

#REZ-2026-0031

BILL NO. Z-26-07-12

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. P02 (Sec 7 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 a R1/Single Family Residential zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

N 40' Lots 11 thru 13 Fletchers Addition

and the symbols of the City of Fort Wayne Zoning Map No. P02 (Sec. 7 of Adams 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

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-2026-0031
Bill Number:	Z-26-07-12
Council District:	5 – Geoff Paddock

Introduction Date:	July 28, 2026
--------------------	---------------

Plan Commission Public Hearing Date:	August 10, 2026 (not heard by Council)
---	--

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

Synopsis of Ordinance:	To rezone 0.12 acres from C3/General Commercial to R1/Single Family Residential
------------------------	--

Location:	1223 S Anthony Blvd (Section 7 of Adams Township)
-----------	---

Reason for Request:	To permit a single-family dwelling
---------------------	------------------------------------

Applicant:	James Wagler
------------	--------------

Property Owner:	James Wagler
-----------------	--------------

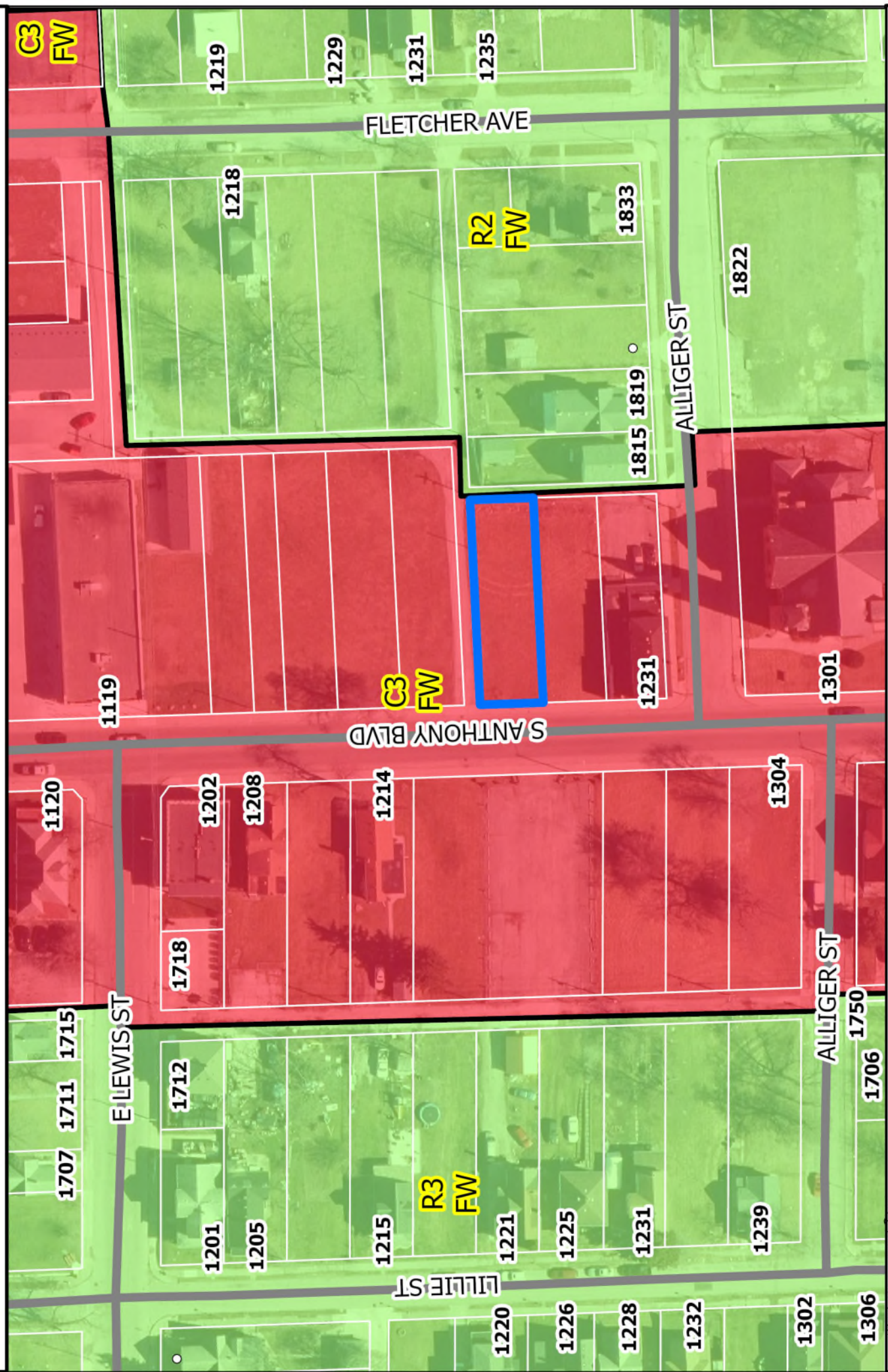
Related Petitions:	None
--------------------	------

Effect of Passage:	Property will be rezoned to the R1/Single Family Residential zoning district, which would permit a single-family dwelling.
--------------------	---

Effect of Non-Passage:	Property will remain zoned C3/General Commercial, which would not permit a single-family dwelling. The site may continue with existing or non- conforming uses, and may be redeveloped with similar general commercial uses.
------------------------	---

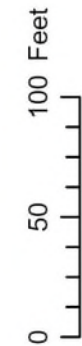


Rezoning Petition REZ-2026-0031 - 1223 S Anthony Blvd



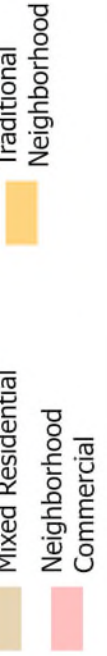
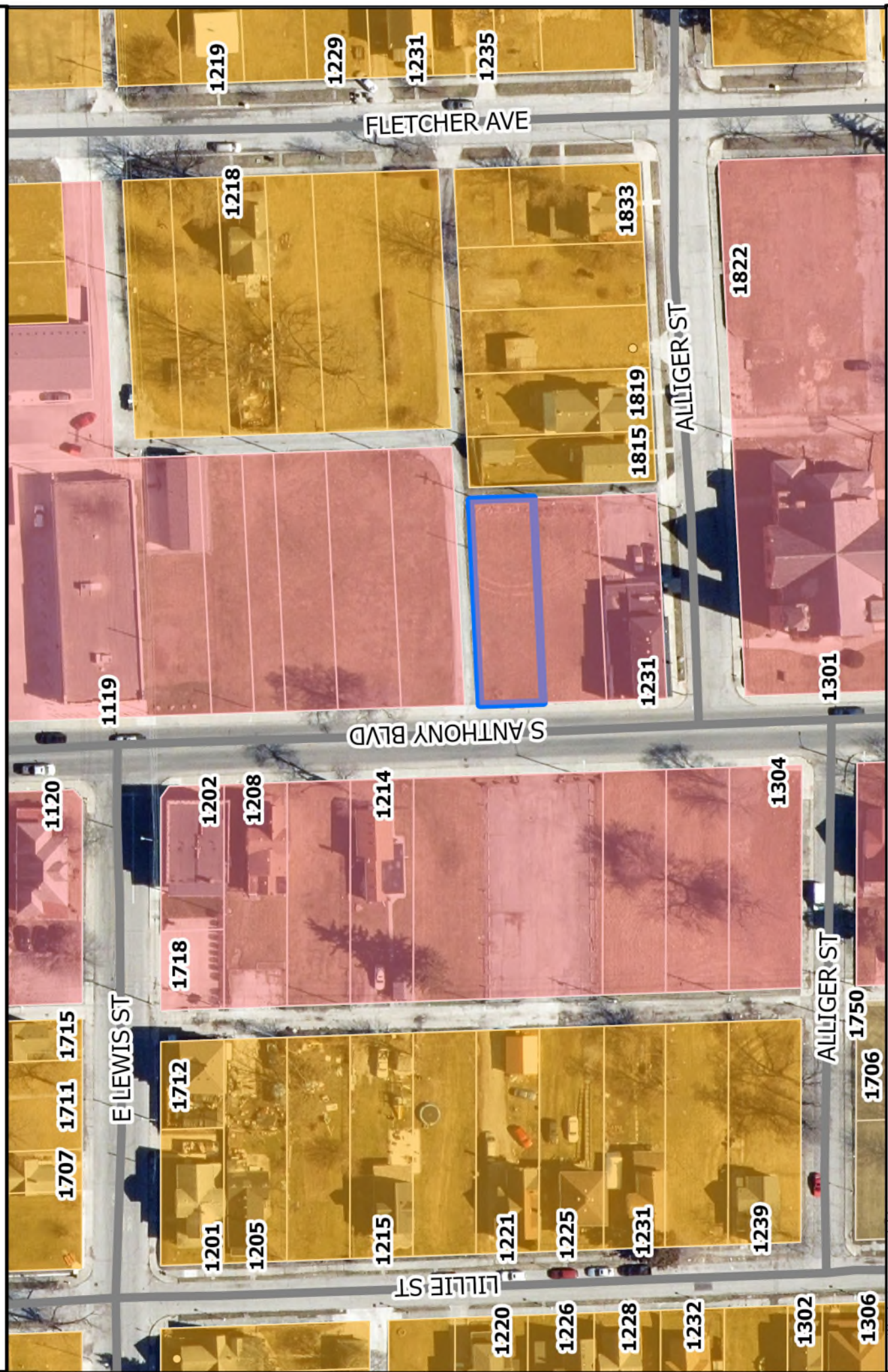
Although iMap's accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 7/13/2026



Priority Investment Area









DPS Plan Commission Rezoning Petition Application

Page 1 of 1

Applicant

Applicant Name: James Wagler

Address: 17315 Old 24 City: Woodburn State: IN Zip: 46797

Email (type or print): jmechanical26@gmail.com Phone: (260) 210-3223

Property Ownership

☒ Same as applicant

Owner Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Email (type or print): _____ Phone: _____

Primary Contact Person

☒ Same as applicant

All staff correspondence will be sent only to the designated primary contact person

Primary Contact: _____

Address: _____ City: _____ State: _____ Zip: _____

Email (type or print): _____ Phone: _____

Planning Jurisdiction

☐ Unincorporated Allen County

☐ Town of Grabill

☐ Town of Monroeville

☒ City of Fort Wayne

☐ Town of Hometown

☐ City of Woodburn

Property Information

Development Address or PIN #: 1223 S Anthony Blvd Fort Wayne IN 46803 ***Parcel Number 021307101008000074**

Present Zoning : C1 Proposed Zoning : R1 Acreage to be rezoned : All

Purpose of rezoning (attach additional page if necessary): Residential use.

Please see attached documents.

Township Name: Wayne Township Section Number: 12

Sewer Provider: City Water Provider: City

Filing Requirements

☒ Filing fee \$1250.00 or \$350.00 for downzoning an existing SFR use to R1 Zoning

☒ Application signed by property owner(s)

☐ Boundary/ Utility Survey showing area to be rezoned

☒ Legal Description of parcel to be rezoned (Please provide in separate word document)

☐ Rezoning Criteria (please complete attached document)

Acknowledgements and Signatures

- 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 applicable Zoning 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.
- In addition, I/We hereby authorize and consent to the on-site inspection and sign posting on the property subject to this zoning application by the Department of Planning Services for the purposes of verifying the information in this application and for purposes of determining compliance with the applicable zoning ordinance.

James Wagler
printed name of applicant


signature of applicant

06/10/2026
date

James Wagler
printed name of property owner


signature of property owner

06/10/2026
date

STAFF USE ONLY			
Received	Receipt Number	Hearing Date	Petition Number
7-2-26	149593	8-10-26	REZ-2026-0031



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;

wanting to build 3 bedroom, 1 bath, 1 story ranch house, on a slab

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

It's Just an empty lot.

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

I don't know what this means

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

\$47,000.00

- (5) Responsible development and growth.

WHAT DOES THIS MEAN

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*



WARRANTY DEED

THIS INDENTURE WITNESSETH, that **NERY MONTERROSO**, being over the age of 18 years ("Grantor"), of Allen County, in the State of Indiana, *CONVEYS AND WARRANTS* to **JAMES WAGLER and MARILYN WAGLER**, a married couple ("Grantee"), in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

The North 40 feet of Lots 11, 12, and 13 in Out Lots No. 3, Fletcher's Addition to the City of Fort Wayne, Indiana.

Property Address: 1223 South Anthony Boulevard, Fort Wayne, Indiana 46803
Parcel Number: 02-13-07-101-008.000-074

Subject to all real estate taxes and assessments due and payable.

Subject to all easements, rights of way, rights, duties, obligations, covenants, conditions, restrictions, limitations, and agreements of record; all legal highways and public rights-of-way, all matters which would be disclosed by an accurate survey or inspection of said real estate and the provisions of all applicable zoning laws.

Dated this

May 26, 2020

NERY MONTERROSO
NERY MONTERROSO

STATE OF IN
COUNTY OF Allen §§:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared NERY MONTERROSO, being over the age of 18 years, and acknowledged the execution of the foregoing deed.

IN WITNESS WHEREOF, I have hereinto subscribed my name and affixed my official seal this 20 day of May 2020



TRICIA McKENNA, Notary Public
Allen County, State of Indiana
Commission Number NP0722381
My Commission Expires September 12, 2027

Tricia McKenna
Notary Public
Printed: Tricia McKenna
County of Residence: Allen
My Commission Expires:

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. Zachary M. Lightner

Instrument Prepared by: Zachary M. Lightner, Attorney, 109 W. 4th St., Auburn, IN 46706 - 260.333.9303

After Recording Return to: 17315 Olgray East Road, Woodburn, IN 46787
Gracie

Mailing address of Grantee is: 1223 South Anthony Boulevard, Fort Wayne, Indiana 46803

Mailing address for tax statements under I.C. 6-1.1-22-8.1 is: 1223 South Anthony Boulevard, Fort Wayne, Indiana 46803

FACT SHEET

Case #REZ-2026-0031 Bill # Z-26-07-12 Project Start: July 2026

APPLICANT: James Wagler
REQUEST: Downzone from C3/General Commercial to R1/Single Family Residential to permit a single-family dwelling
LOCATION: 1223 S Anthony Blvd (Section 7 of Adams Township)
LAND AREA: 0.12 acres
PRESENT ZONING: C3/General Commercial
PROPOSED ZONING: R1/Single Family Residential
Council District: 5 – Geoff Paddock

August 10, 2026 Public Hearing

- No one spoke in support or with concerns.
- Scott Myers and Patrick Zaharako were absent.

August 17, 2026 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Paul Sauerteig and seconded by Karen Richards, to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

7-0 MOTION PASSED

- Rachel Tobin-Smith and Scott Myers were absent.

Fact Sheet Prepared by:
Karen Couture, Principal Land Use Planner
August 18, 2026

PROJECT SUMMARY

The applicant is petitioning to rezone the property from C1/Limited Commercial to R1/Single Family Residential to permit a single-family dwelling. The site is part of the Fletchers Addition, which was platted in 1874, and is located in Memorial Park Neighborhood Association, which is currently active. The site has been vacant since approximately 2000 according to GIS historical imagery. The immediate adjacent properties to the north, south, and west are vacant and zoned C3/General Commercial. Adjacent to the east is a single-family dwelling in a R2/Two Family Residential zoning district. The applicant intends to construct a single-family dwelling, but needs to rezone the parcel so that it would be permitted.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Priority Investment Area.

- The following Goals and Strategies would be applicable:
LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies

The following Land Use Policies would be applicable and supportive of this request:

- **LUD Policy 5** – Enhance and preserve existing mixed urban commercial corridors through the application of Mixed Urban Corridor or other appropriate zoning classification

Generalized Future Land Use Map

- The project site is located within the Neighborhood Commercial generalized land use category.
- Single-Family Detached Residential is not a Primary or Secondary use in this category

Land Use Related Action Steps

Staff determined the following Action Step would be applicable and supportive of this proposal:

- **HN.1.1.2** – Encourage smart growth development practices to support efficient use of land and resources

Compatibility Matrix

- This proposed rezoning to R1/Single Family Residential is encouraged in the Neighborhood Commercial Corridor of the comprehensive plan. Both the neighborhood and street are stable and maintain residential character.

Other Applicable Plans: None

PUBLIC HEARING SUMMARY:

Presenter: Tim Merta, representing the applicant, presented the request as outlined above.

Public Comments: None

FORT WAYNE PLAN COMMISSION

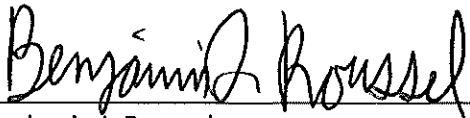
Findings of Fact • August 2026

PROPOSAL:	Rezoning Petition REZ-2026-0031 – 1223 S Anthony Blvd
APPLICANT:	James Wagler
REQUEST:	Downzone from C3/General Commercial to R1/Single Family Residential to permit a single-family dwelling
LOCATION:	1223 S Anthony Blvd (Section 7 of Adams Township)
LAND AREA:	0.12 acres
PRESENT ZONING:	C3/General Commercial
PROPOSED ZONING:	R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2026-0031 be returned to Council, with a “Do Pass” recommendation after considering the following:

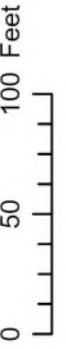
1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The rezoning would allow for a single-family dwelling, which is desirable in an Urban Infill and Priority Investment Area.
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. The applicant intends to construct a single-family dwelling, in an area with many similar existing structures.
3. Approval is consistent with the preservation of property values in the area. The infill development with a new residential structure will allow for an increase in property values.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is served by public utilities and no additional burden on infrastructure is planned.

These findings approved by the Fort Wayne Plan Commission on August 17, 2026.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

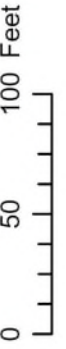
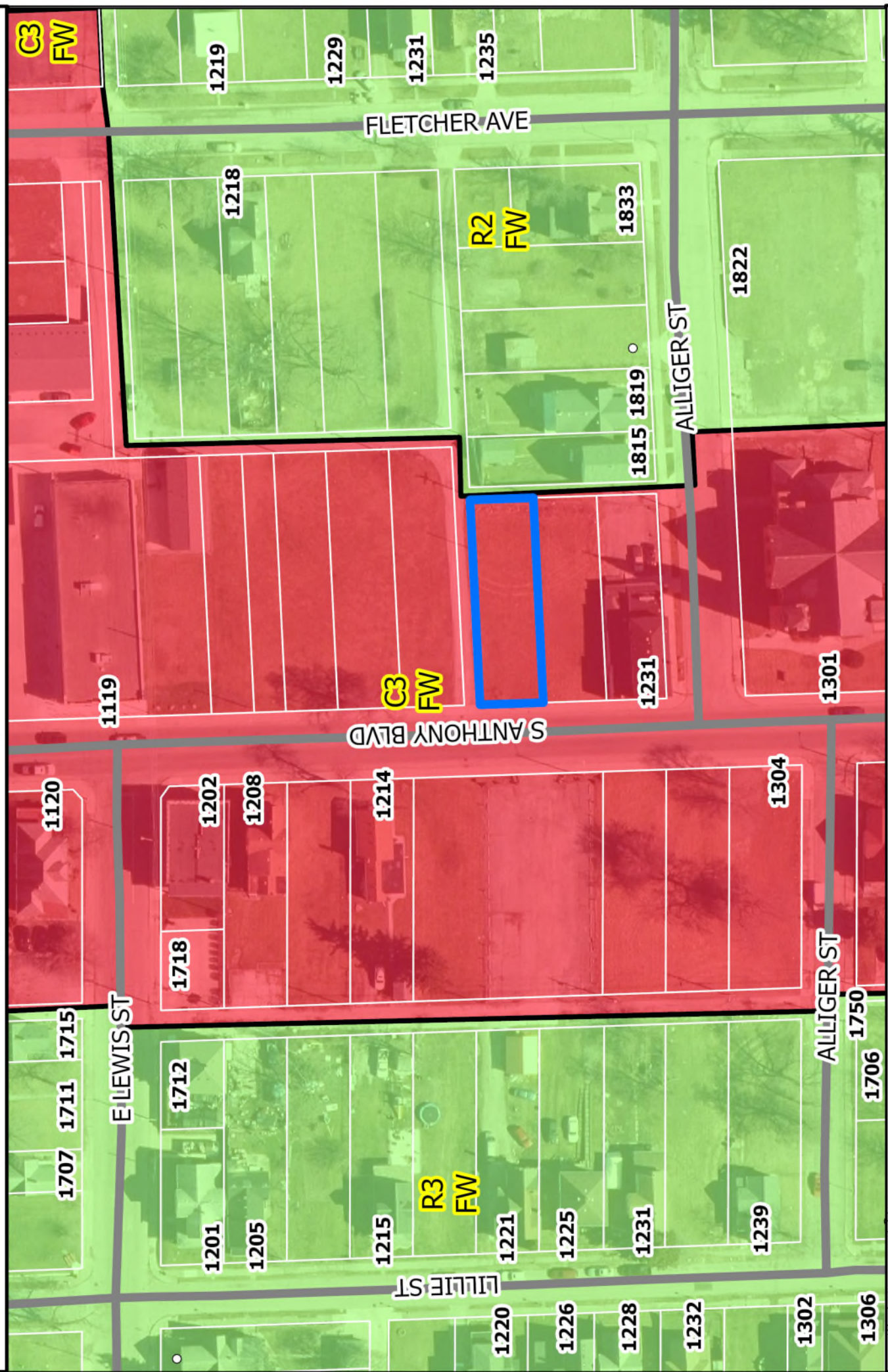
Rezoning Petition REZ-2026-0031 - 1223 S Anthony Blvd



Although iMap's 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: 7/13/2026

Rezoning Petition REZ-2026-0031 - 1223 S Anthony Blvd





Priority Investment Area



