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2 **#REZ-2025-0028**

3 **BILL NO. Z-25-05-10**

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5 **ZONING MAP ORDINANCE NO. Z-_____**

6 **AN ORDINANCE amending the City of Fort Wayne**
7 **Zoning Map No. R03 (Sec. 8 of Adams Township)**

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

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

12
13 **LEGAL DESCRIPTION**

14 **DOCUMENT NUMBER 2012072096:**
15 **LOTS NUMBER 44 AND 45 IN EASTWOOD ADDITION TO THE CITY OF FORT WAYNE, AS RECORDED**
16 **IN PLAT RECORD 5, PAGE 48, EXCEPT THE NORTH 10 FEET FOR THE WIDENING OF NEW HAVEN**
17 **AVENUE, AS RECORDED IN MISCELLANEOUS RECORD 89, PAGE 263, IN THE OFFICE OF THE**
18 **RECORDER OF ALLEN COUNTY, INDIANA.**

19 **and the symbols of the City of Fort Wayne Zoning Map No. R03 (Sec. 8 of Adams Township), as**
20 **established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby**
21 **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 commitment is**
25 **hereby approved and is hereby incorporated by reference.**

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

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5 _____
6 Council Member

7 APPROVED AS TO FORM AND LEGALITY:

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9 _____
10 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-2025-0028
Bill Number: Z-25-05-10
Council District: 6 – Rohli Booker

Introduction Date: May 27, 2025

Plan Commission
Public Hearing Date: June 9, 2025 (not heard by Council)

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

Synopsis of Ordinance: To rezone 0.25 acres from C2/Limited Commercial to C3/General Commercial

Location: 3714 New Haven Avenue (Section 8 of Adams Township)

Reason for Request: To expand existing automobile use

Applicant: Wayne Richardson

Property Owner: Daniel Hiliare

Related Petitions: Primary Development Plan – Raymond’s Garage

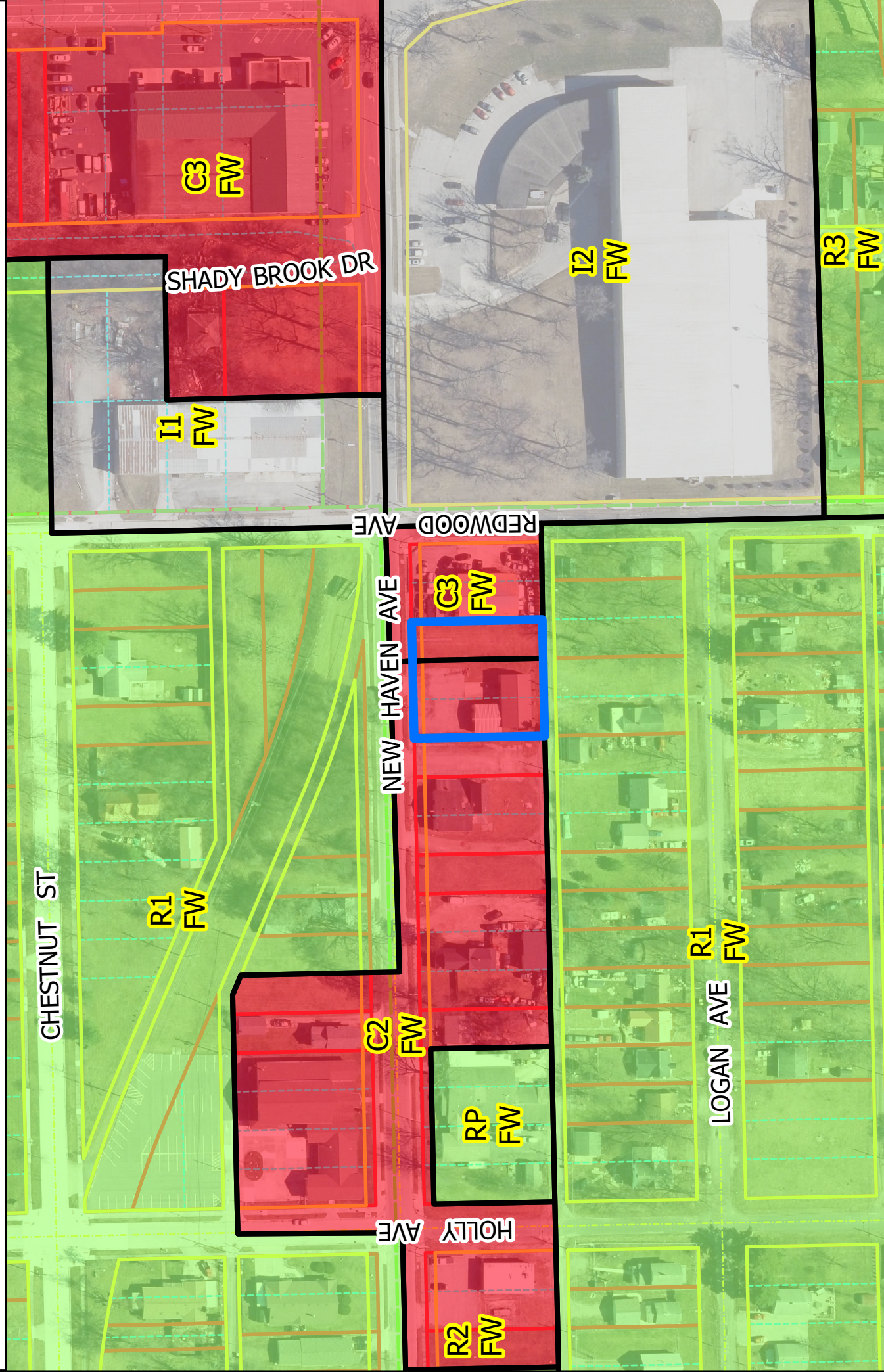
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which would permit expansion of existing automobile use.

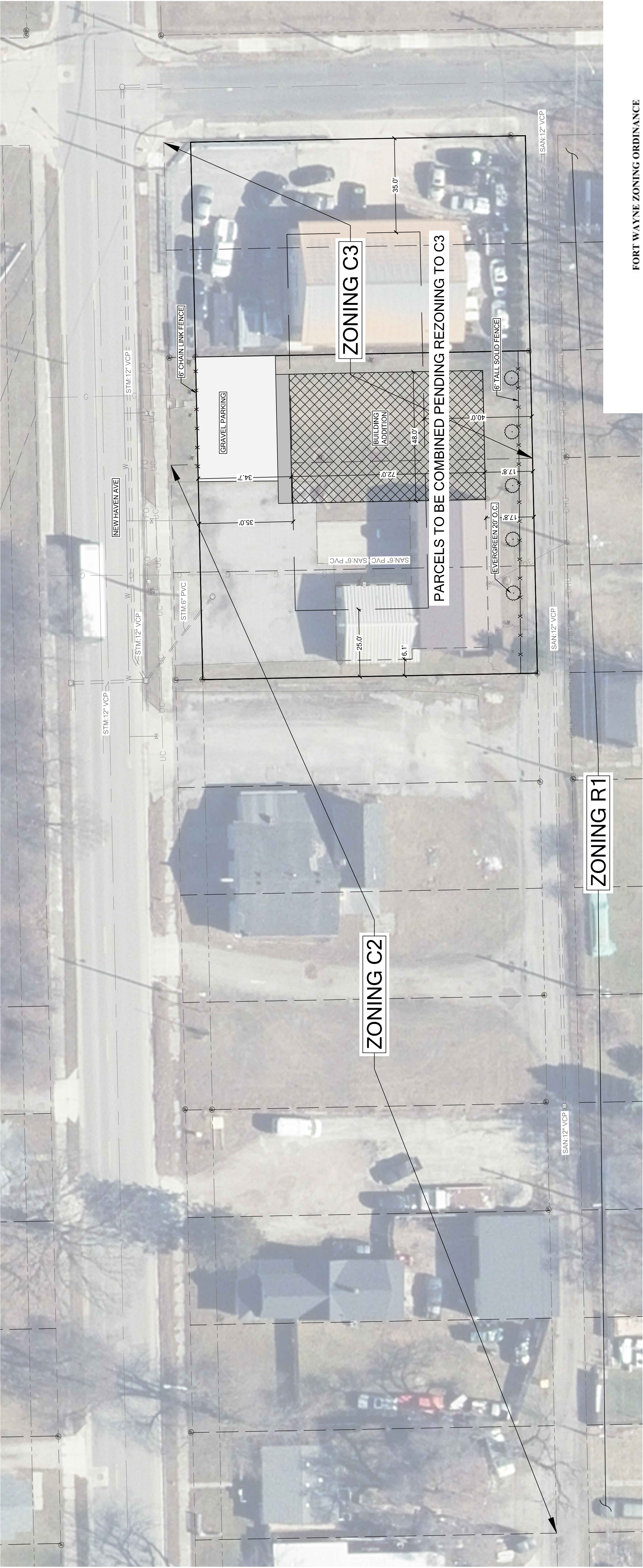
Effect of Non-Passage: Property will remain zoned C2/Limited Commercial, which would not permit expansion of existing automobile use. The site may continue with existing or non-conforming uses, and may be redeveloped with areas for moderate intensity business, community, office, personal service, and similar 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: 5/20/2025





VARIANCES REQUESTED

- FRONT YARD SETBACK = REDUCE TO 30' (3706 NEW HAVEN AVE ~ 10')
- REAR YARD SETBACK = REDUCE TO 15' (3630 NEW HAVEN AVE ~ 0')
- LANDSCAPE BUFFER = REDUCE TO 10' (3630 NEW HAVEN AVE ~ 0')
- SOLID FENCE IN LIEU OF 50% LARGE SHRUB
- NO LANDSCAPE BUFFER WIDTH FOR PARKING ADJACENT TO ROW GRAVEL PARKING IN FRONT YARD

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the C3 district; all standards are minimum standards unless otherwise noted (see also the permitted yard projections and additional location standards on the following page).

C3 GENERAL COMMERCIAL DEVELOPMENT STANDARDS			
		Height (maximum) ⁽¹⁾	
Primary or accessory nonresidential building or structure		40'	
Primary or accessory residential facility building or structure		Up to two stories or 30' ⁽²⁾	
Front yard			
Non-through lot		35'	
Through lot		35' at each end of the lot	
With existing building(s) with a lesser front setback adjacent to the lot setback		The smallest existing nonconforming setback	
Side yard (interior lot)			
Primary building			
Height	If adjacent to a residential district	If not adjacent to a residential district	
Up to 30'	40'	25'	
Over 30'	50'	40'	
Accessory building or structure			
Height	If adjacent to a residential district	If not adjacent to a residential district	
Up to 25' and Over 25' or	Up to 200 sq. ft. 25'	Up to 200 sq. ft. 5'	
	Over 200 sq. ft. 25'	Over 200 sq. ft. 25'	
Side yard (corner lot)			
Primary building – corner lot street side yard		25'	
Accessory building – corner lot street side yard		25'	
Rear yard			
Primary building – no outside activity behind the building ⁽³⁾			
Height	If adjacent to a residential district	If not adjacent to a residential district	
Up to 30'	40'	10'	
Over 30'	50'	40'	
Primary building – outside activity behind the building ⁽³⁾			
	50'		
Accessory building or structure			
Height	If adjacent to a residential district	If not adjacent to a residential district	
Up to 25' and Over 25' or	Up to 200 sq. ft. 25'	Up to 200 sq. ft. 5'	
	Over 200 sq. ft. 40'	Over 200 sq. ft. 25'	
Notes:			
(1) See §157.405(C) in Development Standards Waivers and Exceptions; §157.409 Signs for maximum sign heights; and §157.404(O) Residential Impact Mitigation and §157.411 Airport Overlay Districts for additional restrictions			
(2) Whichever is less			
(3) Outside activity shall include building access, delivery/loading areas, drives, and storage			

Department of Planning Services Rezoning Petition Application

Applicant
 Applicant Wayne Richardson
 Address 811 Lawrence Drive
 City Fort Wayne State IN Zip 46804
 Telephone 260-459-9393 ext102 E-mail wrichardson@bertschfrank.com

Property Ownership
 Property Owner Daniel L. Hilaire
 Address 3732 New Haven Avenue
 City Fort Wayne State IN Zip 46803
 Telephone _____ E-mail hilaire46@yahoo.com

Contact Person
 Contact Person Wayne Richardson
 Address 811 Lawrence Drive
 City Fort Wayne State IN Zip 46804
 Telephone 260-459-9393 ext 102 E-mail wrichardson@bertschfrank.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 3714 New Haven Ave Township and Section Adams; Sec 8
 Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 0.229
 Purpose of rezoning (attach additional page if necessary) Existing C2 zoned building and Building Addition will be used for automobile detailing & storage of vehicles that will be prepped for sale. This is not an approved use for C2.
 Sewer provider FWCU Water provider FWCU

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 (please complete attached document)

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

Wayne Richardson Wayne Richardson 5/5/2025
 (printed name of applicant) (signature of applicant) (date)
Daniel I. Hilaire [Signature] 5/5/2025
 (printed name of property owner) (signature of property owner) (date)



Received <u>5/6/25</u>	Receipt No. <u>147488</u>	Hearing Date <u>6/9/25</u>	Petition No. <u>REZ-2025-0028</u>
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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



Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

- (1) The Comprehensive Plan;

The Comprehensive plan in this area shows Production Center and Community Commercial encroaching west down New Haven Avenue. This area is already zoned C2 and C3.

- (2) Current conditions and the character of current structures and uses in the district;

The transition from C2 to C3 zoning will allow these parcels to expand operations and function as 1 entity. The C2 zoning continues west down New Haven Avenue. And the C3 is already the adjacent zoning to the east.

- (3) The most desirable use for which the land in the district is adapted;

The most desirable use for a vacant lot between 2 commercial properties is commercial. The rezoning will allow the owner to build their addition and combine the tax parcels into 1 parcel.

- (4) The conservation of property values throughout the jurisdiction;

The rezoning of this property (and combining) will allow a commercial building addition on a vacant lot. Development of vacant lots will increase property values.

- (5) Responsible development and growth.

The rezoning (and combination) of lots will allow the in-fill of a vacant parcel with a building addition.

COMPLETE FILING TO INCLUDE:

- ☐ Filing Fee
- ☐ Complete application signed by property owner*
- ☐ Legal description (in Word document format)*
- ☐ Boundary/Utility Survey*
- ☐ Rezoning Criteria *
- ☐ Written Commitment (if applicable)*

**All documents may be digital*

