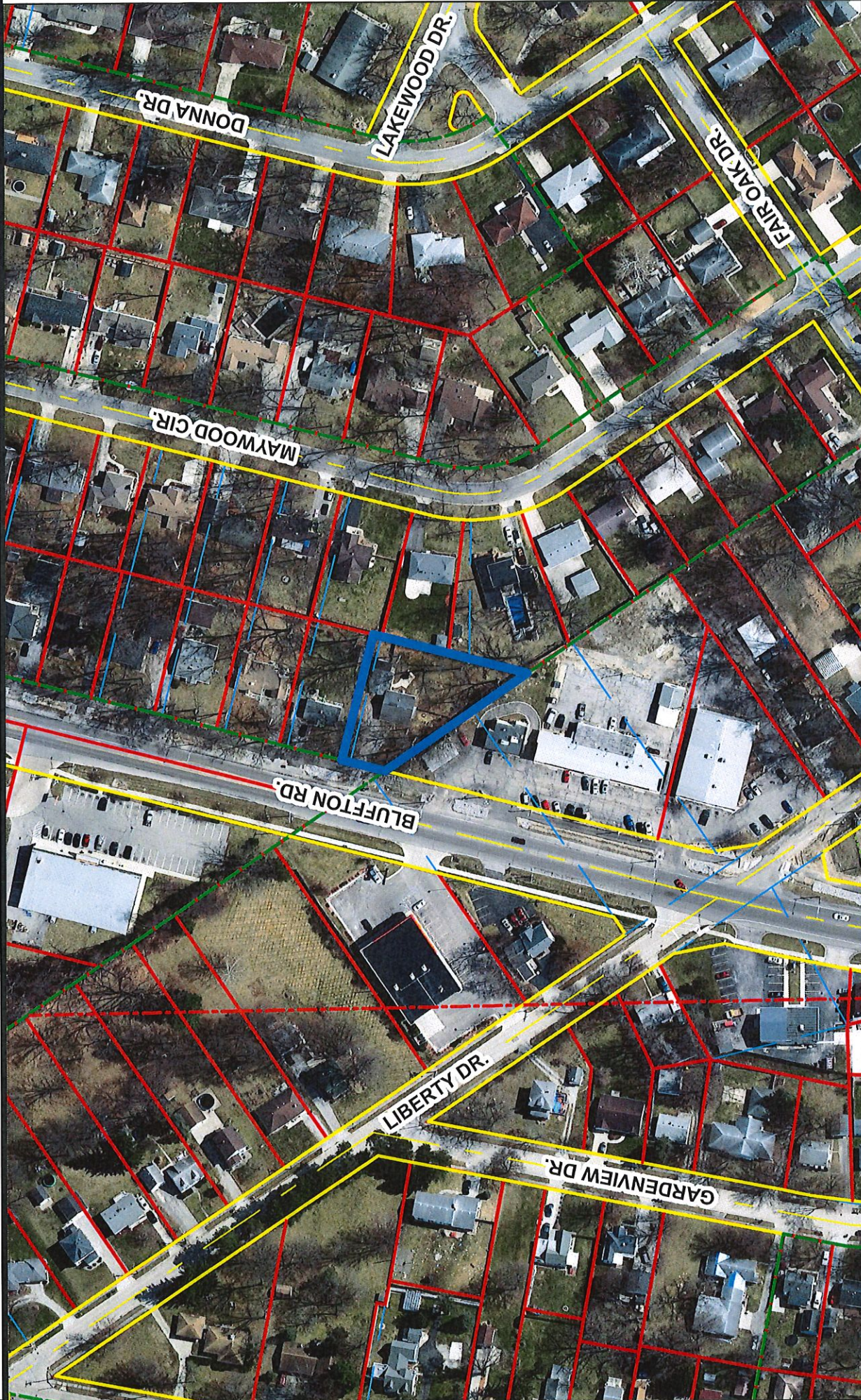
Related Petitions: none

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district, which will allow the historical use as a home.

Effect of Non-Passage: The property will remain zoned for industrial purposes. A single family home is not permitted by right in industrial districts.



Rezoning Petition REZ-2022-0022 - 6411 Bluffton Road



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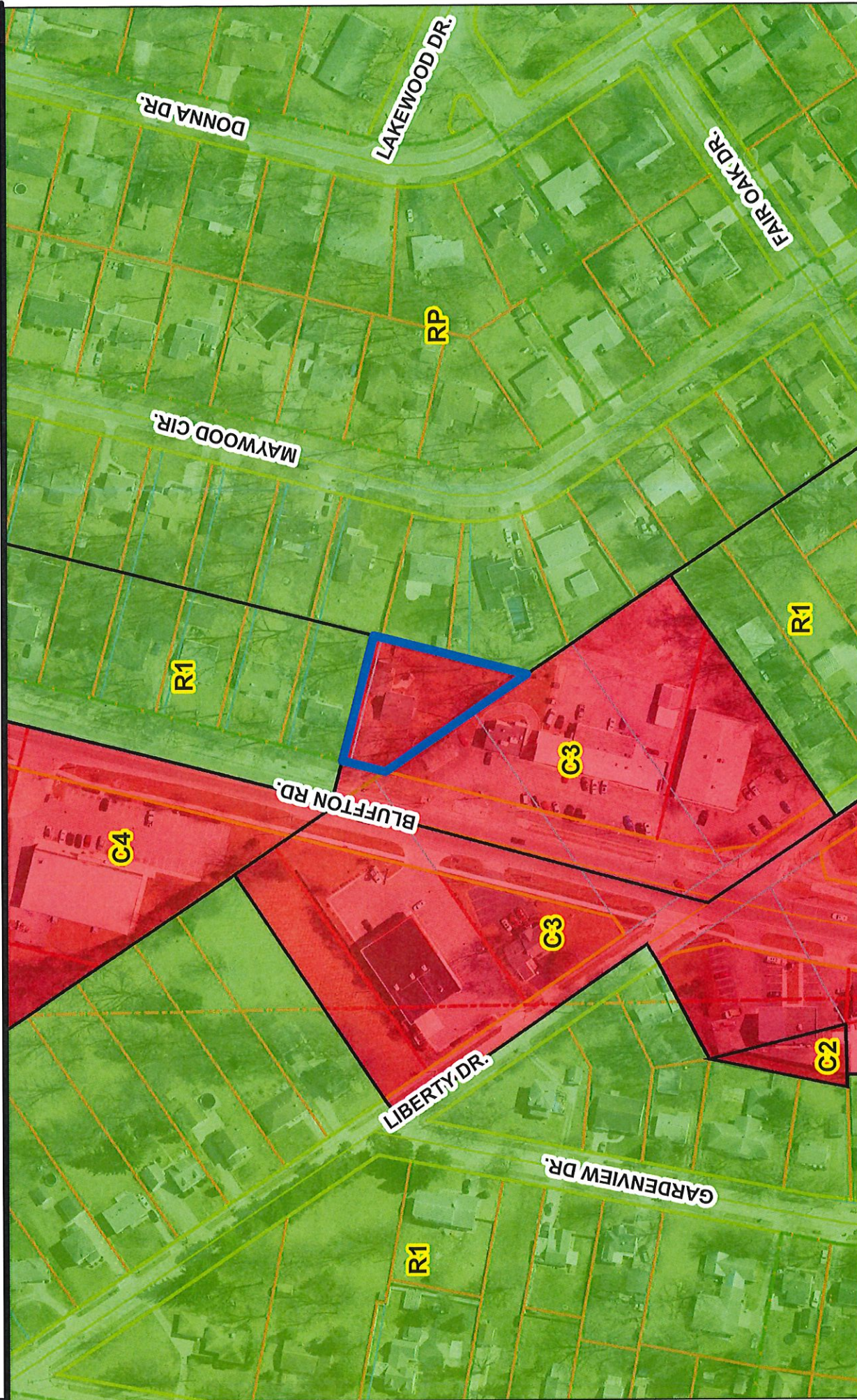
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Photos and Contours: Spring 2009
Date: 5/16/2022



1 inch = 150 feet

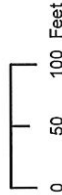


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Department of Planning Services
Rezoning Petition Application

Applicant

Applicant Silverstream Investments, LLC / Monica Riecke
Address 6632 Ruby Springs Pkwy.
City Auburn State IN Zip 46706
Telephone 260.466.4991 E-mail monicariecke@comcast.net

Contact Person

Contact Person Monica Riecke
Address 6632 Ruby Springs Pkwy.
City Auburn State IN Zip 46706
Telephone 260.466.4991 E-mail monicariecke@comcast.net

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 6411 Bluffton Rd, Fort Wayne, IN 46809
Present Zoning C-3 Proposed Zoning R1 Acreage to be rezoned .3988
Proposed density N/A units per acre
Township name Wayne Township section # 27
Purpose of rezoning (attach additional page if necessary) to use as a single-family home in the correct district
Sewer provider City Water provider City

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.

Silverstream Investments LLC
(printed name of applicant) By Monica Riecke
Member

Silverstream Investments LLC
(signature of applicant) By Monica Riecke
Member

04-25-22
(date)

Joel M. Johnson (member Colony Shoppes LLC)

(printed name of property owner)

Joel M. Johnson (member Colony Shoppes LLC)

(signature of property owner)

May 2, 2022
(date)

(printed name of property owner)

(signature of property owner)

(date)

REZ-
2022-0022

EXHIBIT "A"

Lot Number 18 and the South 10 feet of Lot Number 19, in William May Addition, Section B, as recorded in Plat Record 18, page 25, in the Office of the Recorder of Allen County, Indiana.

FACT SHEET

Case #REZ-2022-0022		Bill # Z-22-05-25	Project Start: June 2022
APPLICANT:	Silverstream Investments, LLC – Monica Riecke		
REQUEST:	Rezone property from C3/General Commercial to R1 Single Family Residential to allow existing residential uses.		
LOCATION:	6411 Bluffton Road, 400 feet north of its intersection with Liberty Drive (Section 27 of Wayne Township)		
LAND AREA:	0.40 acres		
PRESENT ZONING:	C3/General Commercial		
PROPOSED ZONING:	R1/Single Family Residential		
COUNCIL DISTRICT:	4- Jason Arp		
SPONSOR:	City of Fort Wayne Plan Commission		

June 13, 2022 Public Hearing

- No one spoke in opposition.
- Tom Freistroffer and Don Schmidt were absent.

June 21, 2022 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Judi Wire and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

8-0 MOTION PASSED

- Paul Sauerteig was absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
July 20, 2022

PROJECT SUMMARY

- The site contains one residential structure, built in 1954.
- The site has historically been used for single family residential uses.
- The C3 zoning district was established in 2019.

The petitioner is requesting to return the residential property back to R1/Single Family Residential to permit the existing use. In 2019, the Plan Commission approved an update to Colony Shoppes, an existing retail strip on Bluffton Road, immediately southwest of the subject property. The updates Colony Shoppes plan included this property to be rezoned to C3/General Commitment with a Written Commitment. Since that approval, this residential property is no longer planned to be added to the commercial center and has been purchased by Silverstream Investments to rehabilitate and return the property to the local housing stock. The area east and north of the retail center is a single family neighborhood made up of single and multifamily zoning. This particular lot is the logical break between the neighborhood and the commercial businesses.

The written commitment for Colony Shoppes, which also included 6411 Bluffton Road, would not permit single family uses. However, once the zoning of a property has been changed back to residential, the C3 restrictions in the written commitment automatically cease, per Fort Wayne Code §157.503(A)(5)(f).

PUBLIC HEARING SUMMARY:

Presenter: Monica Reicke, property owner, presented the request as outlined above. She and her husband are investing in the property.

Public Comments:

None

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

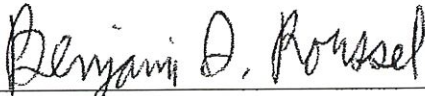
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LAND AREA:	0.40 acres
PRESENT ZONING:	C3/General Commercial
PROPOSED ZONING:	R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2022-0022, be returned to Council with a “Do Pass” recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The site has historically been used for residential purposes and is within a single family neighborhood.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. No new development is proposed on the site.
3. Approval is consistent with the preservation of property values in the area. The new owners are rehabilitating the house and garage and plan to offer the home for sale or rent.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This proposal is not proposing extension of infrastructure. Public right-of-way with an improved street and public trail is adjacent to the site.

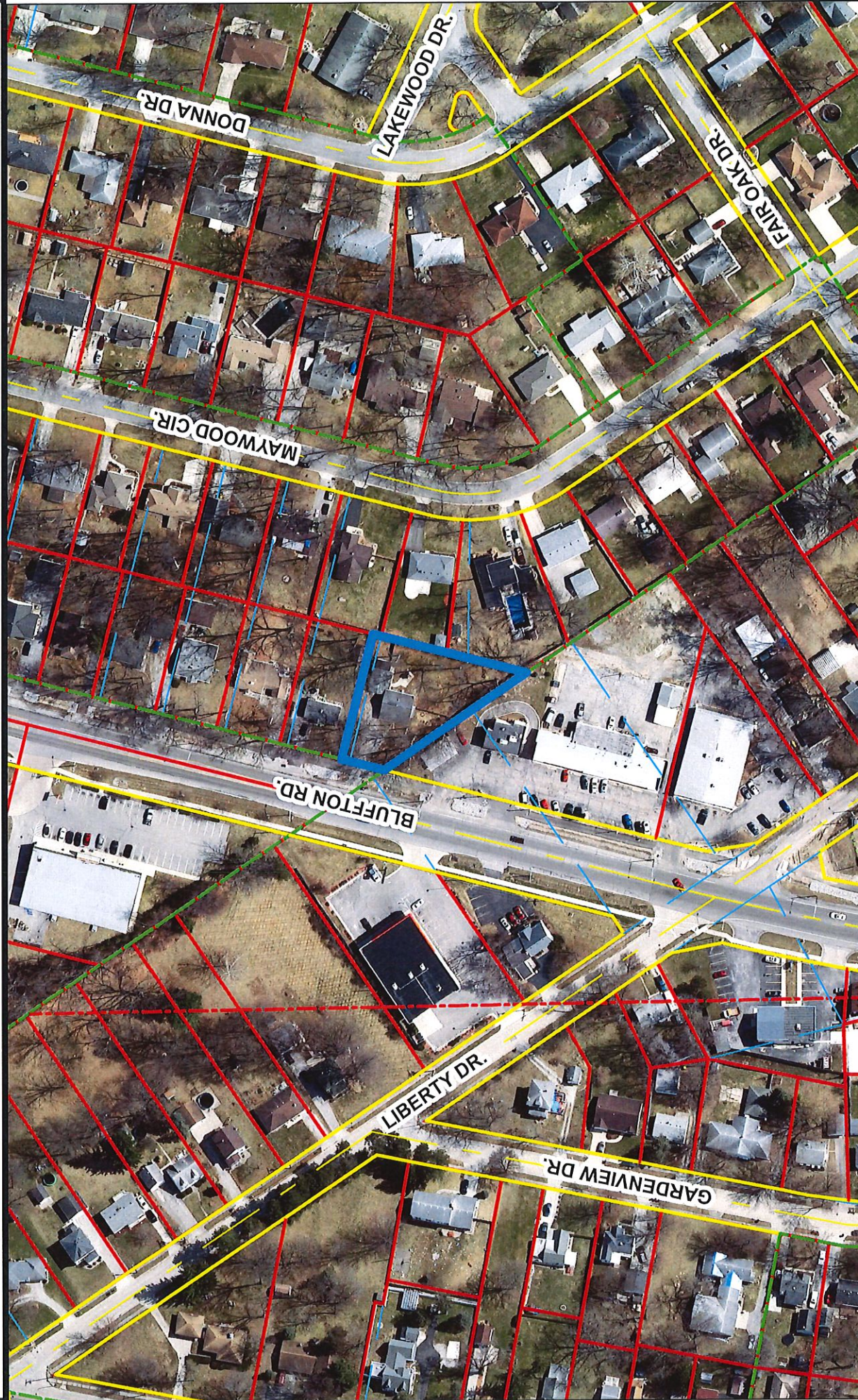
These findings approved by the Fort Wayne Plan Commission on June 20, 2022.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



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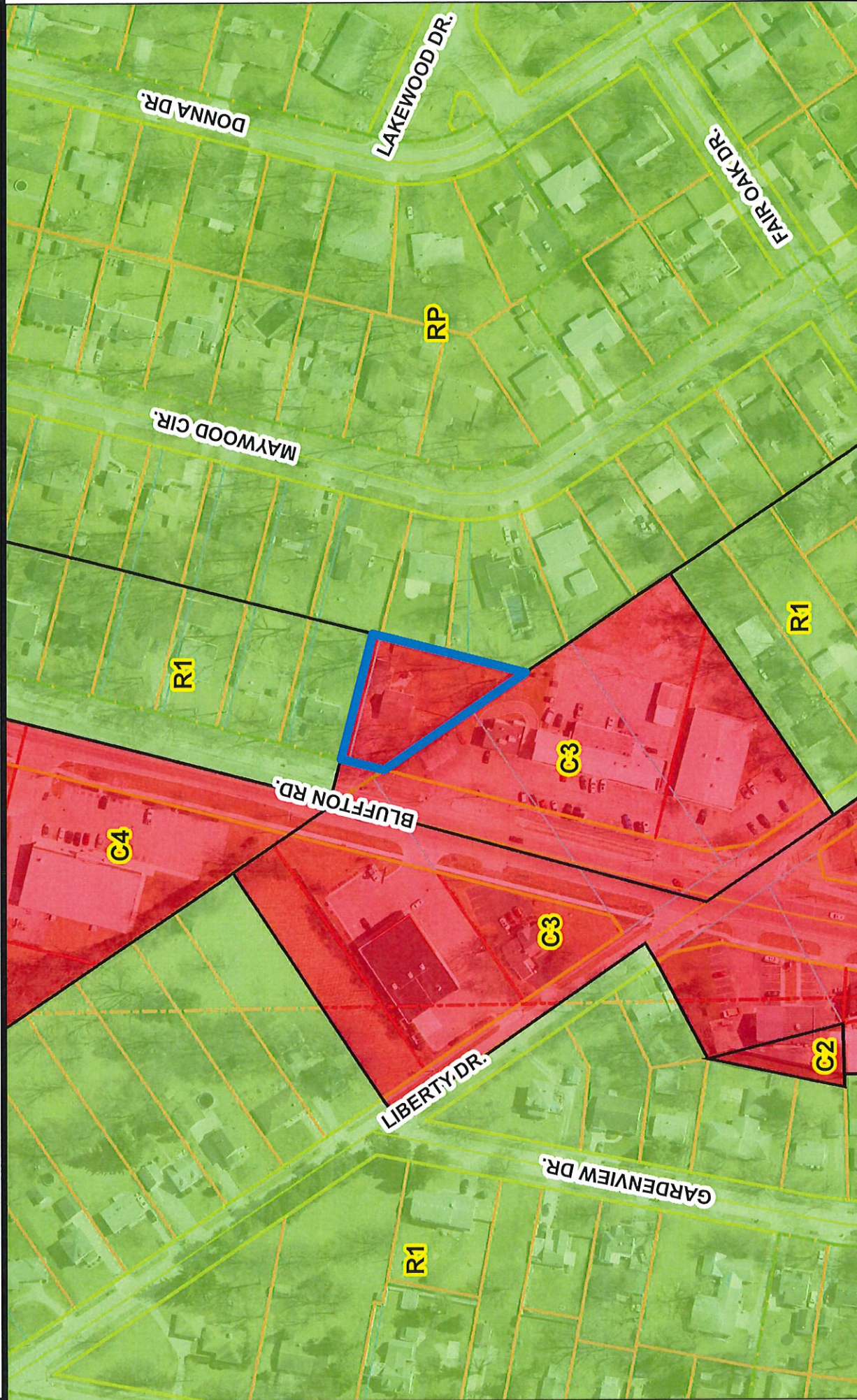


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6411 BLUFFTON ROAD
FORT WAYNE INDIANA



Matthew C. Goulden 815 393-0007

BOUNDARY REERTACEMENT SURVEY
6411 BLUFFTON ROAD
ALLEN COUNTY, FORT WAYNE, INDIANA

[illegible]