

#REZ-2023-0059

BILL NO. Z-23-11-30

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R-18 (Sec. 32 of Saint 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 C2 (Limited
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

**Lot 16 and Lot 17 in the Bellair Addition to the City of Fort Wayne, Allen
County, Indiana, as recorded in Plat Book 17, Page 52, in the Office of the
Recorder of Allen County.**

and the symbols of the City of Fort Wayne Zoning Map No. R-18 (Sec. 32 of Saint 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.

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

Council Member

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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-2023-0059
Bill Number: Z-23-11-30
Council District: 2 – Russ Jehl

Introduction Date: November 28, 2023

Plan Commission
Public Hearing Date: December 11, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.32 acres from R1/Single Family Residential to C2/Limited Commercial

Location: 2326 Hobson Road (Section 32 of Saint Joseph Township)

Reason for Request: To allow expansion of an existing commercial building

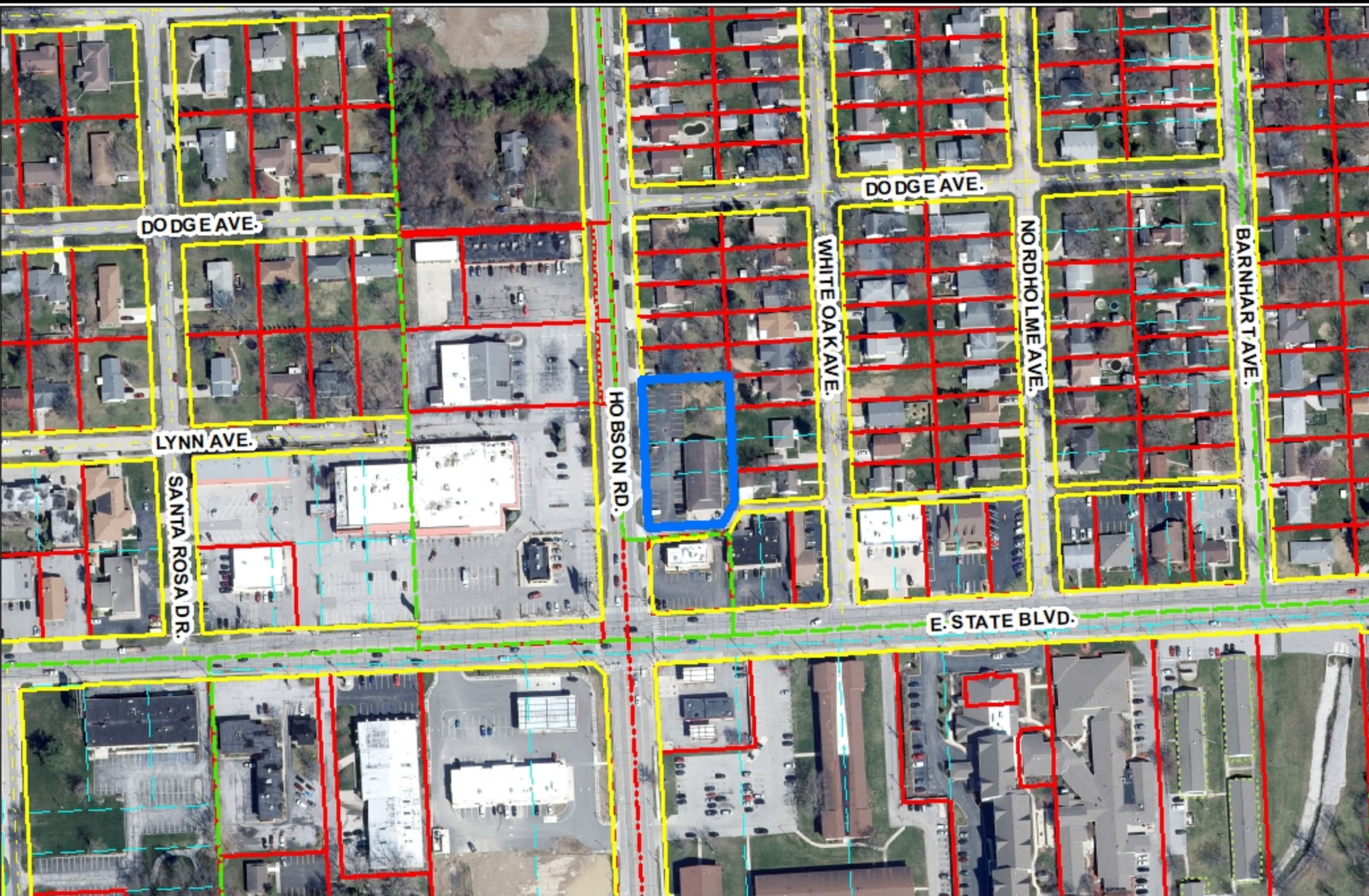
Applicant: Aquarius I, LLC

Property Owner: Aquarius I, LLC

Related Petitions: Primary Development Plan – Aquarius I, LLC

Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will allow for expansion of an existing commercial building, along with any existing and future limited commercial uses.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which does not permit expanding the existing commercial building. The site may be redeveloped with single-family residential uses.



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.

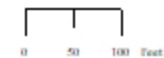
© 2004 Board of Commissioners of the County of Allen

North American Datum 1983

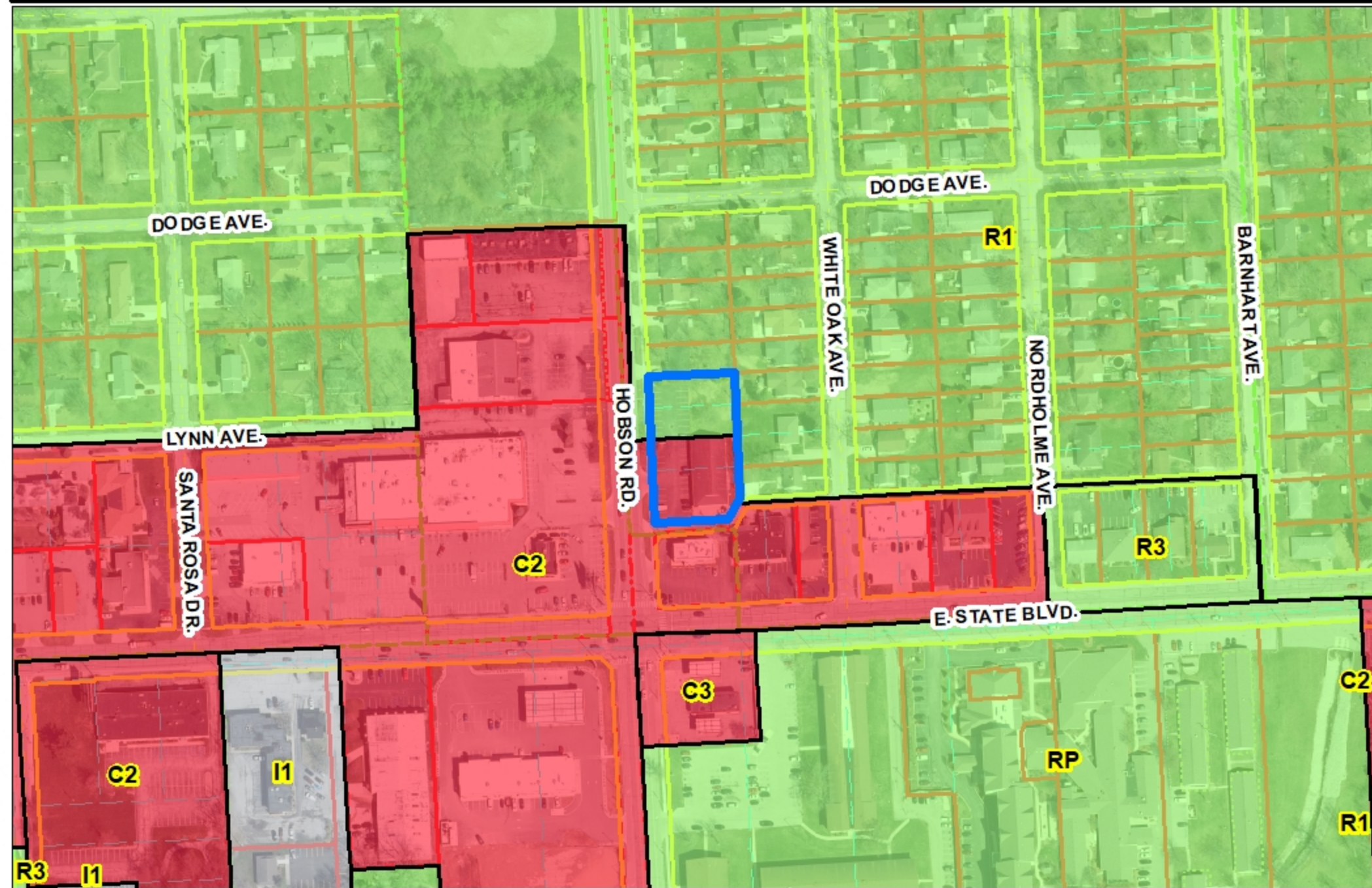
State Plane Coordinate System, Indiana East

Photos and Contours: Spring 2009

Date: 11/17/2025



1 inch = 200 feet



Department of Planning Services Rezoning Petition Application

Applicant

Applicant Aquarius I, LLC
Address 2811 E. State Blvd.
City Fort Wayne State IN Zip 46805
Telephone 260-760-8172 E-mail ben2gage@aol.com

Property Ownership

Property Owner Aquarius I, LLC
Address 2811 E. State Blvd.
City Fort Wayne State IN Zip 46805
Telephone 260-760-8172 E-mail ben2gage@aol.com

Contact Person

Contact Person Patrick R. Hess, Beckman Lawson, LLP
Address 201 W. Wayne St.
City Fort Wayne State IN Zip 46802
Telephone 260-422-0800 E-mail phess@beckmanlawson.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 2326 Hobson Road Township and Section St. Joe 32
Present Zoning R1 Proposed Zoning C2 Acreage to be rezoned 0.32
Purpose of rezoning (attach additional page if necessary) To accommodate an addition to an existing commercial building.
Sewer provider City Water provider City

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.

- ☐ Filing fee \$1000.00
- ☐ Surveys showing area to be rezoned
- ☐ Legal Description of parcel to be rezoned
- ☐ Rezoning Criteria (see attached checklist)

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 Fort Wayne and Allen County Plan Commissions 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

Aquarius I, LLC
(printed name of applicant)

J. Bryan Jones
(signature of applicant)

11-6-23
(date)

Aquarius I, LLC
(printed name of property owner)

J. Bryan Jones
(signature of property owner)

11-6-23
(date)



Received	Receipt No.	Hearing Date	Petition No.
<u>11-7-23</u>	<u>144402</u>	<u>12-11-23</u>	<u>REZ-2023-</u>

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org

0059



Developer:

Aquarius I, LLC
2811 East State Boulevard
Fort Wayne, Indiana 46805

Civil Engineer



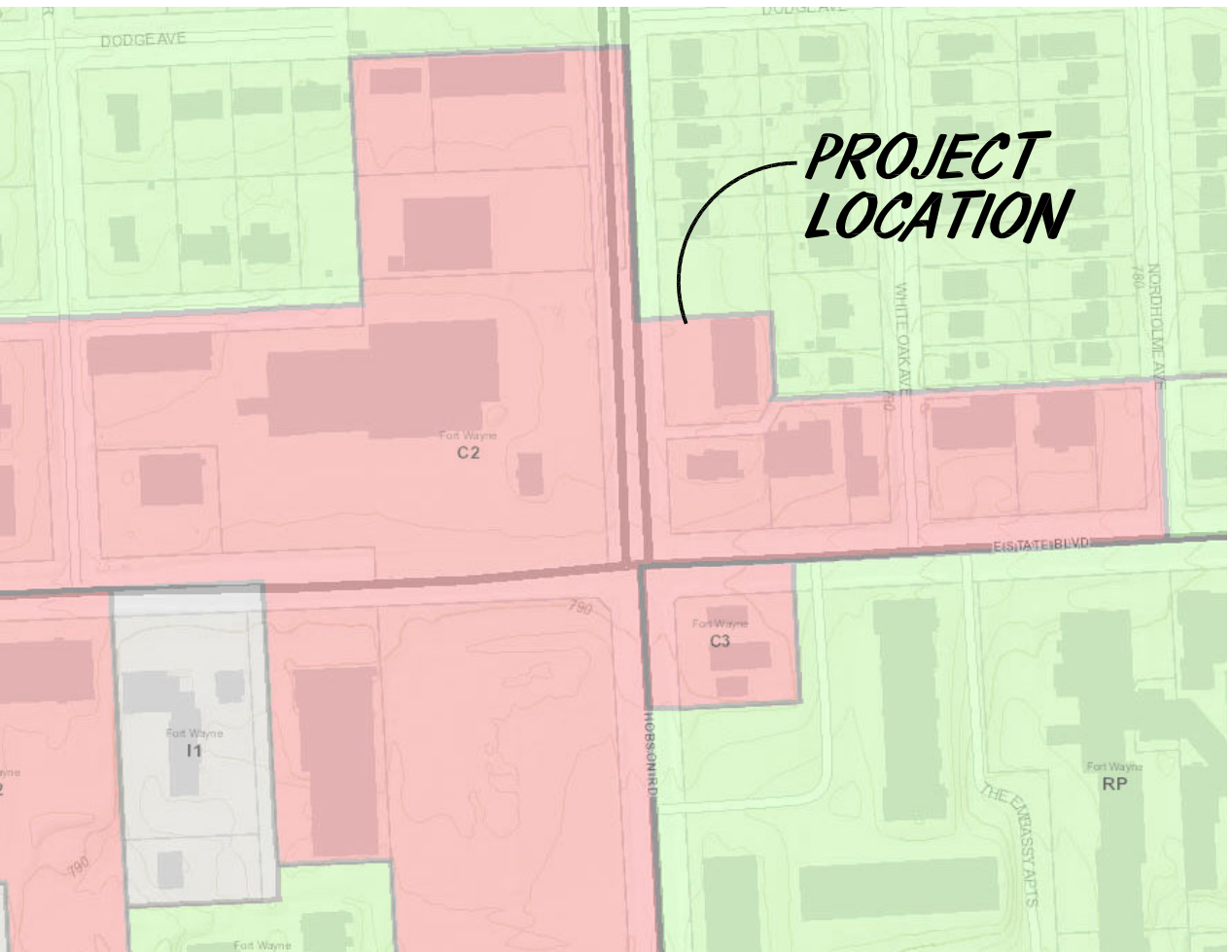
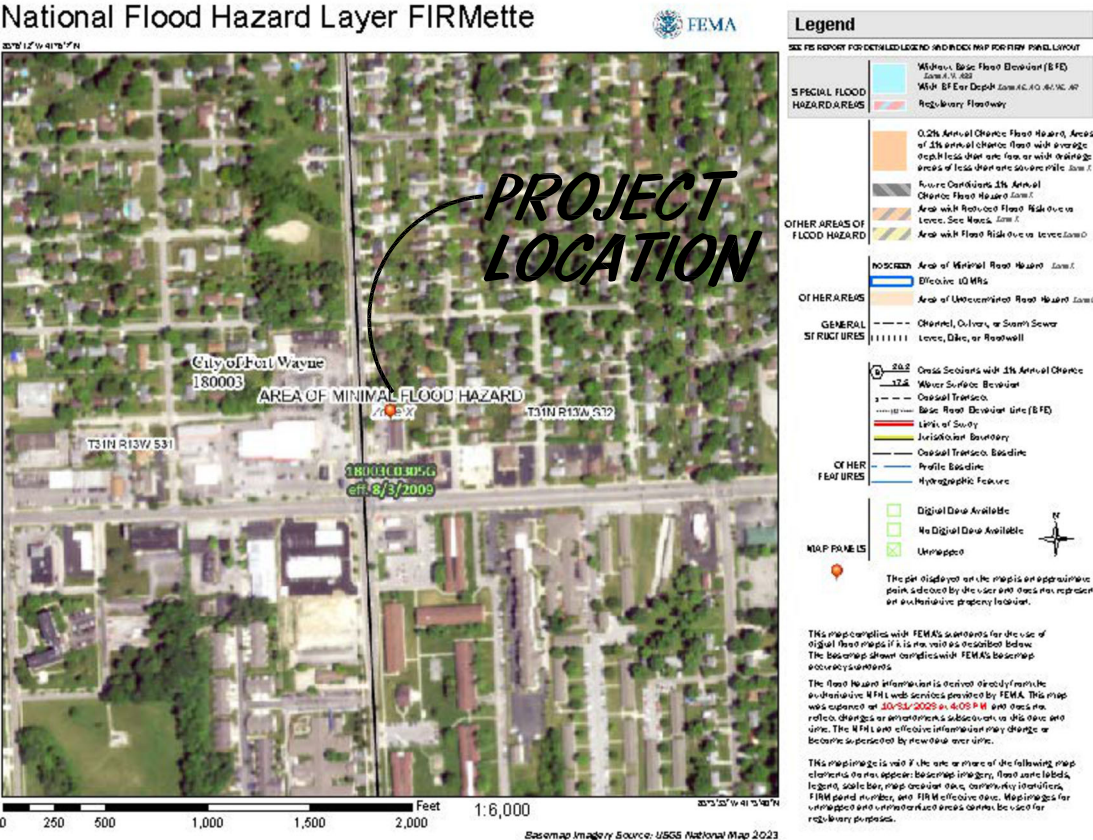
ForeSight Consulting, LLC
1910 Saint Joe Center Rd, Suite 61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz todd@4site.biz

Primary Development Plan For:

Aquarius I, LLC

2326 Hobson Road, Fort Wayne, Indiana 46805

Real Estate Description per Document Number 202087034 within the Office of the Recorder of Allen County, Indiana
LOT 14, LOT 15, LOT 16 AND LOT 17 IN BELLAIR ADDITION TO THE CITY OF FORT WAYNE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT RECORD 17, PAGE 52 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.



Development Statistics

Total Gross Lot Area	31,697.7 Square Feet
Allowable Building Lot Coverage by Zoning Ordinance	Maximum of 25% or 22,000 Square Feet
Calculated Allowable Building Lot Coverage	7,924.4 Square Feet
Existing Building Calculated Area	5,088.0 Square Feet
Proposed Building Calculated Area	2,832.0 Square Feet
Total Calculated Building Area	7,920.0 Square Feet
Total Calculated Building Coverage	25% of Gross Lot Area

The Proposed Development Plan Building Coverage Complies with the City of Fort Wayne Zoning Ordinance based upon a C2 Limited Commercial Land Use Zoning Designation

Existing Utility Provider Information

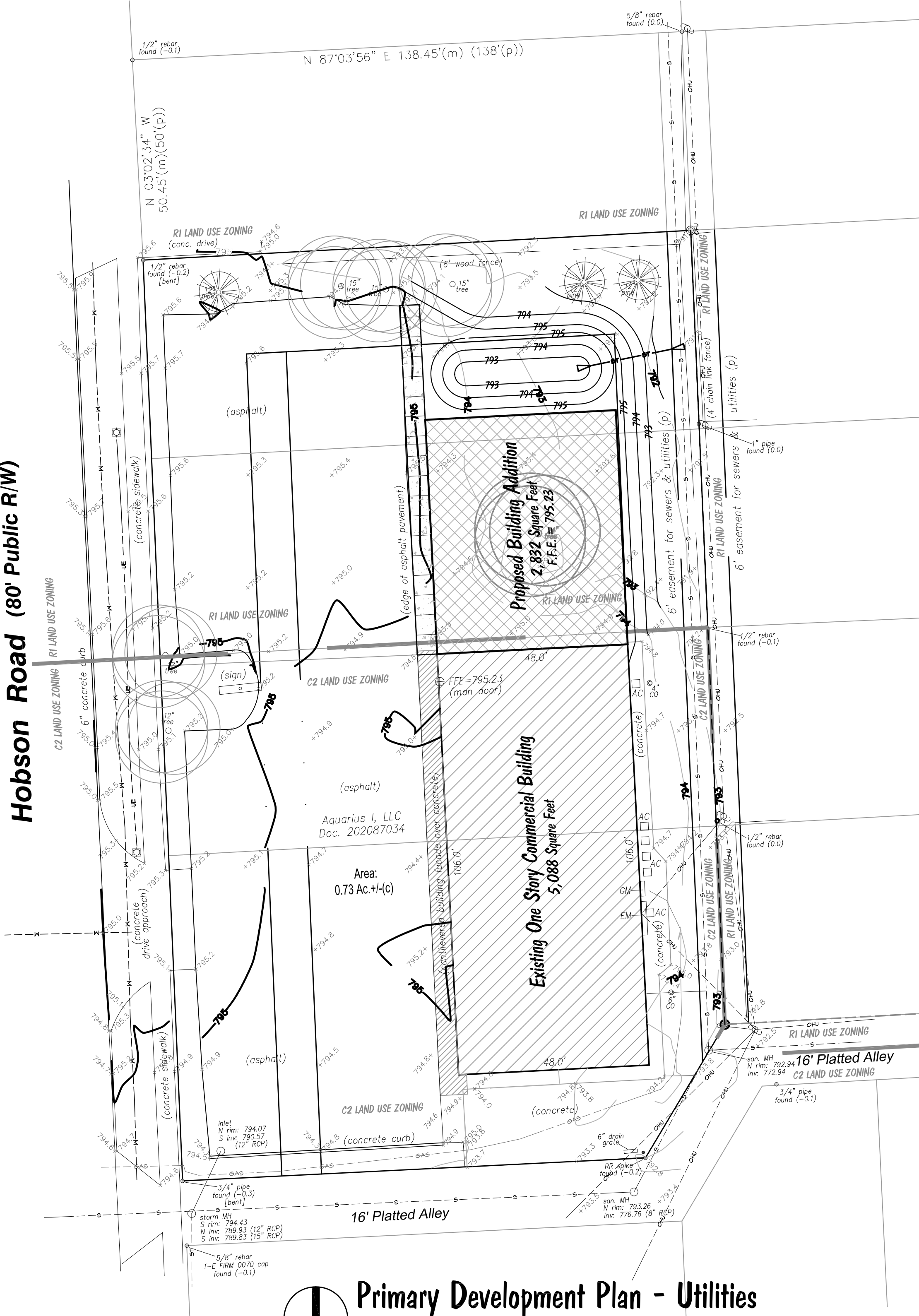
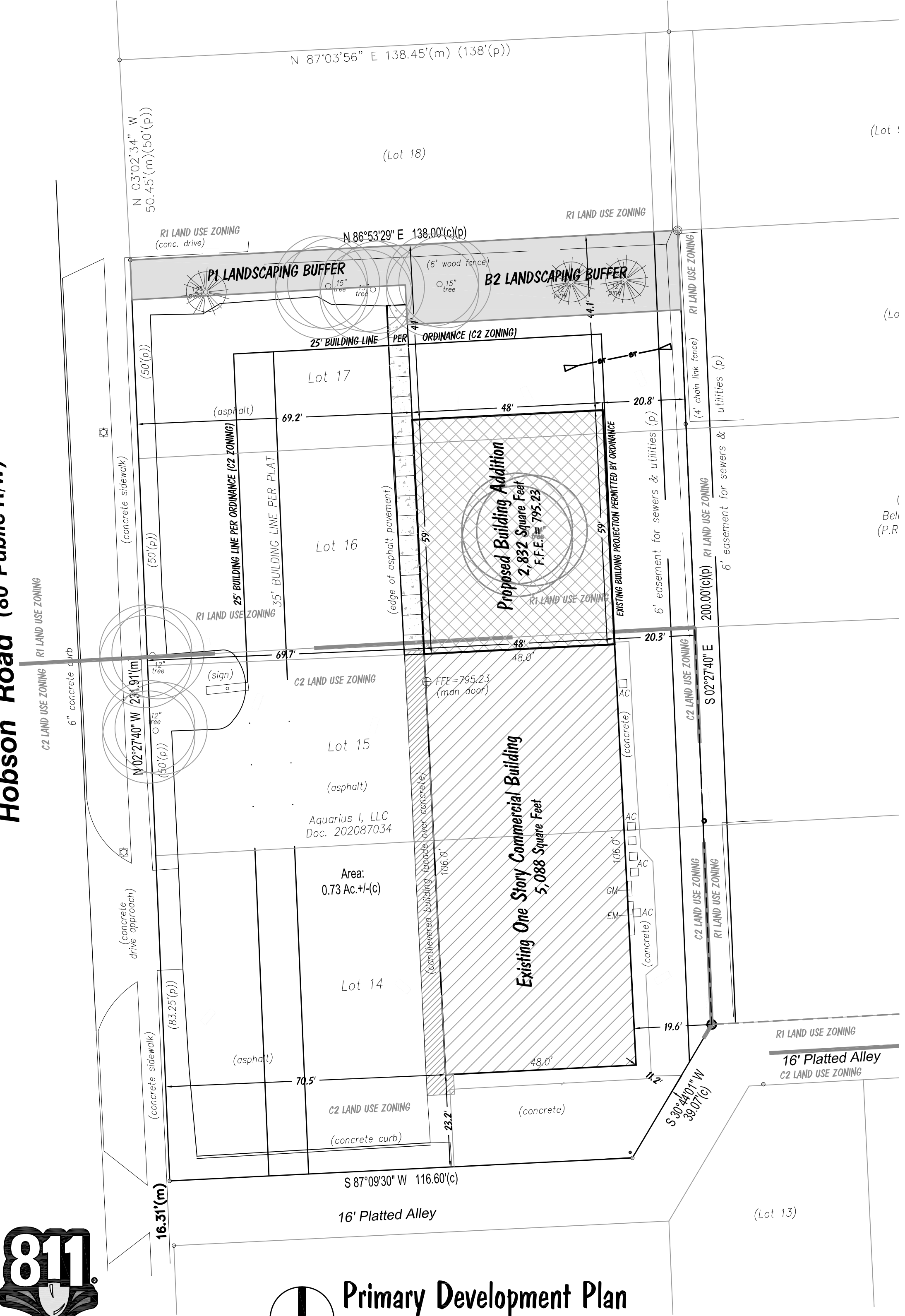
Water Service	City of Fort Wayne
Sanitary Sewer Service	City of Fort Wayne
Electric	American Electric Power
Gas	NIPSCO

Contact Information

City of Fort Wayne Department of Land Use Management-Michelle Wood	260-427-1129
City of Fort Wayne Fire Department-Jeremy Elder	260-427-1168
City of Fort Wayne New Water and Sewer Engineering-Rick Seals	260-427-1161
City of Fort Wayne Sewer Engineering Department-Lisa Ramos	260-427-5064
City of Fort Wayne Stormwater Engineering Department-Patrick Joley	260-427-5064
City of Fort Wayne Water Engineering Department-Rick Seals	260-427-5064
City of Fort Wayne Traffic Engineering Department-Kyle Winling	260-427-1172
American Electric Power	260-408-1863
Verizon	260-461-3325
NIPSCO	260-439-1408
Comcast	765-449-3811

Hobson Road (80' Public R/W)

Hobson Road (80' Public R/W)

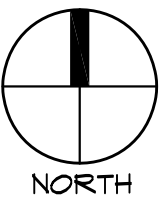


Primary Development Plan - Utilities

Scale: 1" = 20'



Know what's below.
Call before you dig.



Primary Development Plan

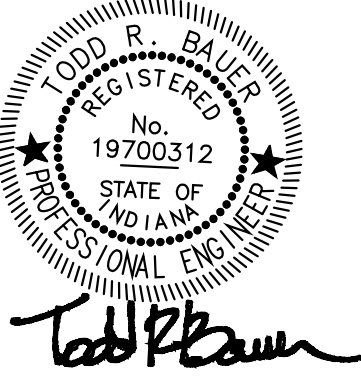
Scale: 1" = 20'

ForeSight Consulting, LLC

Professional Engineers & Surveyors
1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz



Certification:



This is an original design created by ForeSight Consulting, LLC. The concepts, ideas, plans and details are the sole property of ForeSight Consulting, LLC. None of the concepts, ideas, plans or details shall be used by or disclosed to an person, firm or corporation for any purpose without the prior written permission of ForeSight Consulting, LLC. Written dimensions on these drawings shall have precedence over the scale dimensions. The contractor shall verify and be responsible for all dimensions and conditions on the job and ForeSight Consulting, LLC must be notified of variation from the dimensions and conditions shown on these drawings. Shop drawings shall be submitted to ForeSight Consulting, LLC for approval before construction.

Performed for:

Primary Development Plan For:

Aquarius I, LLC

2326 Hobson Road, Fort Wayne, Indiana 46805

Drawing Revisions

Commission Number
233701

Date
November 1st, 2023

Title
Primary Development Plan
Sheet Number

PD1

EXPERIENCE. INNOVATION. RESULTS.



Scale: 1" = 40'

Aquius I, LLC



ForeSight Consulting, LLC

Professional Engineers & Surveyors

1910 St. Joe Center Road, Suite #61
Fort Wayne, Indiana 46825
260.484.9900 phone
260.484.9980 fax
www.4site.biz

233701

Date

November 7th, 2023

Title

Land Use Zoning Exhibit

Sheet Number

Z1.1

Rezoning Petition REZ-2023-_____; R1 to C2

Applicant: Aquarius I, LLC (Ben Jacquay)

Fort Wayne Plan Commission

December 11, 2023 Public Hearing

0.32 acres; 2326 Hobson Rd., approx. 140 feet north of its intersection with E. State Blvd.

Section 32, St. Joe Township

Rezoning Criteria:

1. The Comprehensive Plan

The subject property is identified as “community commercial” per the Generalized Future Land Use Map (NE Quadrant), page 69 of the Comprehensive Plan, adjacent to areas identified as “traditional neighborhood.” Traditional neighborhood areas do not exclude commercial but include “clusters of neighborhood-oriented commercial uses.” Page 78. The rezoning is necessary to bring the entire property the applicant owns into one zoning category, and for the expansion of a neighborhood grocery.

The Comprehensive Plan also identifies this area as a “Priority Investment Area.” Page 54-55. Per the Plan, a Priority Investment Area “should be the focus of development initiatives and incentives to address market gaps.” Page 54. The goal is to lead to more complete neighborhoods with access to amenities, such as groceries and services. The C2 Limited Commercial district permits a wide range of retail and service uses that would be beneficial to a neighborhood. The expansion of the existing grocery prompting this rezoning is being done entirely with private funds.

2. Current conditions and the character of current structures and uses in the district

The current condition of the neighborhood features traditional residential uses with commercial uses at the corners of major intersections, such as the intersection of E. State and Hobson. The rezoning is requested to accommodate the expansion of a neighborhood grocery. This is in keeping with the character of current structures and uses in the area.

3. The most desirable use for which the land in the district is adapted

The expansion of an existing use, which is driving this rezoning request, is the most desirable use for the land. The area to be rezoned is already developed with a commercial parking lot and has been for 24 years based on historical aerial photos.

4. The conservation of property values throughout the jurisdiction

The expansion of existing uses helps prevent development pressures in new areas outside the existing urbanized core, thus conserving property values throughout the jurisdiction.

5. Responsible development and growth

The expansion of existing uses represents the best of responsible development and growth. This proposal does not call for the introduction of a new use into an established area.

**LEGAL DESCRIPTION OF
PARCELS TO BE REZONED**

Lot 16 and Lot 17 in the Bellair Addition to the City of Fort Wayne, Allen County, Indiana, as recorded in Plat Book 17, Page 52, in the Office of the Recorder of Allen County.