

#REZ-2023-0061

BILL NO. Z-24-01-03

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. S-54 (Sec. 5 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 C/2 (Limited Commercial)

District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows: Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North Clinton) and the Centerline of Diebold Road, also being the Southeast corner of the Sauder property recorded in Deed Recorded 629 at page 540 in the Office of the Recorder of said Allen County; thence North 18 degrees 15 minutes 00 seconds West, along the Centerline of Diebold Road, a distance of 454.30 feet to the Northeast corner of said Sauder property; thence South 71 degrees 45 minutes 00 seconds West, along the Northerly line of said Sauder property, a distance of 97.52 feet to a "Fansler" #5 rebar at the POINT OF BEGINNING at the Northwest corner of said Sauder property; thence continuing South 71 degrees 45 minutes 00 seconds West, a distance of 55.00 feet to a "Fansler" #5 rebar; thence South 10 degrees 18 minutes 45 seconds East, a distance of 507.53 feet to the said Centerline of Leo Road; thence North 59 degrees 29 minutes 30 seconds East, along said Centerline of Leo Road, a distance of 128.00 feet; thence North 18 degrees 15 minutes 00 seconds West parallel to the said Centerline of Diebold Road, a distance of 475.49 feet to the point of beginning, containing 1.0000 acres.

TOGETHER WITH:

A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows: Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North Clinton) and the Centerline of Diebold Road, also being the Southeast corner of the Sauder property recorded Deed Record 629 at page 540 in the Office of the Recorder of said Allen County; thence North 18 degrees 15 minutes 00 seconds West, along the Centerline of Diebold Road, a distance of 454.30 feet to the Northeast corner of said Sauder property; thence South 71 degrees 45 minutes 00 seconds West, along the Northerly line of said Sauder property, a distance of 97.52 feet to a "Fansler" #5 rebar at the point of beginning at the Northwest corner of said Sauder property; thence South 18 degrees 15 minutes 00 seconds East, parallel to the said Centerline of Diebold Road, a distance of 475.49 feet to the said Centerline of Leo Road; thence North 59 degrees 29 minutes 30 seconds East, along said Centerline of Leo Road, a distance of 7.68 feet; thence North 19 degrees 09 minutes 25 seconds West, a distance of 473.92 feet to the point of beginning, containing 0.0410 acres.

TOGETHER WITH:

A part of Bouries Reserve West of the St. Joseph River, in Section 5, Township 31 North, Range 13 East, described as follows:

Commencing at the intersection of the centerline of the Leo Road with the centerline of

1 the Diebold Road, said Diebold Road running Northwesterly from the Leo Road on the
2 line dividing the lands former owned by C. F. Pichon and A. Swift and said line being the
3 dividing line between the East and West 1/2 of Bourie's Reserve, West of the St. Joseph
4 River; thence North 18 degrees and the 15 minutes West along the centerline of the said
5 Diebold Road, 454.3 feet to an iron stake corner; thence South 71 degrees and 45
6 minutes West, 94.52 feet to an iron pin corner; thence South 18 degrees and 15 minutes
7 East, 477.62 feet to the centerline of the Leo Road; thence North 57 degrees and 7
8 minutes East along said centerline of the Leo Road, 92.12 feet to the point of beginning,
9 the area of said described tract, containing 0.9998 acres more or less.

10 and the symbols of the City of Fort Wayne Zoning Map No. S-54 (Sec. 5 of Saint Joseph Township), as
11 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby
12 changed accordingly.

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

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

19 _____
20 Council Member

21 APPROVED AS TO FORM AND LEGALITY:

22 _____
23 Malak Heiny, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0061
Bill Number: Z-24-01-03
Council District: 2-Russ Jehl

Introduction Date: January 9, 2024

Plan Commission
Public Hearing Date: January 8, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone property from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial

Location: 9389 N Clinton Street, northwest corner of its intersection with Diebold Road

Reason for Request: To permit a floor covering store expansion

Applicant: Coleman's Flooring & Blinds

Property Owner: Coleman Properties LLC

Related Petitions: PDP-2023-0050 – Coleman Flooring and Blind Expansion

Effect of Passage: Property will be rezoned to C2/Limited Commercial zoning district, which will permit existing and future a floor covering store expansions.

Effect of Non-Passage: The property will remain zoned C4/Intensive Commercial and AR/Low Intensity Residential, which supports intense commercial and some residential and agricultural uses.

Department of Planning Services Rezoning Petition Application

Applicant
Applicant Coleman's Flooring & Blinds (Zac Coleman)
Address 9389 N. Clinton Street
City Fort Wayne State IN Zip 46825
Telephone (260) 267-7490 E-mail zac@colemansfw.com

Property Ownership
Property Owner Coleman Properties LLC (Zac Coleman)
Address 9389 N. Clinton Street
City Fort Wayne State IN Zip 46825
Telephone (260) 267-7490 E-mail zac@colemansfw.com

Contact Person
Contact Person Derek Simon, PE (MLS Engineering, LLC)
Address 10060 Bent Creek Blvd
City Fort Wayne State IN Zip 46825
Telephone 260-489-8571 x2 E-mail derek@mlswebsite.us

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 9389 & 9301 N. Clinton Street Township and Section St. Joseph / Sec. 5
Present Zoning C4 & AR Proposed Zoning C2 Acreage to be rezoned 2.02 AC
Purpose of rezoning (attach additional page if necessary) _____
Rezone AR to C2 to align with proposed commercial use (Floor Covering Store).
Down-zone C4 to C2 to clean up zoning.
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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

Coleman's Flooring & Blinds (Zac Coleman)
(printed name of applicant)

(signature of applicant)

11/30/23
(date)

Coleman Properties LLC (Zac Coleman)
(printed name of property owner)

(signature of property owner)

11/30/23
(date)

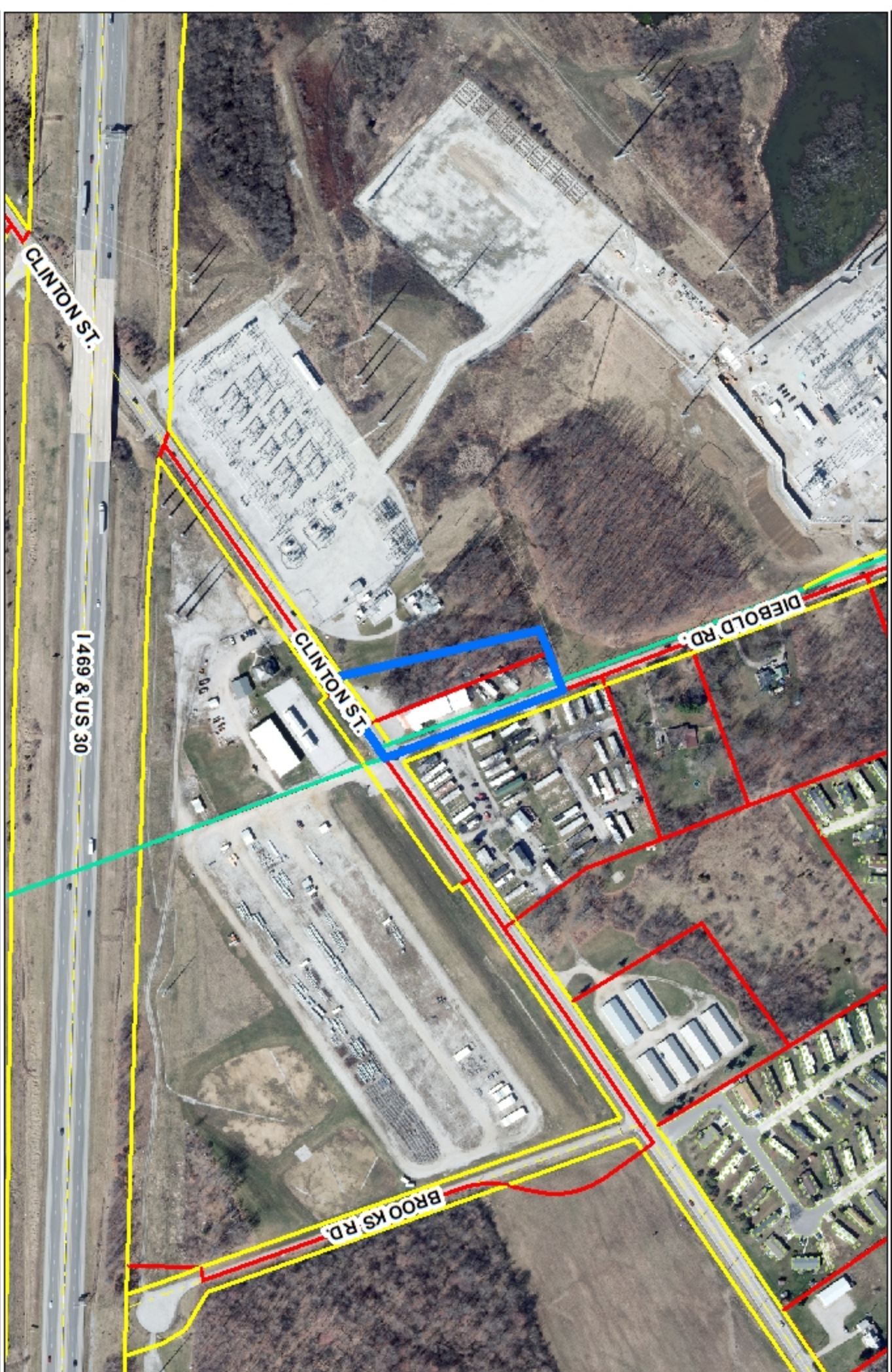


Received	Receipt No.	Hearing Date	Petition No.
12-1-23	144536	1-8-23	RET 603

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

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Although not a warranty, we warrant that the information contained herein is true and correct to the best of our knowledge.

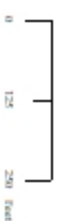
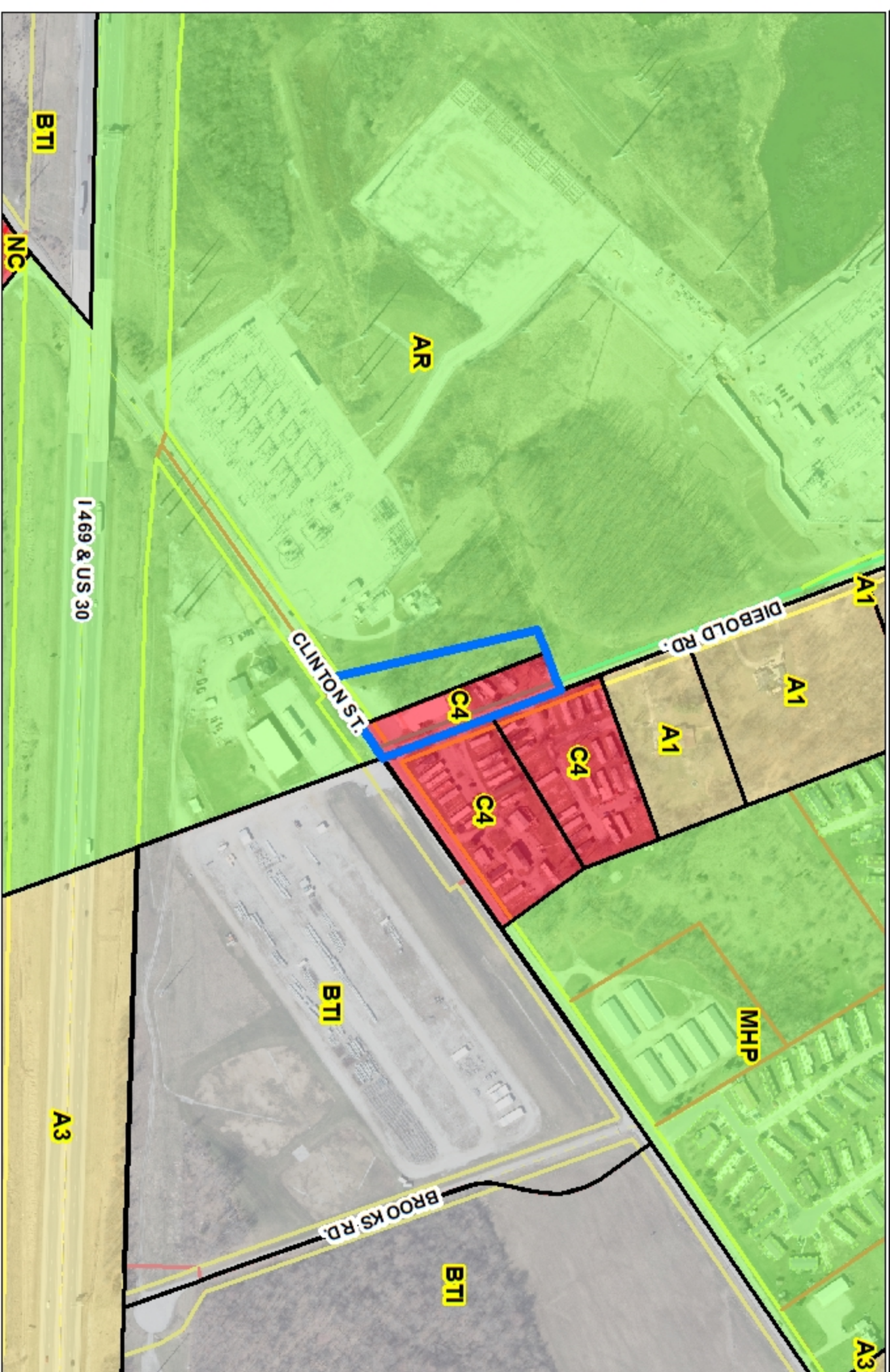
Any use of the information contained herein for any purpose other than that intended by the City of Alton, Illinois, is at the user's risk. The City of Alton, Illinois, and its officials, employees, and agents, shall not be liable for any errors or omissions in this map.

North American Datum 1983

State Plane Coordinate System, Indiana East

Revised and Corrected: Spring 2019

Date: 12/18/2023



1 inch = 300 feet

All zoning and boundary information shown herein is for informational purposes only.

The City of Alton does not warrant the accuracy of the information contained herein.

Any error or omission in this map is the responsibility of the user.

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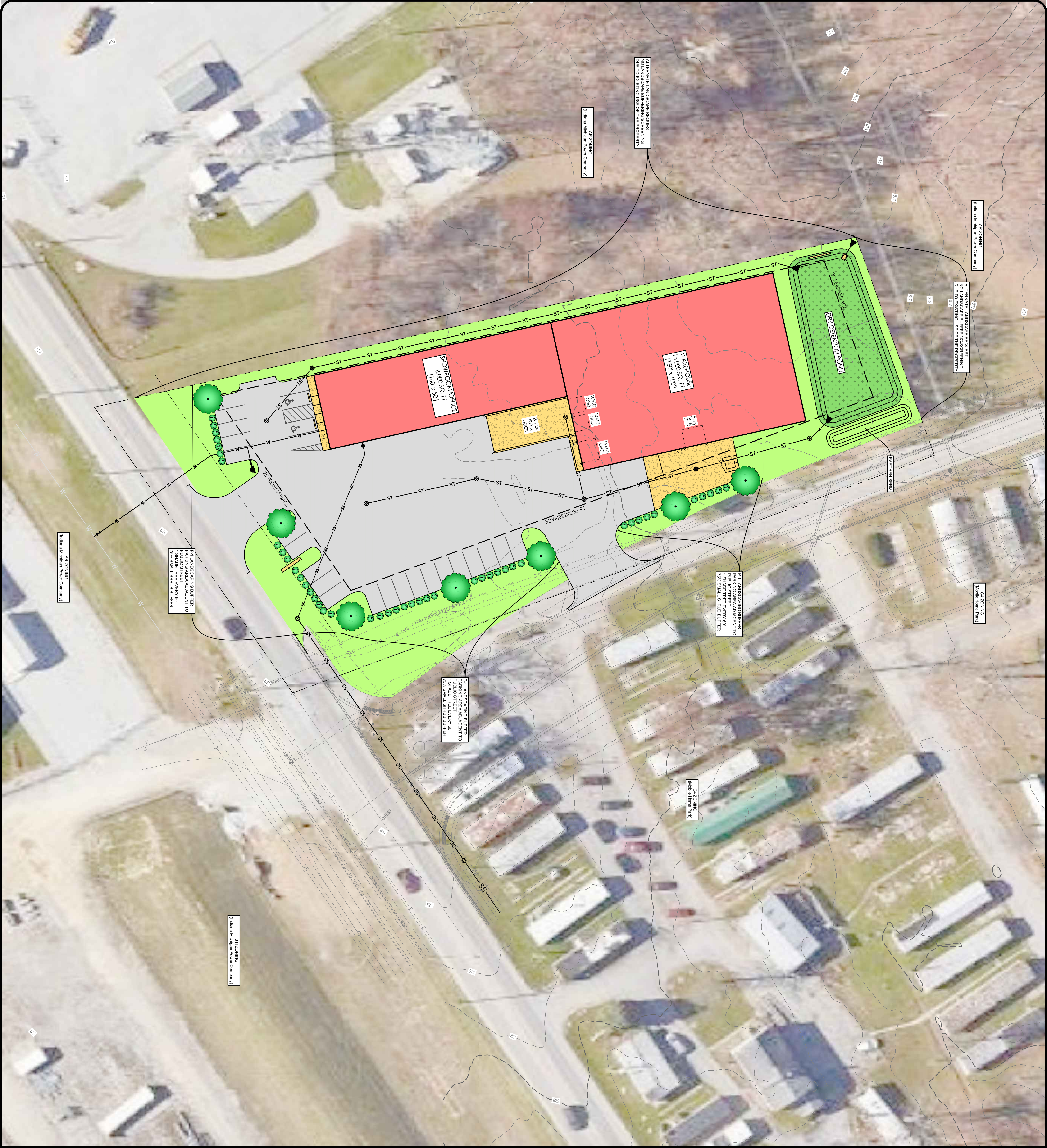
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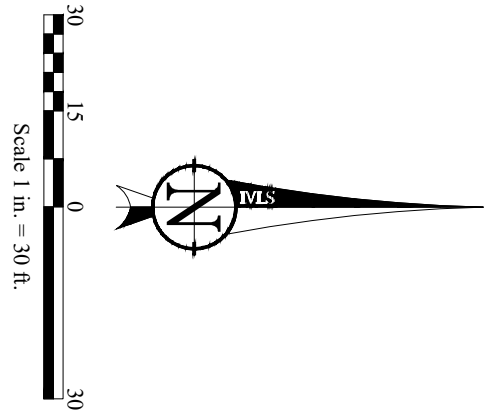
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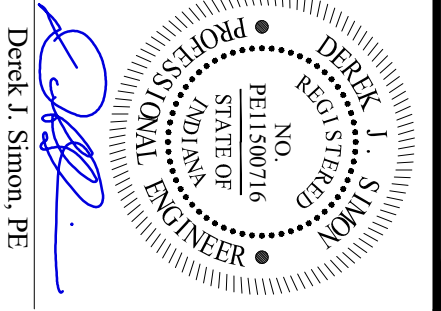


PROPOSED FEATURES LEGEND

- BUILDING FOOTPRINT
- ASPHALT PAVEMENT
- CONCRETE SIDEWALK / PAVEMENT
- GRASS
- DRY DETENTION POND
- SHADE TREE
- SMALL SHRUB



THESE PLANS, SPECIFICATIONS, AND DETAILS ARE THE PROPERTY OF MLS ENGINEERING, LLC. NO PART OF THESE PLANS, SPECIFICATIONS, AND DETAILS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MLS ENGINEERING, LLC. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REFERENCES TO CONSTRUCTION.



MLS Engineering
ENGINEERING YOUR TOMORROW...TODAY

Fort Wayne Office
10060 Bent Creek Boulevard
Fort Wayne, IN 46825
Phone: (260) 469-8571

Monroe Office
221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166

www.mlswebsite.us

PREPARED FOR:
Coleman Properties LLC
9389 N. Clinton Street
Fort Wayne, IN 46825
(260) 267-7490

REVISIONS:			

Coleman's Flooring & Blinds - New Facility
9301 & 9389 N. Clinton Street
Fort Wayne, IN 46825
Primary Development Plan
Landscape Plan

Date: 11-28-2023
Design By: ABN
Checked By: DJS
Project No: 23107161
Sheet Number

PDP-2

PLAT OF SURVEY

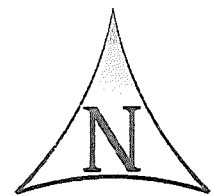
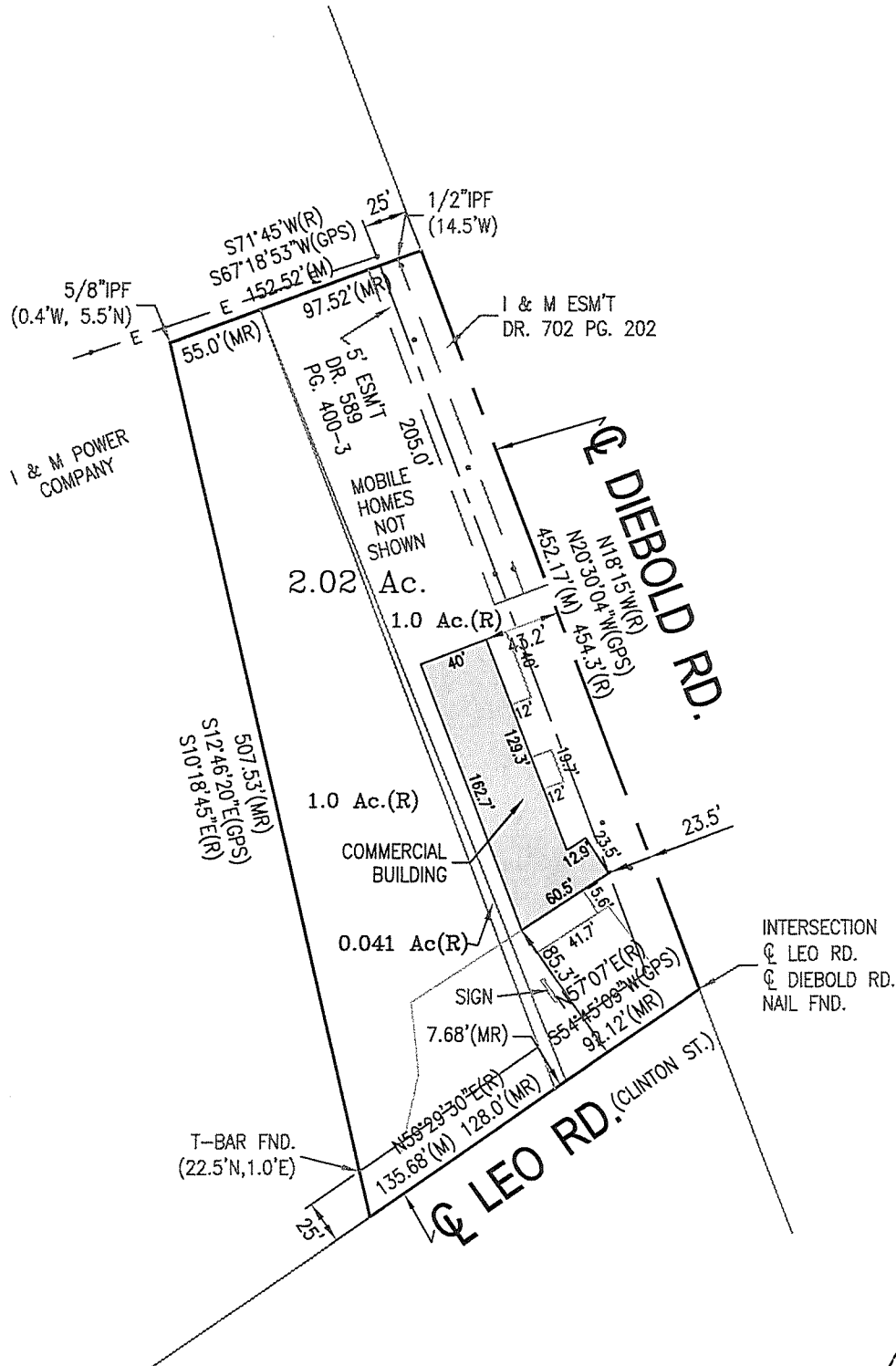
DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

GREGORY L. ROBERTS PLS S0548 IN

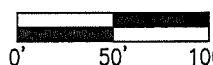
KENNETH W. HARRIS PLS 29500021 IN

MICHAEL W. HARRIS PLS 21100018 IN

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows: SEE ATTACHED SHEET!



1"=100'



Job No.:21-5073 Date:04/21/21
Job for:BLACKBURN - COLEMAN PROP. LLC.

LEGEND

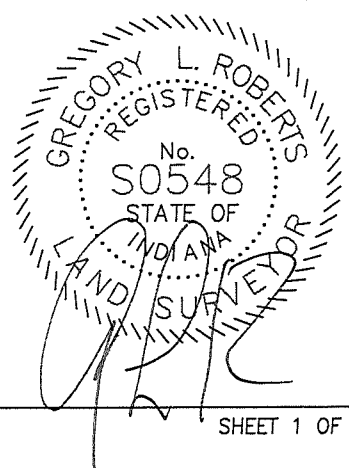
IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RRF	Railroad Spike Found
PKF	P.K. Nail Found
MNF	Mag Nail Found
MNS	Mag Nail Set
IPS	5/8" rebar set w/cap stamped "DEI FIRM #0027"
(M)	Measured (P) Platted
(R)	Recorded (C) Calculated

All monuments are at grade except as noted.
All Property line distances are recorded dimensions, except as noted. Monuments found have no documented history except as noted.

Date of latest field work: 04/17/21

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according the requirements set forth in 865 IAC 1-12.

L:\AutoCAD\Notes & Bounds\Sec 5-31-13, 9389-9511 N Clinton.dwg



SHEET 1 OF 2

PLAT OF SURVEY

DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
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Job for:BLACKBURN - COLEMAN PROP. LLC.

LEGEND

- | | |
|-----|---|
| IPF | Iron Pin (Rebar) Found |
| PF | Pipe Found |
| RRF | Railroad Spike Found |
| PKF | P.K. Nail Found |
| MNF | Mag Nail Found |
| MNS | Mag Nail Set |
| IPS | 5/8" rebar set w/cap stamped "DEI FIRM #0027" |
| (M) | Measured |
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