

1 #REZ-2026-0004  
2

3 BILL NO. Z-26-01-22  
4

5 ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_  
6

7 AN ORDINANCE amending the City of Fort Wayne  
8 Zoning Map No. ZZ34 (Sec. 24 of Saint Joseph Township)  
9

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
11

12 SECTION 1. That the area described as follows is hereby designated as C3/General Commercial  
13 Zoning District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:  
14

15 Legal Description  
16

17 Part of the East half of Section 24, Township 31 North, Range 13 East of the Second Principal  
18 Meridian in Allen County, Indiana, more particularly described as follows:  
19

20 Commencing at a railroad spike at the Northeast corner of said Southeast Quarter, thence South 00  
21 degrees 00 minutes 00 seconds West (Assumed bearing and basis of bearings to follow) a distance of  
22 1258.21 feet along the East line of the Southeast quarter of said Section 24 and the centerline of  
23 Schwartz Road to a P.K. nail set on the North line of an existing tract described in Document Number  
24 92-0013987 in the office of the Recorder of Allen County, Indiana; thence South 87 degrees 39  
25 minutes 14 seconds West, a distance of 1278.31 feet along said North line and the North line of an  
existing Tract described in Document Number 98-0010865 in the Office of the Recorder of Allen  
26 County, Indiana; thence North 18 degrees 10 minutes 07 seconds West, a distance of 261.61 feet;  
27 thence North 46 degrees 36 minutes 10 seconds West, a distance of 299.29 feet to the East line of an  
existing tract described in Document number 89-000296 in the Office of the Recorder of Allen  
28 County, Indiana; thence North 00 degrees 05 minutes 12 seconds East, a distance of 454.93 feet  
29 along said East line; thence North 47 degrees 13 minutes 51 seconds West, a distance of 191.10 feet  
30 to a 5/8 inch steel rebar set at the point of beginning of the herein described tract, thence  
continuing North 47 degrees 13 minutes 51 seconds West a distance of 300.00 feet to a 5/8 inch steel  
rebar set on the Southeastern Right-of-Way line of State Road 37; thence North 45 degrees 06  
minutes 56 seconds East, a distance of 250.00 feet along said Right-of-Way line to a 5/8 inch steel  
rebar set; thence South 47 degrees 13 minutes 51 seconds East, a distance of 300.00 feet to a 5/8  
inch steel rebar set; thence South 45 degrees 06 minutes 56 seconds West, a distance of 250.00 feet  
parallel with the Southeastern Right-of-Way line of said State Road 37 to the point of beginning,  
containing 1.720 acres, more or less.

31 and the symbols of the City of Fort Wayne Zoning Map No. ZZ34 (Sec. 24 of Saint Joseph Township), as  
32 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby  
33 changed accordingly.  
34

35 SECTION 2. If a written commitment is a condition of the Plan Commission's recommendation  
36 for the adoption of the rezoning, or if a written commitment is modified and approved by the Common  
37  
38  
39  
40

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**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2026-0004  
Bill Number: Z-26-01-22  
Council District: 1 – Paul Ensley

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Introduction Date: January 27, 2026

Plan Commission  
Public Hearing Date: February 9, 2026 (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 1.72 acres from SC/Shopping Center to C3/General Commercial

Location: 10320 Maysville Rd (Section 24 of Saint Joseph Township)

Reason for Request: To align zoning with the current use

Applicant: Mikes Carwash Inc.

Property Owner: Mikes No 28 Llc

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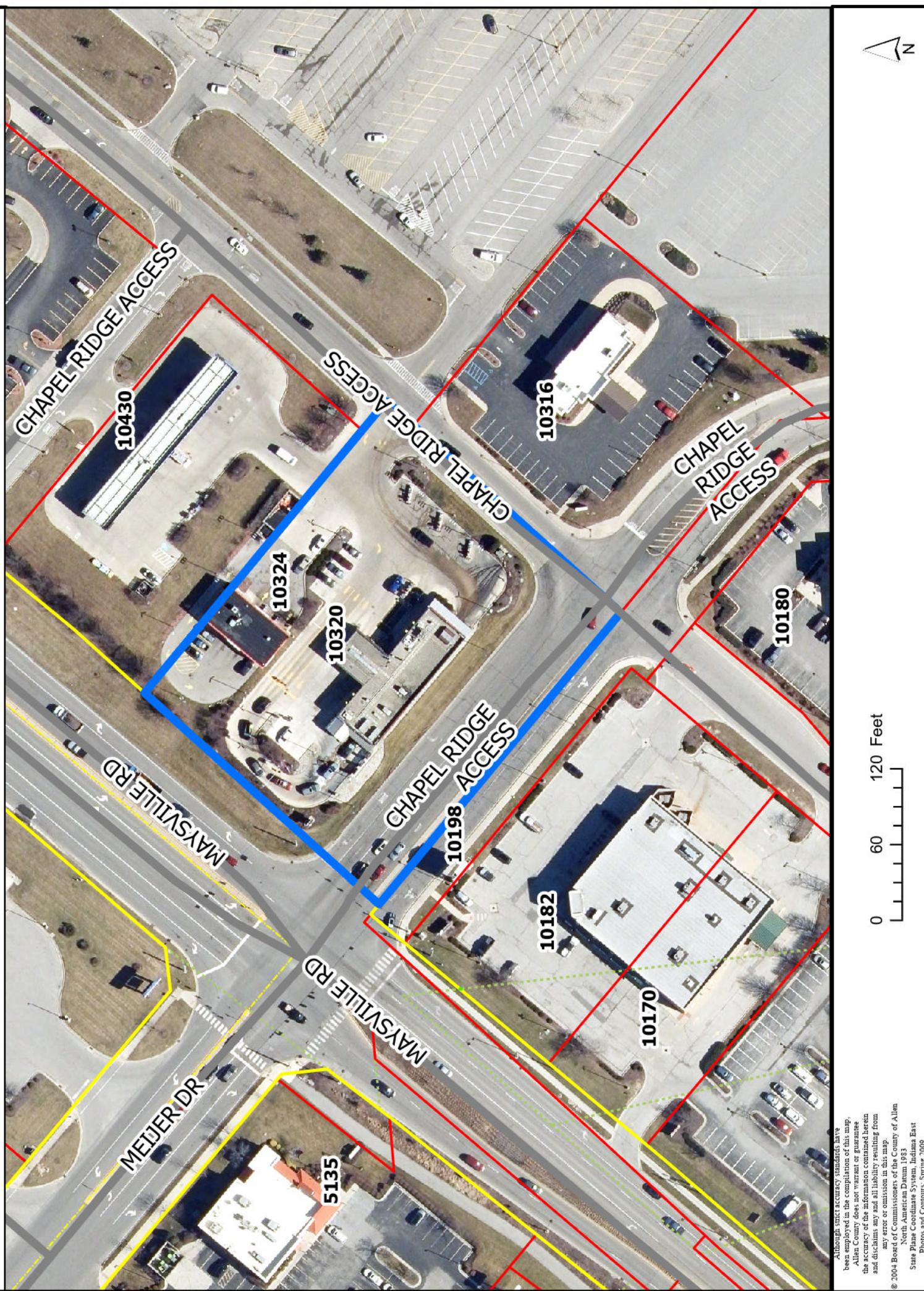
Related Petitions: None

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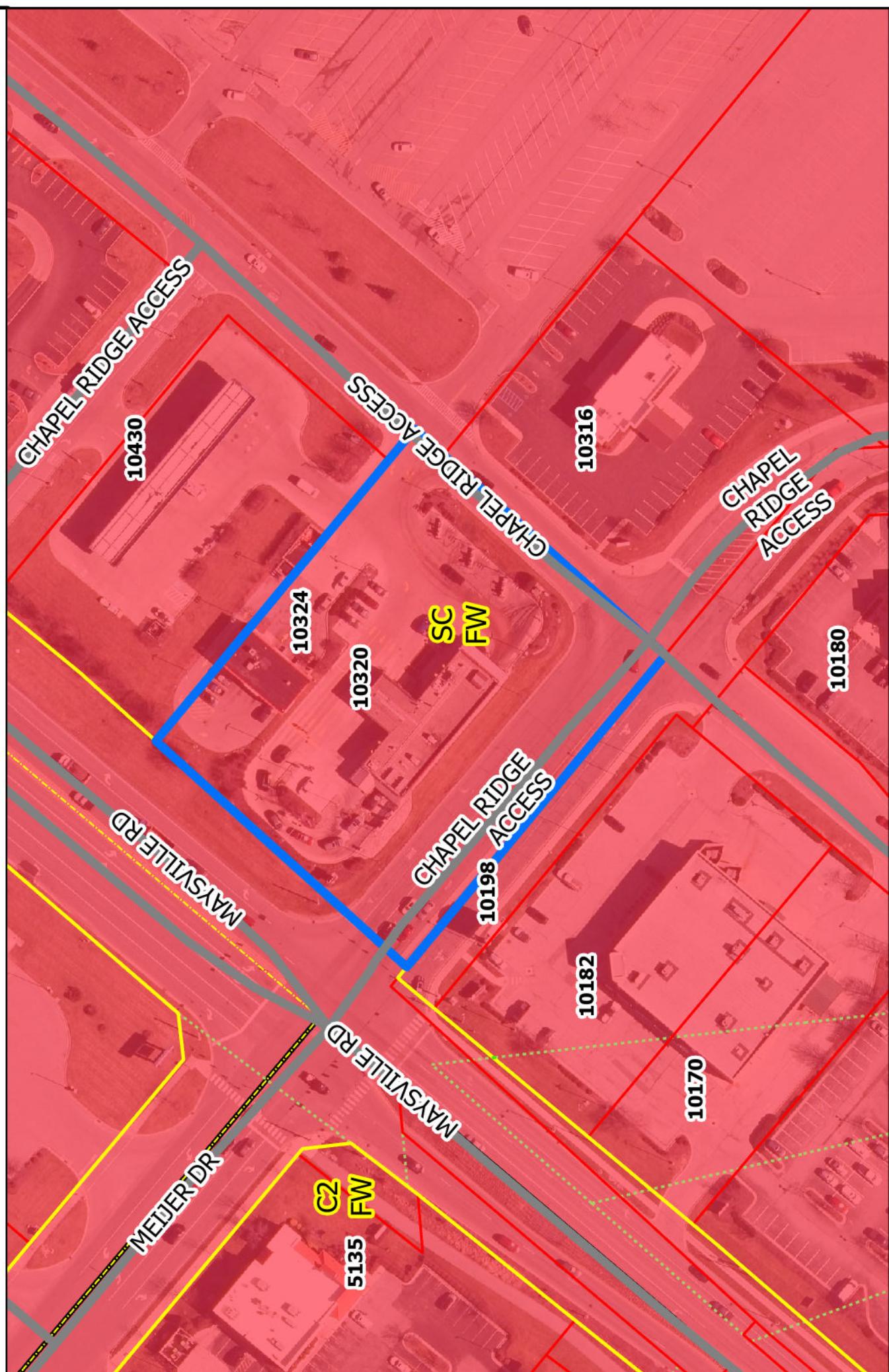
Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district,  
which would permit an automobile washing facility.

Effect of Non-Passage: Property will remain zoned SC/Shopping Center, which does not permit an  
automobile washing facility. The site may continue with existing uses, and  
may be redeveloped with moderate intensity businesses and other similar  
uses.

## **Rezoning Petition REZ-2026-0004 - Mikes Carwash**



# Rezoning Petition REZ-2026-0004 - Mikes Carwash



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.

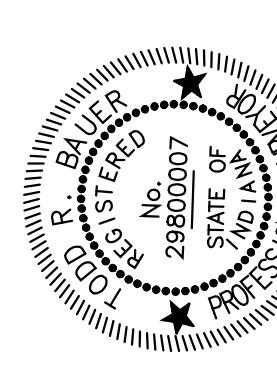
© 2004 Board of Commissioners of the County of Allen  
StatePlane Coordinates System, Indiana East  
Photos and Contours: Spring 2009  
Date: 1-14-2004

0 60 120 Feet









Bob Bauer  
Todd R. Bauer, PS No. 29800007

## Draffanion | Cymru / Wales | Cymru'n Iwerddon

**Professional Surveyor's Certification**

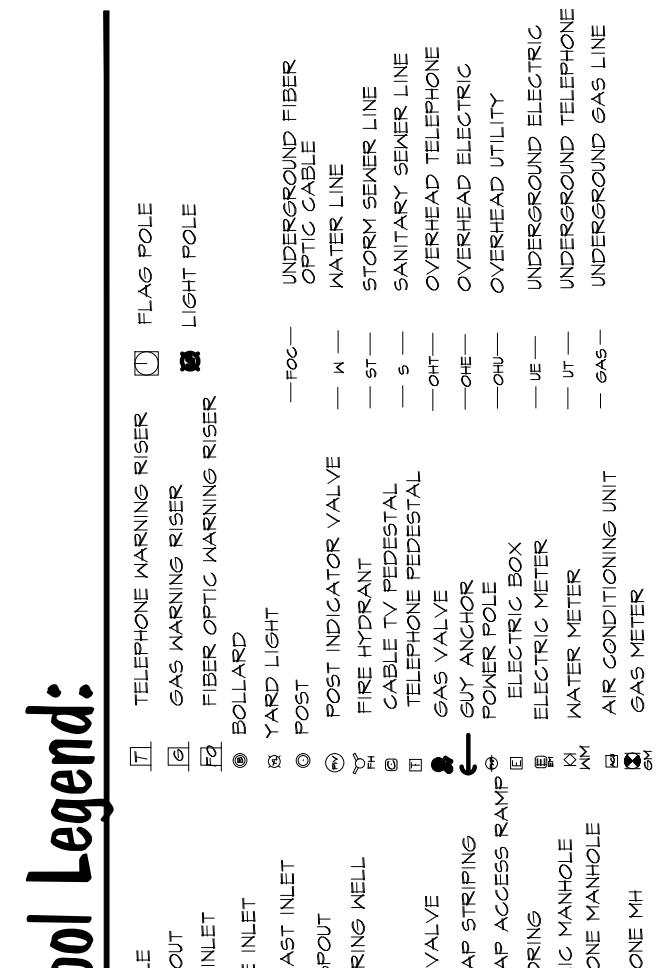
THE UNDERSIGNED LAND SURVEYOR, REGISTERED UNDER THE LAWS OF THE STATE OF INDIANA, CERTIFIES THAT HE HAS MADE A RETRACEMENT SURVEY OF THE REAL ESTATE DEPICTED AND DESCRIBED THEREON. MEASUREMENTS WERE MADE AND MONUMENTS WERE PERPETUATED AS SHOWN, IN CONFORMITY WITH THE RECORD THEREOF IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA. NO VISIBLE ENCROACHMENTS EXISTED, EXCEPT AS NOTED. I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS PLAT REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTIONS 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE.

DECLARATION/CERTIFICATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS SURVEY IS VALID ONLY WITH THE SURVEYOR'S SIGNATURE AND STAMP.



INVOICE, AND COMPLETE WITH ALL PAGES OF SUR  
COMMISSION NUMBER: 254044  
CLIENT: MIKE'S CARWASH  
DATES OF FIELD WORK: APRIL 0TH, 2025  
FIELD WORK COMPLETED: APRIL 0TH, 2025  
IN WITNESS WHEREOF, I HEREBY PLACE MY HAND  
AND SEAL THIS 30TH DAY OF APRIL, 2025.  
I AFFIRM, UNDER THE PENALTIES FOR PERJURY,  
THAT I HAVE TAKEN REASONABLE CARE TO  
REDACT EACH SOCIAL SECURITY NUMBER IN  
THIS DOCUMENT, UNLESS REQUIRED BY LAW.

## Symbol Legend:



# Partial Building & Improvements Detail

A compass rose with a vertical line pointing upwards labeled 'NORTH'.

# Department of Planning Services

## Rezoning Petition Application

**Applicant**  
Applicant Mikes Carwash, Inc.  
Address 100 Northeast Drive  
City Loveland State OH Zip 45140  
Telephone (513) 677-4700 E-mail ekrieger@mikescarwash.com

**Property Ownership**  
Property Owner Mikes No 28 LLC  
Address 100 Northeast Drive  
City Loveland State OH Zip 45140  
Telephone (513) 677-4700 E-mail ekrieger@mikescarwash.com

**Contact Person**  
Contact Person Joshua C. Neal, Barrett McNagny LLP  
Address 215 E Berry Street  
City Fort Wayne State IN Zip 46802  
Telephone (260) 423-9551 E-mail jcn@barrettlaw.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 10320 Maysville Road Township and Section St. Joe  
Present Zoning SC Proposed Zoning C3 Acreage to be rezoned 1.72  
Purpose of rezoning (attach additional page if necessary) To bring the zoning classification in line with the existing and long standing use of the property.

**Sewer provider** Fort Wayne City Utilities **Water provider** Fort Wayne City Utilities

**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

Joe Dahn Joe Dahn 1/5/26  
(printed name of applicant) (signature of applicant) (date)

Joe Dahn Joe Dahn 1/5/26  
(printed name of property owner) (signature of property owner) (date)



Received	Receipt No.	Hearing Date	Petition No.

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

See attached Exhibit B

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

See attached Exhibit B

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

See attached Exhibit B

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

See attached Exhibit B

(5) Responsible development and growth.

See attached Exhibit B

### 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*



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### **Legal Description of Subject Property**

Part of the East half of Section 24, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a railroad spike at the Northeast corner of said Southeast Quarter, thence South 00 degrees 00 minutes 00 seconds West (Assumed bearing and basis of bearings to follow) a distance of 1258.21 feet along the East line of the Southeast quarter of said Section 24 and the centerline of Schwartz Road to a P.K. nail set on the North line of an existing tract described in Document Number 92-0013987 in the office of the Recorder of Allen County, Indiana; thence South 87 degrees 39 minutes 14 seconds West, a distance of 1278.31 feet along said North line and the North line of an existing Tract described in Document Number 98-0010865 in the Office of the Recorder of Allen County, Indiana; thence North 18 degrees 10 minutes 07 seconds West, a distance of 261.61 feet; thence North 46 degrees 36 minutes 10 seconds West, a distance of 299.29 feet to the East line of an existing tract described in Document number 89-000296 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 05 minutes 12 seconds East, a distance of 454.93 feet along said East line; thence North 47 degrees 13 minutes 51 seconds West, a distance of 191.10 feet to a 5/8 inch steel rebar set at the point of beginning of the herein described tract, thence continuing North 47 degrees 13 minutes 51 seconds West a distance of 300.00 feet to a 5/8 inch steel rebar set on the Southeastern Right-of-Way line of State Road 37; thence North 45 degrees 06 minutes 56 seconds East, a distance of 250.00 feet along said Right-of-Way line to a 5/8 inch steel rebar set; thence South 47 degrees 13 minutes 51 seconds East, a distance of 300.00 feet to a 5/8 inch steel rebar set; thence South 45 degrees 06 minutes 56 seconds West, a distance of 250.00 feet parallel with the Southeastern Right-of-Way line of said State Road 37 to the point of beginning, containing 1.720 acres, more or less.

## **Exhibit B**

### **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;**

This petition is consistent with and supported by the Comprehensive Plan. The subject property is identified as an Urban Infill Area, which the Plan describes as locations that benefit from using existing infrastructure and that are appropriate for reinvestment and continued commercial use. To that end, Mike's Carwash has continually operated the subject property for approximately 20 years. Additionally, the Plan's Generalized Future Land Use Map places the subject property within a Regional Commercial area. The Regional Commercial designation contemplates a wide range of commercial uses, specifically including "automobile-related uses".

The quick service automobile maintenance facility operating on the property also supports the requested rezoning from SC to C-3. While the use is permitted only by special use approval in the SC district, it is a specifically permitted use in the C3 district. Like the Mike's location, the maintenance facility is longstanding and has operated continuously.

Rezoning from SC to C-3 brings the subject property's zoning classification into alignment with the consistent, longstanding uses on the property and with the broader commercial character of the surrounding area, as contemplated by the Comprehensive Plan.

**(2) Current Conditions and the Character of Current Structures and Uses in the District**

This petition is consistent with the current conditions and the character of current structures and uses in the district. The subject property has been developed and used for automobile and commercial purposes for many years. The Mike's location at the subject property has continued to operate legally as a nonconforming use based on the zoning ordinance in effect at the time it was established. And the quick service automobile maintenance facility on the property would only be permitted through special use approval in an SC district.

The surrounding area is heavily commercial in character and contains a wide range of commercial uses typical of a regional commercial corridor. Nearby uses include restaurants (both quick service and sit down), grocery stores, large retail stores, and

more. The property is located within a large shopping center and is also near the I-469/Maysville interchange.

The C-3 General Commercial district is intended to accommodate a broad range of moderate to high intensity commercial operations, including automobile-related uses that serve the general public. Rezoning the subject property to C-3 aligns the zoning classification with the longstanding uses of the location.

### **(3) The Most Desirable Use for Which the Land in the District is Adapted**

The subject property is located within a heavily developed commercial corridor and is already fully served by existing infrastructure. Its location within a large shopping center and close proximity to an interstate makes the property particularly suited for automobile related uses, like a carwash and quick service automobile maintenance facility, that serve the traveling public and nearby community.

The property has been developed as a carwash for many years along with the adjoining quick service maintenance facility. The C-3 district is specifically intended to accommodate moderate to high intensity commercial uses, including automobile related uses in locations with access to broader commercial areas.

Rezoning the subject property to C-3 applies zoning permissions that permit the uses for which the land has already long been used for. Thus, the subject property's existing uses already reflect the most desirable use for the property, and its zoning classification should reflect that.

### **(4) The Conservation of Property Values Throughout the Jurisdiction**

The subject property has operated as a carwash and quick service maintenance facility for many years and is an established commercial use within a larger, heavily commercial area. Rezoning the property from SC to C-3 does not introduce any new or incompatible uses. Instead, doing so merely aligns the zoning classification with the property's existing and long-standing uses. Because the uses of the property will not change subsequent to this rezoning, there will be no adverse impact on the use or value of the surrounding real estate.

### **(5) Responsible Growth and Development**

The petition promotes responsible growth and development by aligning the zoning classification of the subject property with its existing and longstanding uses. All necessary utility and roadway improvements are already in place, and the property is located within a fully developed commercial area. Further, the petition is consistent with the Comprehensive Plan's mandate for infill development at this location.

By rezoning the subject property to C-3, the petition also promotes the goals of the zoning ordinance by permitting uses that have long existed on the site and are appropriate for the area. Rather than rely on its legal nonconforming status, this approach reinforces orderly and predictable development patterns for the subject property and the surrounding area.