

**#REZ-2023-0016**

**BILL NO. Z-23-04-16**

**ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. X-10 (Sec. 02 of Adams 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 an R1 (Single  
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City  
of Fort Wayne, Indiana:

**TRACT "B":** (part of a tract described in Document Number 990030179)

Part of the Fractional Northwest Quarter of Section 2, Township 30 North, Range 13 East, Allen  
County, Indiana, based on an original survey by Joseph R. Herendeen, Indiana Professional  
Surveyor Number LS20900190 of Sauer Land Surveying, Inc., Survey No. KYNTA-000, dated  
April 3, 2023, and being more particularly described as follows, to-wit:

Beginning at the North closing Quarter corner of Section 2, being marked by a #5 rebar; thence  
South 87 degrees 29 minutes 32 seconds West (GPS grid bearing and basis of all bearings in this  
description), on and along the North line of said Fractional Northwest Quarter, a distance of  
61.72 feet to a #5 rebar at the South Quarter corner of Section 35, Township 31 North, Range 13  
East; thence South 87 degrees 19 minutes 43 seconds West, continuing on and along said North  
line, a distance of 1063.20 feet to a steel bar at the Northwest corner of a 111.77 acre base tract  
of real estate described in a deed to Thomas A. Meyer and Debra A. Meyer in Document  
Number 990030179 in the Office of the Recorder of Allen County, Indiana; thence South 02  
degrees 44 minutes 17 seconds East, on and along the West line of said 111.77 acre base tract, a  
distance of 739.34 feet to the point of intersection of said West line with the centerline of Bohrer  
Drain; thence Southeasterly, on and along said centerline, as defined the by the following courses  
and distances: South 46 degrees 44 minutes 27 seconds East, a distance of 18.06 feet; thence  
South 40 degrees 02 minutes 55 seconds East, a distance of 86.95 feet; thence South 43 degrees  
38 minutes 00 seconds East, a distance of 56.54 feet; thence South 51 degrees 24 minutes 52  
seconds East, a distance of 59.68 feet; thence South 54 degrees 26 minutes 43 seconds East, a  
distance of 203.35 feet; thence South 62 degrees 54 minutes 57 seconds East, a distance of 48.37  
feet; thence South 51 degrees 30 minutes 00 seconds East, a distance of 240.18 feet; thence  
South 64 degrees 29 minutes 14 seconds East, a distance of 60.37 feet; thence South 57 degrees  
07 minutes 37 seconds East, a distance of 180.24 feet; thence South 73 degrees 11 minutes 15  
seconds East, a distance of 280.76 feet; thence South 52 degrees 22 minutes 07 seconds East, a  
distance of 47.39 feet; thence South 35 degrees 41 minutes 28 seconds East, a distance of 130.01  
feet; thence South 19 degrees 08 minutes 01 seconds East, a distance of 60.43 feet; thence South  
28 degrees 23 minutes 26 seconds East, a distance of 18.60 feet; thence South 41 degrees 03  
minutes 40 seconds East, a distance of 5.17 feet to the point of intersection of said centerline with  
the East line of said Fractional Northwest Quarter; thence North 02 degrees 52 minutes 04  
seconds West, on and along said East line, a distance of 1656.59 feet to the point of beginning,  
containing 30.988 acres of land, and subject to all easements of record.

1 and the symbols of the City of Fort Wayne Zoning Map No. X-10 (Sec. 02 of Adams  
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
3 Wayne, Indiana is hereby changed accordingly.  
4

5 SECTION 2. If a written commitment is a condition of the Plan Commission's  
6 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
7 approved by the Common Council as part of the zone map amendment, that written  
8 commitment is hereby approved and is hereby incorporated by reference.  
9

10 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
11 passage and approval by the Mayor.  
12

13 \_\_\_\_\_  
Council Member

14 APPROVED AS TO FORM AND LEGALITY:

15 \_\_\_\_\_  
16 Malak Heiny, City Attorney  
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# City of Fort Wayne Common Council

## DIGEST SHEET

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### Department of Planning Services

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2023-0016  
Bill Number: Z-23-04-16  
Council District: 1-Paul Ensley

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Introduction Date: April 25, 2023

Plan Commission  
Public Hearing Date: May 8, 2023 (not heard by Council)

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

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Synopsis of Ordinance: To rezone approximately 31 acres from AR/Low Intensity Residential and R1/Single Family Residential to R1/Single Family Residential (approximately 28.0 acres is already zoned R1)

Location: 1400 Block of Greythorne Drive, north of North River Road

Reason for Request: To allow for an 84-lot single family development.

Applicant: Zion Real Estate and Development

Property Owner: Debra Meyer

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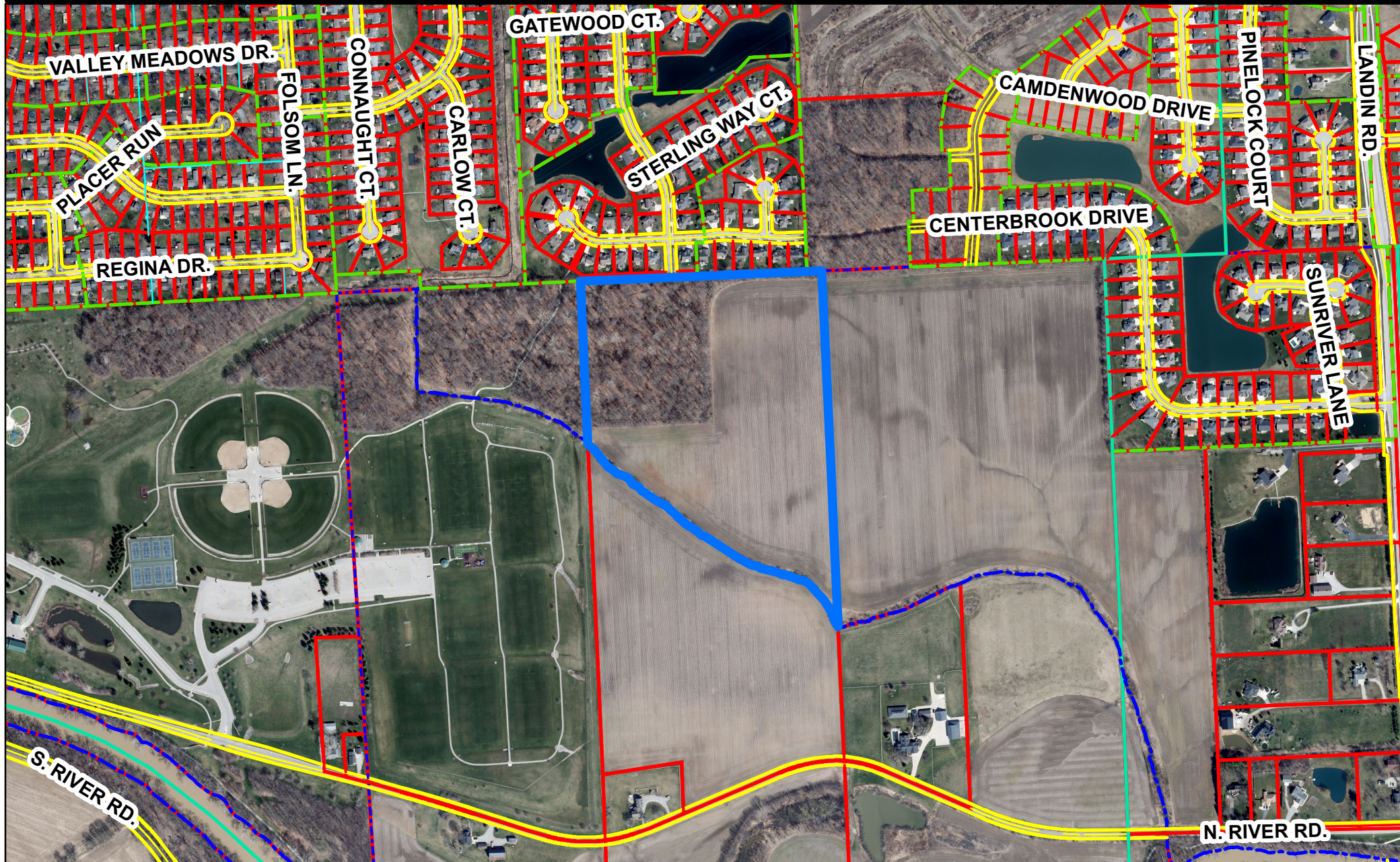
Related Petitions: Primary Development Plan, Paso Fino Subdivision

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Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district, which permits a platted single family development.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential and AR/Low Intensity Residential and the AR portion may not be platted into a subdivision.





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.

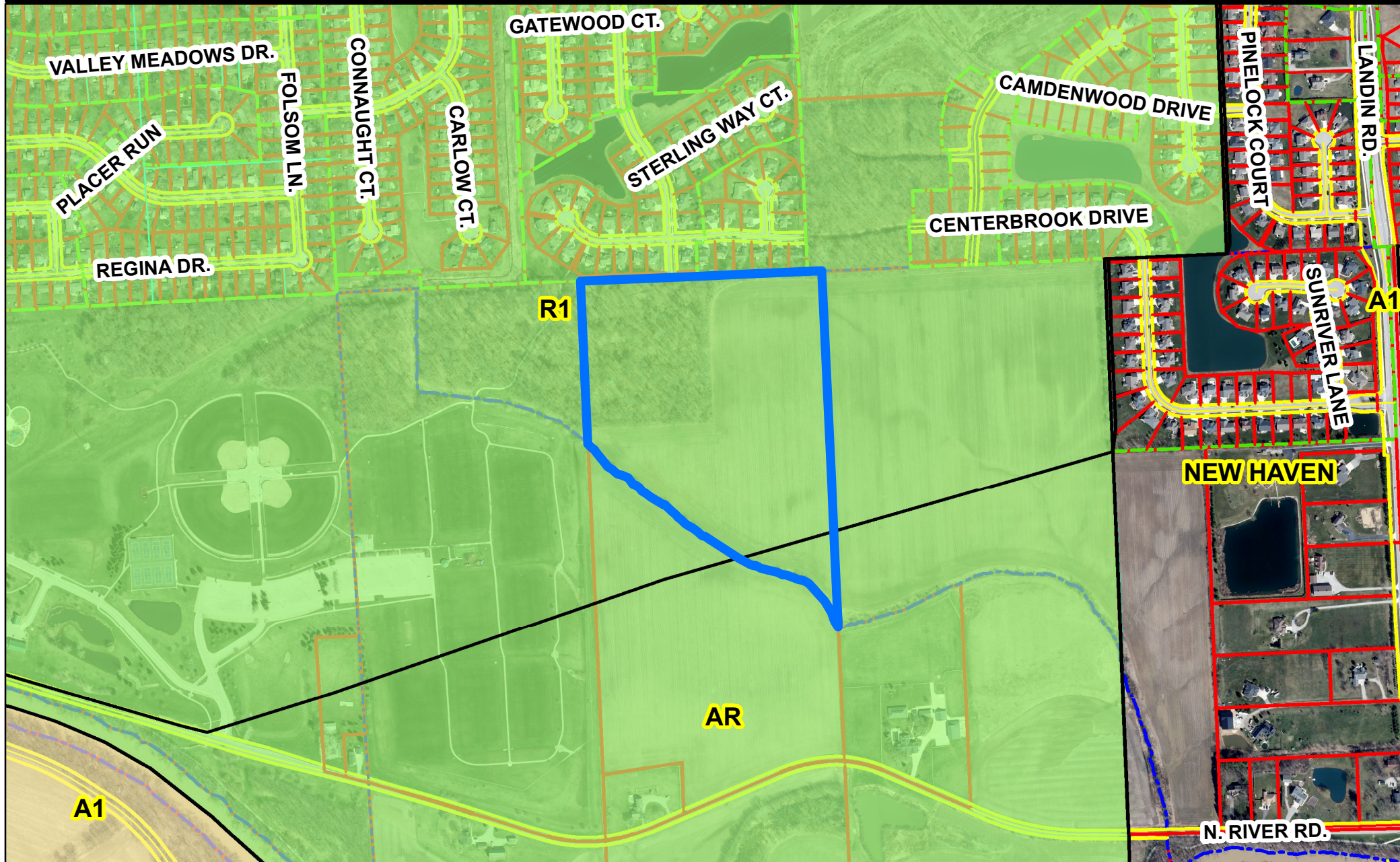
© 2004 Board of Commissioners of the County of Allen  
North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009  
Date: 4/12/2023

0 500 1,000 Feet



1 inch = 600 feet





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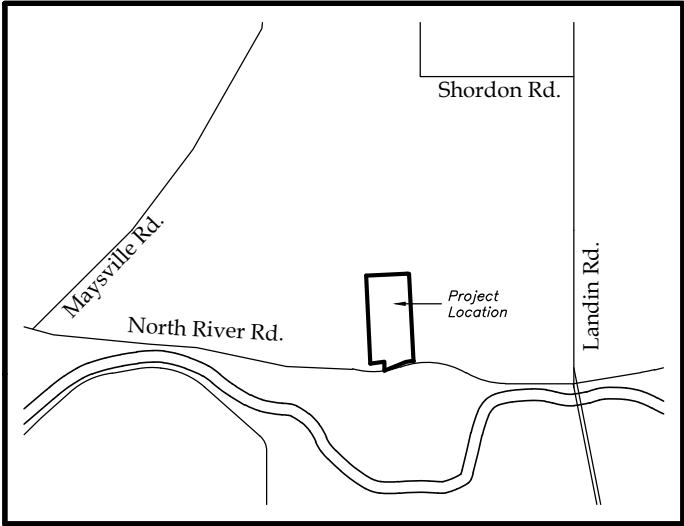
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0 500 1,000 Feet



1 inch = 600 feet





Location Map

Primary Plat of:

# PASO FINO

A subdivision of part of the Fractional Northwest Quarter of Section 2,  
Township 30 North, Range 13 East, Allen County, Indiana.

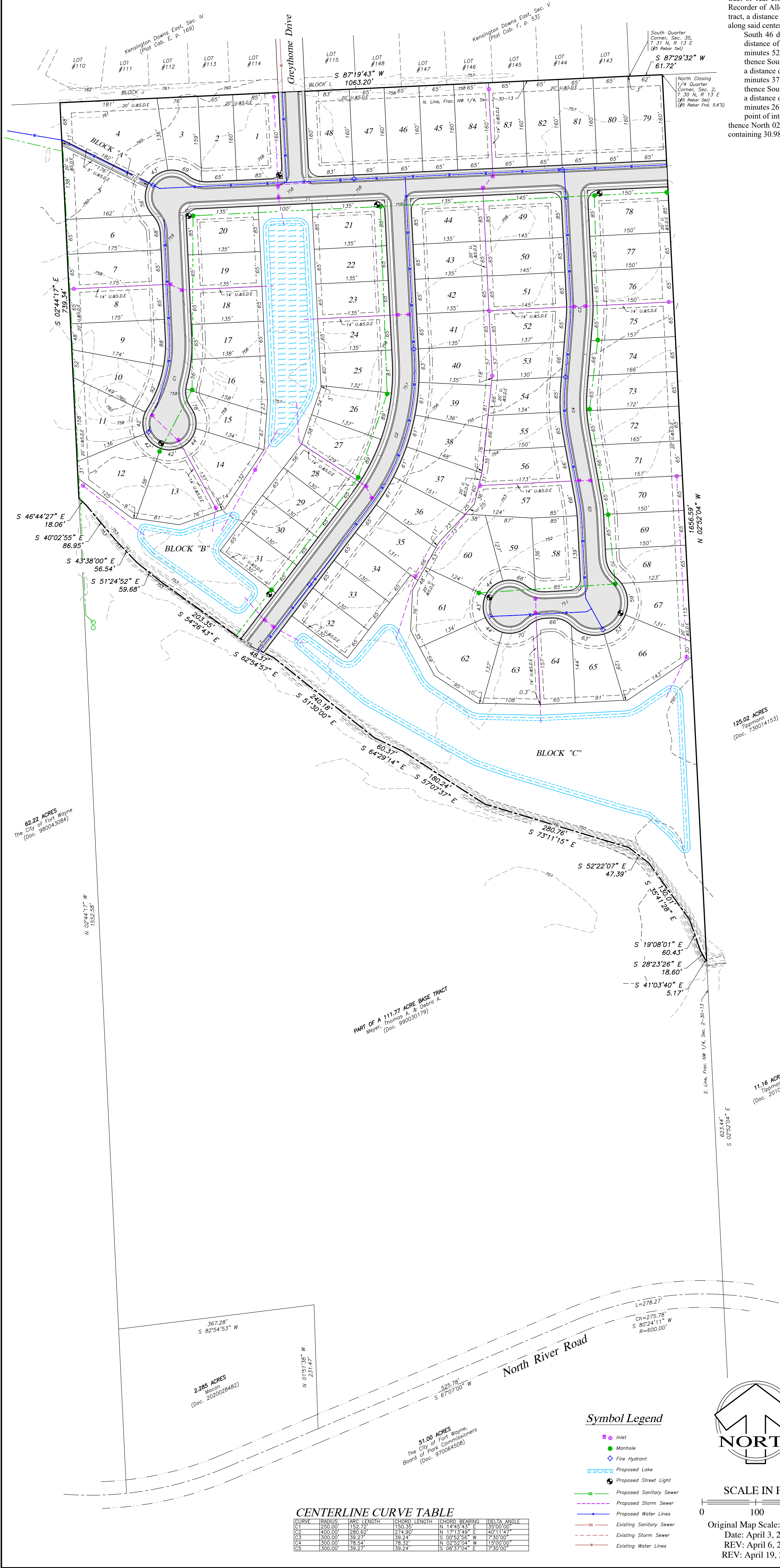
Developer:  
Zion Real Estate & Development Co.  
5620 Thimlar Road  
New Haven, IN 46774  
Tel: (260) 438-2524

Surveyor:  
Sauer Land Surveying, Inc.  
14033 Illinois Road, Suite C  
Fort Wayne, IN 46814  
Tel: 260/469-3300

Part of the Fractional Northwest Quarter of Section 2, Township 30 North, Range 13 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Beginning at the North closing Quarter corner of Section 2, being marked by a #5 rebar; thence South 87 degrees 29 minutes 32 seconds West (GPS grid bearing and basis of all bearings in this description), on and along the North line of said Fractional Northwest Quarter, a distance of 61.72 feet to a #5 rebar at the South Quarter corner of Section 35, Township 31 North, Range 13 East; thence South 87 degrees 19 minutes 43 seconds West, continuing on and along said North line, a distance of 1063.20 feet to a steel bar at the Northwest corner of a 111.77 acre base tract of real estate described in a deed to Thomas A. Meyer and Debra A. Meyer in Document Number 990030179 in the Office of the Recorder of Allen County, Indiana; thence South 02 degrees 44 minutes 17 seconds East, on and along the West line of said 111.77 acre base tract, a distance of 739.34 feet to the point of intersection of said West line with the centerline of Bohrer Drain; thence Southeasterly, on and along said centerline, as defined by the following courses and distances:

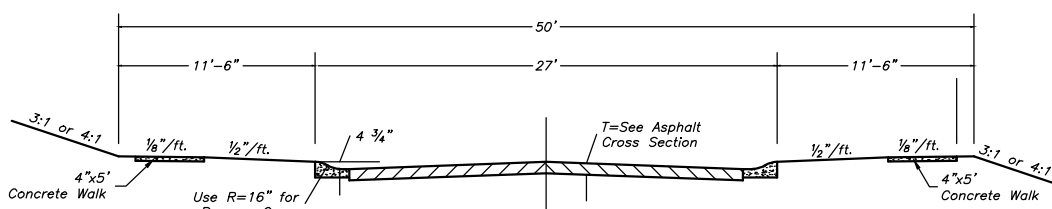
South 46 degrees 44 minutes 27 seconds East, a distance of 18.06 feet; thence South 40 degrees 02 minutes 55 seconds East, a distance of 86.95 feet; thence South 43 degrees 38 minutes 00 seconds East, a distance of 56.54 feet; thence South 51 degrees 24 minutes 52 seconds East, a distance of 59.68 feet; thence South 54 degrees 26 minutes 43 seconds East, a distance of 203.35 feet; thence South 62 degrees 54 minutes 57 seconds East, a distance of 48.37 feet; thence South 51 degrees 30 minutes 00 seconds East, a distance of 240.18 feet; thence South 64 degrees 29 minutes 14 seconds East, a distance of 60.37 feet; thence South 57 degrees 07 minutes 37 seconds East, a distance of 180.24 feet; thence South 73 degrees 11 minutes 15 seconds East, a distance of 280.76 feet; thence South 52 degrees 22 minutes 07 seconds East, a distance of 47.39 feet; thence South 35 degrees 41 minutes 28 seconds East, a distance of 130.01 feet; thence South 19 degrees 08 minutes 01 seconds East, a distance of 60.43 feet; thence South 28 degrees 23 minutes 26 seconds East, a distance of 18.60 feet; thence South 41 degrees 03 minutes 40 seconds East, a distance of 5.17 feet to the point of intersection of said centerline with the East line of said Fractional Northwest Quarter; thence North 02 degrees 52 minutes 04 seconds West, on and along said East line, a distance of 1656.59 feet to the point of beginning, containing 30.988 acres of land, and subject to all easements of record.



## PASO FINO LOT AREAS:

| LOT | AREA  | LOT     | AREA   |
|-----|-------|---------|--------|
| 1   | 1354  | 45      | 10400  |
| 2   | 10398 | 46      | 10400  |
| 3   | 9978  | 47      | 10400  |
| 4   | 22075 | 48      | 13165  |
| 5   | 14079 | 49      | 12263  |
| 6   | 11245 | 50      | 9425   |
| 7   | 11375 | 51      | 9424   |
| 8   | 11375 | 52      | 9188   |
| 9   | 11698 | 53      | 8646   |
| 10  | 11446 | 54      | 8540   |
| 11  | 12756 | 55      | 9212   |
| 12  | 13862 | 56      | 10447  |
| 13  | 13491 | 57      | 11619  |
| 14  | 12088 | 58      | 11524  |
| 15  | 9408  | 59      | 9003   |
| 16  | 11992 | 60      | 13118  |
| 17  | 8815  | 61      | 13300  |
| 18  | 8775  | 62      | 14029  |
| 19  | 8775  | 63      | 11848  |
| 20  | 11382 | 64      | 10199  |
| 21  | 11410 | 65      | 9672   |
| 22  | 8775  | 66      | 14855  |
| 23  | 8775  | 67      | 10185  |
| 24  | 8775  | 68      | 9298   |
| 25  | 9434  | 69      | 9750   |
| 26  | 9844  | 70      | 9940   |
| 27  | 9798  | 71      | 10477  |
| 28  | 7841  | 72      | 11009  |
| 29  | 8450  | 73      | 11033  |
| 30  | 8450  | 74      | 10510  |
| 31  | 8450  | 75      | 9968   |
| 32  | 8450  | 76      | 9751   |
| 33  | 8450  | 77      | 9750   |
| 34  | 8450  | 78      | 12638  |
| 35  | 9490  | 79      | 10364  |
| 36  | 10141 | 80      | 10400  |
| 37  | 11088 | 81      | 10400  |
| 38  | 10140 | 82      | 10400  |
| 39  | 9562  | 83      | 10400  |
| 40  | 9349  | 84      | 10400  |
| 41  | 8775  | BLOCK A | 1789   |
| 42  | 8775  | BLOCK B | 89886  |
| 43  | 8775  | BLOCK C | 180026 |
| 44  | 11369 | STREET  | 188562 |

- Notes:
- All Building lines shown hereon are 25 feet.
  - All front yard easements are 20 foot Utility Easements unless noted otherwise.
  - All rear yard easements are 10 foot Utility & Surface Drainage Easements unless noted otherwise.
  - U.&S.D.E. denotes Utility & Surface Drainage Easement.



Note: All sidewalks though driveways shall be at a 1/8" per ft. cross-slope  
Not to Scale

## Symbol Legend

- Inlet
- Manhole
- Fire Hydrant
- Proposed Lake
- Proposed Street Light
- Proposed Sanitary Sewer
- Proposed Storm Sewer
- Proposed Water Lines
- Existing Sanitary Sewer
- Existing Storm Sewer
- Existing Water Lines



SCALE IN FEET:

0 100 200

Original Map Scale: 1"=100'  
Date: April 3, 2023  
REV: April 6, 2023  
REV: April 19, 2023

## CENTERLINE CURVE TABLE

| CURVE | STATION | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1    | 250.00  | 132.24     | 150.35       | N 14°45'23" E | 33°00'00"   |
| C2    | 380.00  | 280.69     | 274.30       | N 1°11'14" E  | 40°11'44"   |
| C3    | 300.00  | 39.23      | 39.24        | S 0°02'56" W  | 7°30'00"    |
| C4    | 300.00  | 39.24      | 39.23        | S 0°02'56" W  | 7°30'00"    |
| C5    | 300.00  | 39.27      | 39.24        | S 0°37'04" E  | 7°30'00"    |

## FACT SHEET

|                     |                                                                                                                                                                                    |                         |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Case #REZ-2023-0016 | Bill # Z-23-04-16                                                                                                                                                                  | Project Start: May 2023 |
| APPLICANT:          | Zion Real Estate and Development                                                                                                                                                   |                         |
| REQUEST:            | To rezone property from AR/Low Intensity Residential and R1/Single Family Residential to R1/Single Family Residential and approve a primary plat for an 84-lot single family plat. |                         |
| LOCATION:           | South of 1500 block of Greythorn Drive (Section 2 of Adams Township)                                                                                                               |                         |
| LAND AREA:          | 30.988 acres                                                                                                                                                                       |                         |
| PRESENT ZONING:     | AR/Low Intensity Residential and R1/Single Family Residential                                                                                                                      |                         |
| PROPOSED ZONING:    | R1/Single Family Residential                                                                                                                                                       |                         |
| COUNCIL DISTRICT:   | 1-Paul Ensley                                                                                                                                                                      |                         |
| SPONSOR:            | Fort Wayne Plan Commission                                                                                                                                                         |                         |

### **May 8, 2023 Public Hearing**

- Four residents spoke at the hearing with concerns.
- Paul Sauerteig was absent.

### **May 15, 2023 Business Meeting**

#### **Plan Commission Recommendation: DO PASS**

A motion was made by Rachel Tobin-Smith and seconded by Judi Wire to return the Ordinance with a Do Pass recommendation to Common Council for their final decision.

#### **7-0 MOTION PASSED**

- Tom Freistroffer and Paul Sauerteig were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
June 2, 2023



## PROJECT SUMMARY

### Site History:

- Site has been used for agricultural purposes since at least 1938.
- Site received a contingent use approval for a 250-foot tower in 1987, which was either never built or removed.

### Background:

The applicant is petitioning to rezone from R1 and AR to R1/single family residential. About 1.6 of the nearly 31 acres is not properly zoned for a single-family subdivision today. A majority of the 1.6 acres improperly zoned will not contain platted lots but instead will be used for detention. However, it is best practice to have the entire development site adequately zoned for a residential plat, regardless of how the area is used. Residential plats have developed near the area since the platting of Kensington Downs East in the late 1990's. The Communities of Landin Parke have also been developing northeast of the site since the mid-2000's, ultimately interconnecting to Kensington Downs East. Kreager Park was established in 1966 and contains 218 acres of athletic fields, walking paths, and access to the Fort Wayne Rivergreenway.

The associated plat contains 84 lots, three common areas, and two points of interconnection. Access is obtained through the Kayenta subdivision to the south and Greythorn Drive to the north. The lots average about 65' wide, which compares to about 50' wide to the south and 75' to the north. Storm detention is provided in the common areas where the topographical map shows lower area along the Bohrer Drain. Additional storm is provided parallel to two proposed streets. In lieu of a looping street system, the applicant provided an enlarged cul-de-sac near lots 65 to 67 that will be necessary for bus turnaround. The engineering professional assured that the two streets terminating in cul-de-sacs are under 800' which is an ordinance requirement. Pedestrian connectivity will be provided with 5' sidewalks along residential streets, along common areas, and an additional sidewalk that will interconnect to Kreager Park to the west. The plan is also being reviewed by the floodplain manager, as about one third of the lots are affected by floodplain.

### Comprehensive Plan Review:

#### Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area; the following Goal and Strategies would be applicable:  
LUD1 – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas  
LUD1.3 - Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities

#### Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request: **LUP1 - Policy 1**  
Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

#### Generalized Future Land Use Map

- The project site is located within the Rural Agricultural generalized land use category. The However, suburban residential generalized future land use is identified adjacent to the north of the development site.

#### Land Use Related Action Steps

- **HN.1.1.3.** Encourage the development of an integrated network of sidewalks, trails, and bike routes within existing and new neighborhoods that will provide safe access to community amenities.



### Compatibility Matrix

- An R1 proposal with a generalized future land use identification of “Rural Agricultural” is compatible per the compatibility matrix.

Other applicable plans: none

### **PUBLIC HEARING SUMMARY:**

Presenter: Tom Trent, representing the applicant, presented the request as outlined above. Mr. Trent discussed how the proposal meets the goals and policies of the Comprehensive Plan. He stated there is a need and desire for more housing choices in complete neighborhoods. Construction traffic will be kept to North River Road as much as possible.

### Public Comments:

Kathy Haines, Rothbury Lane – Not opposed to project but concerned about traffic entering North River Road.  
John McGauley, Grand Forest Court – Concerned about construction traffic and impacts from tree removal – dust, etc.

Lisa Greene, Savona Court – Concerns include construction traffic and flooding.

Bob Granger, Grand Forest Court – Concerned about drainage.

### Closing Comments:

Mr. Trent reiterated that the majority of construction traffic will come from North River Road and there is a farm culvert in place now that will allow equipment to reach the site before the final bridge is built. Stub streets were constructed in Kensington Downs to encourage interconnectivity.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2023-0016

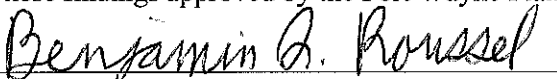
|                  |                                                                                                                                                                                    |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT:       | Zion Real Estate and Development                                                                                                                                                   |
| REQUEST:         | To rezone property from AR/Low Intensity Residential and R1/Single Family Residential to R1/Single Family Residential and approve a primary plat for an 84-lot single family plat. |
| LOCATION:        | South of 1500 block of Greythorn Drive (Section 2 of Adams Township)                                                                                                               |
| LAND AREA:       | 30.988 acres                                                                                                                                                                       |
| PRESENT ZONING:  | AR/Low Intensity Residential and R1/Single Family Residential                                                                                                                      |
| PROPOSED ZONING: | R1/Single Family Residential                                                                                                                                                       |

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**The Plan Commission recommends that Rezoning Petition REZ-2023-0016 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 the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. Most of the site is properly zoned for a single residence plat today. The site is adjacent to existing, similar development, and the plan shows cohesiveness between the park and Kensington Downs East.
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. This area is currently well developed with single family subdivisions of varying densities. Development will be adjacent to established subdivisions and the plans will mitigate construction traffic going through these existing subdivisions.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow investment into a currently vacant property.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site. The applicant will work with agencies like floodplain and the Allen County Surveyors Office to mitigate impact on regulated drains, floodplain, and other existing conditions.

These findings approved by the Fort Wayne Plan Commission on May 15, 2023.

  
Benjamin J. Roussel  
Executive Director  
Secretary to the Commission