

1 #REZ-2026-0041

2 BILL NO. Z-26-09-20

3
4 ZONING MAP ORDINANCE NO. Z-_____

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. P07 (Sec 18 of Adams Township)

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

8 SECTION 1. That the area described as follows is hereby designated a R1/Single Family
9 Residential zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11
12 LEGAL DESCRIPTION

13 Lot 46 E 31/2 Lot 47 Huestis & Taylor Sub Add

14 and the symbols of the City of Fort Wayne Zoning Map No. P07 (Sec 18 of Adams Township), as
15 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana, is hereby
16 changed accordingly.
17

18
19 SECTION 2. If a written commitment is a condition of the Plan Commission's
20 recommendation for the adoption of the rezoning, or if a written commitment is modified and
21 approved by the Common Council as part of the zone map amendment, that written commitment
22 is hereby approved and is hereby incorporated by reference.
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25 SECTION 3. That this Ordinance shall be in full force and effect from and after its passage
26 and approval by the Mayor.
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28
29 _____
30 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-2026-0041
Bill Number:	Z-26-09-20
Council District:	6 – Rohli Booker

Introduction Date:	September 22, 2026
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Plan Commission Public Hearing Date:	October 12, 2026 (not heard by Council)
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Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission
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Synopsis of Ordinance:	To rezone 0.19 acres from C2/Limited Commercial to R1/Single Family Residential
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Location:	2336 E Pontiac St (Sec 18 of Adams Township)
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Reason for Request:	To align zoning with current use
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Applicant:	Freeda Ahtway
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Property Owner:	Salay Har
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Related Petitions:	None
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Effect of Passage:	Property will be rezoned to the R1/Single Family Residential zoning district, which would align zoning with current use.
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Effect of Non-Passage:	Property will remain zoned C2/Limited Commercial, which would not align zoning with current use. The site may continue with existing or non- conforming uses, and may be redeveloped with similar limited commercial uses.
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Rezoning Petition REZ-2026-0041 - 2336 E. Pontiac Downzoning



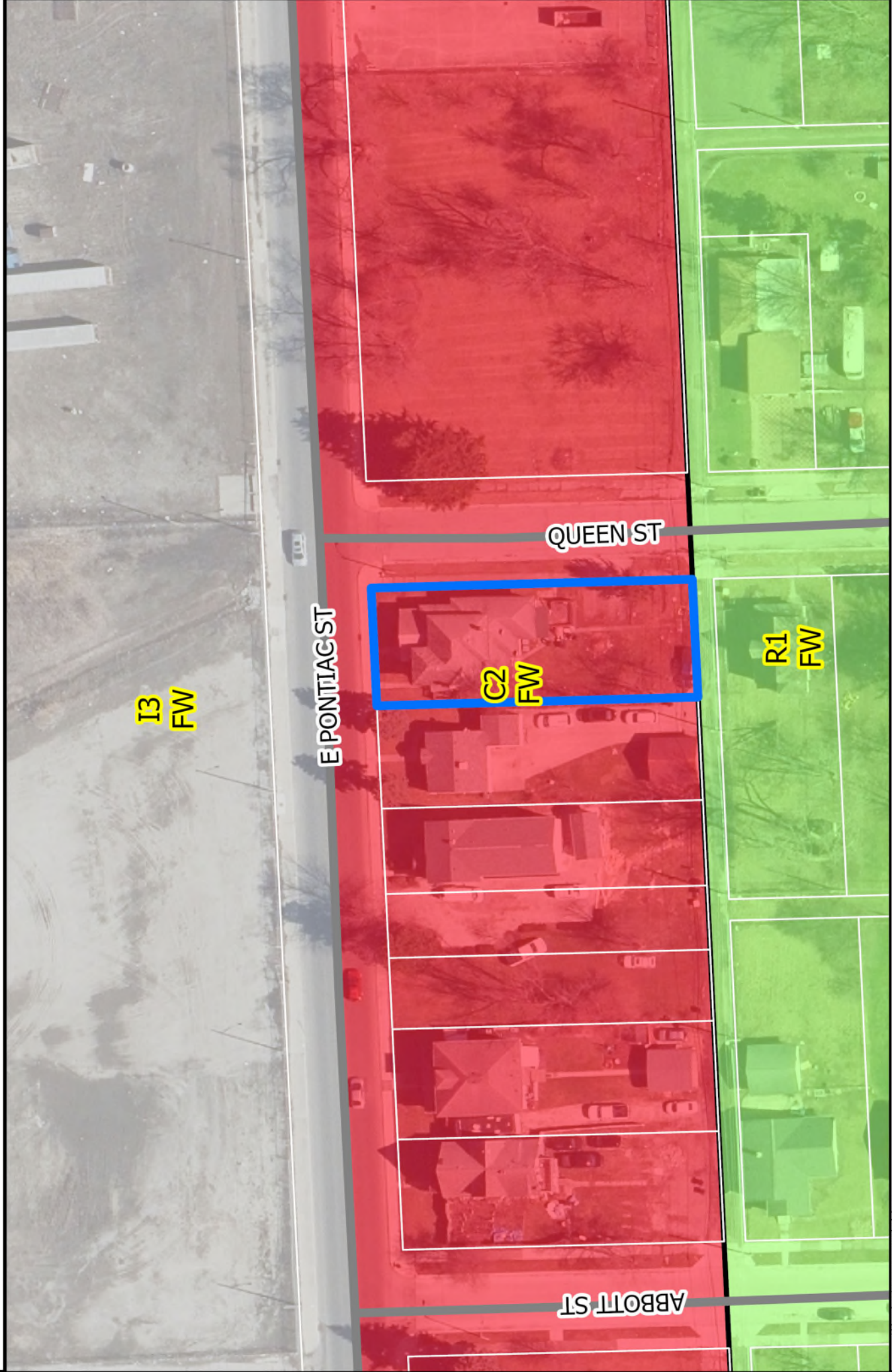
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

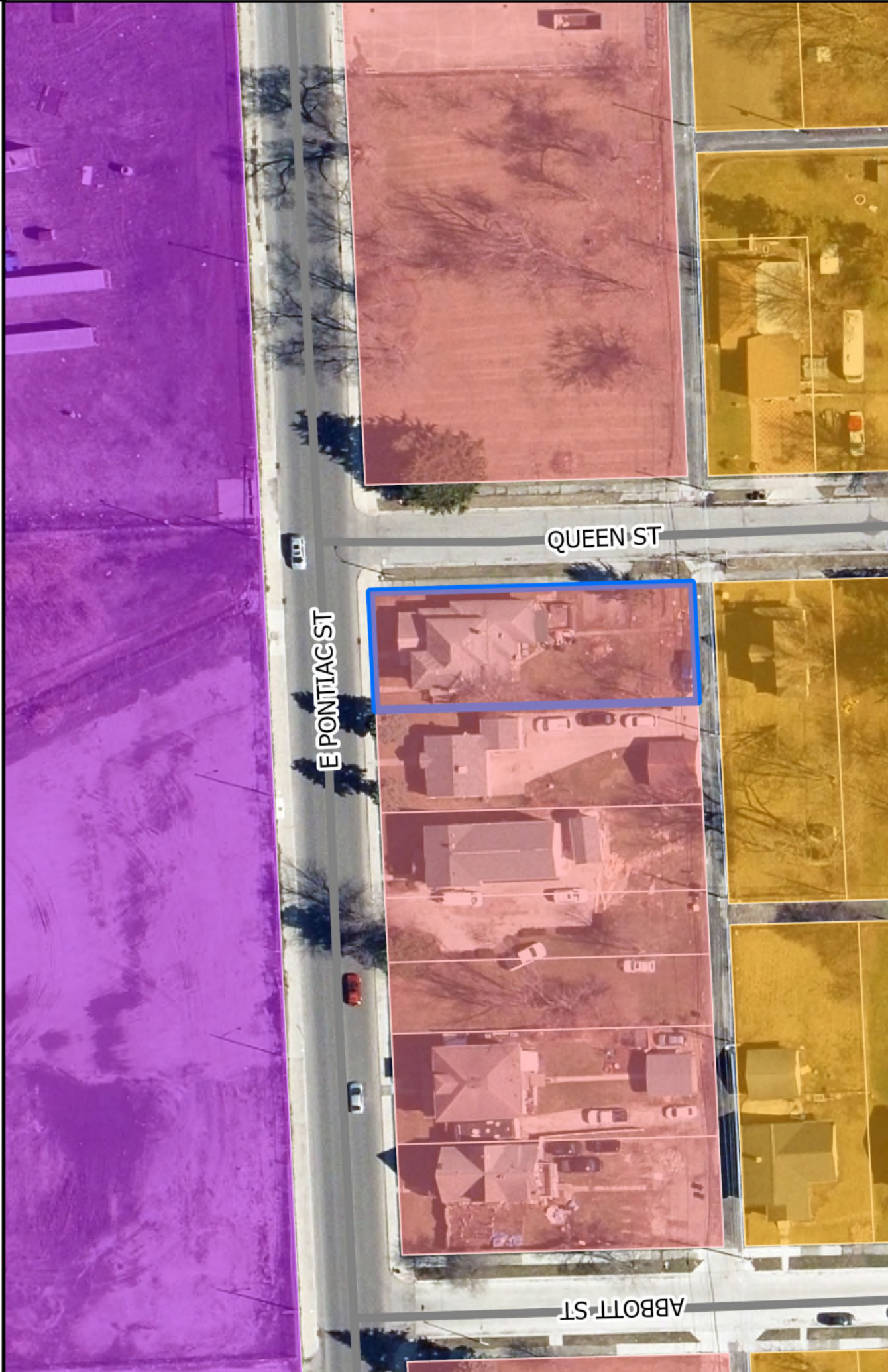
© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 9/8/2026

0 25 50 Feet

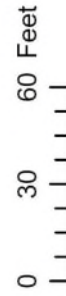


Rezoning Petition REZ-2026-0041 - 2336 E. Pontiac Downzoning



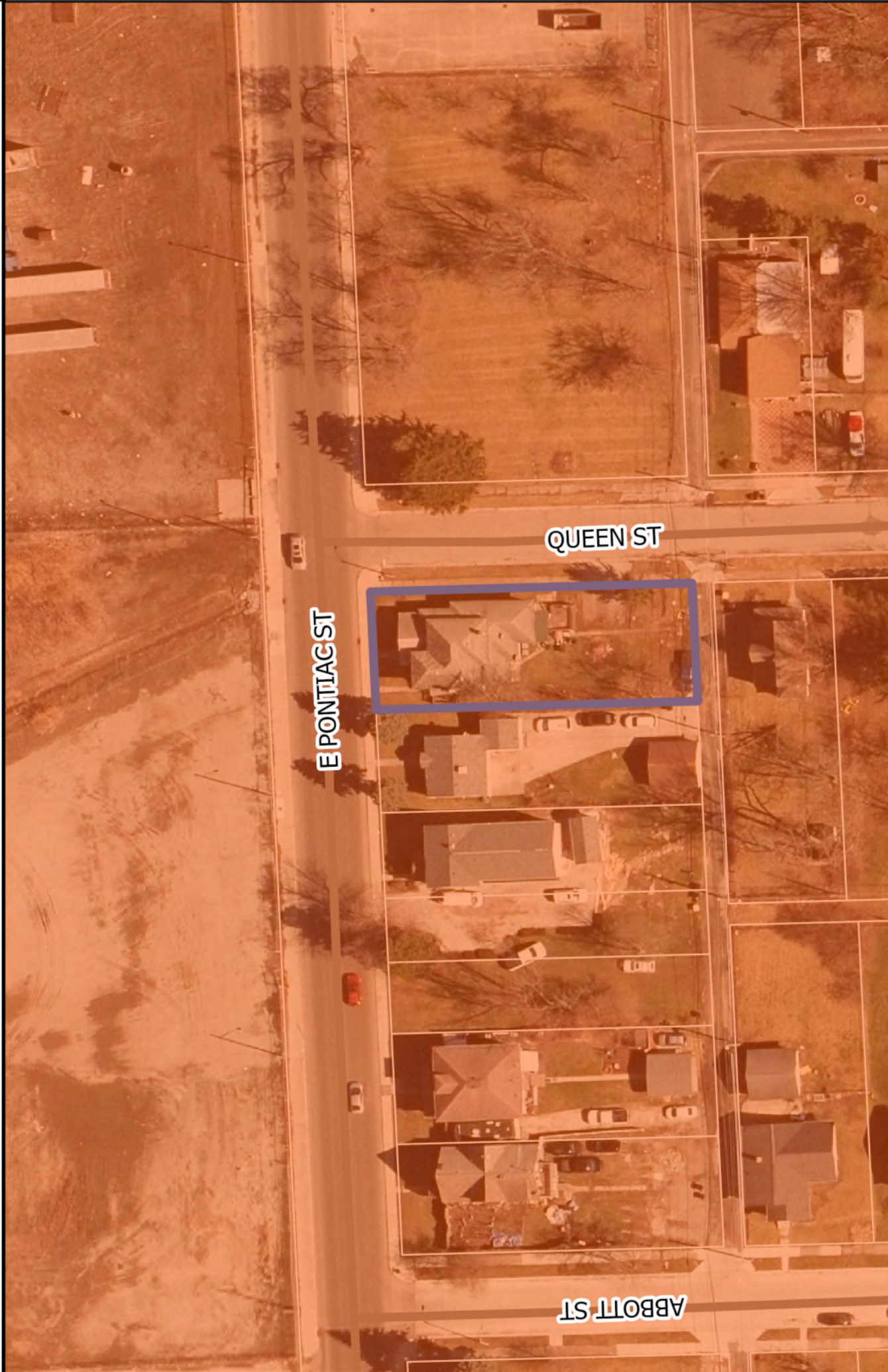


- Neighborhood Commercial
- Traditional Neighborhood
- Production Center



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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 9/8/2026



2026006890

RECORDED: 02/18/2026 12:17:33 PM

**Recorded as Presented
Allen County Indiana
Recorder Nicole Keesling**

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that **AY FAMILY LLC**, an Indiana limited liability company ("Grantor"), of Allen County, in the State of Indiana, *QUITCLAIMS* to **SALAY HAR**, being over the age of eighteen (18) years ("Grantee"), for no consideration, the following described real estate in Allen County, in the State of Indiana:

Lot Number 46 and the East 3-1/2 feet of Lot Number 47 in Huestis and Taylor's Addition to the City of Fort Wayne, according to the recorded Plat thereof in the Office of the Recorder of Allen County, Indiana.

*Property Address: 2336 East Pontiac Street, Fort Wayne, Indiana 46806
Parcel Number: 02-13-18-129-007.000-074*

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.

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a Member of the Grantor and has been fully empowered by proper resolution, or the terms of the Operating Agreement of the Grantor, to execute and deliver this deed; that the Grantor is a limited liability company in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full capacity to convey the real estate described; and that all necessary Company action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this date

02/13/2026

APPROVED

Feb 17 2026 MH

STACEY O'DAY
ALLEN COUNTY ASSESSOR

**DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER**

Feb 18 2026 NB

JACQUELYNN SCHEUMAN
ALLEN COUNTY AUDITOR

AY FAMILY LLC

By: *Are Yount*
Are Yount, Member
(Printed Name and Office)

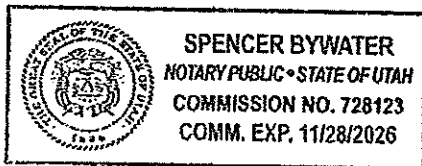
STATE OF Utah

§§:

COUNTY OF Salt Lake

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Are Yount, a Member of AY FAMILY LLC, who acknowledged the execution of the foregoing deed for and on behalf of said Grantor and who, having been duly sworn, stated that the representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 13th day of February, 2026.



Spencer Bywater
Notary Public
Printed: Spencer Bywater
County of Residence: Salt Lake
My Commission Expires: 11-28-2026

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: SAME

Mailing address of Grantee is: 1287 N Colonel Rd, Salt Lake City, UT 84116
Mailing address for tax statements
under I.C. 6-1.1-22-8.1 is: 1287 N Colonel Rd, Salt Lake City, UT 84116

Department of Planning Services Rezoning Petition Application

Applicant
Applicant Ahtway Freeda
Address 2816 Palisade Dr.
City Fort Wayne State IN Zip 46806
Telephone 260-740-4986 E-mail ahtwayfreeda@gmail.com

Property Ownership
Property Owner Salay Har
Address 1287 N Colonel Rd
City Salt Lake City State UT Zip 84116
Telephone 385-699-8044 E-mail salayhar8@gmail.com

Contact Person
Contact Person Ahtway Freeda
Address 2816 Palisade Dr
City Fort Wayne State IN Zip 46806
Telephone 260-740-4986 E-mail ahtwayfreeda@gmail.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 2336 E Pontiac St Township and Section _____
Present Zoning C2 Proposed Zoning R1 Acreage to be rezoned _____
Purpose of rezoning (attach additional page if necessary) Downzone to be align with current use.
Sewer provider Fort Wayne City Water provider Fort Wayne 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 (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

Ahtway Freeda *Ahtway Freeda* dotloop verified 08/06/26 12:51 PM EDT 80PL-SBUA-LXTY-AUEZ 08/06/2026
(printed name of applicant) (signature of applicant) (date)
Salay Har *Salay Har* dotloop verified 08/06/26 11:13 AM MDT NXMB-MCQ-74W-3RWR 08/06/2026
(printed name of property owner) (signature of property owner) (date)



Received <u>8/7/26</u>	Receipt No. <u>149866</u>	Hearing Date <u>10-12-26</u>	Petition No. <u>RE2-2026-0041</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;

To downzone the property to its current use. The same use as it has been since 1900

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

The property has 5 bedrooms, 3 full bathrooms, full unfinished basements.

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

The most desirable use is its current use, as a residential property

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

The current use as a residential property is it's best use

- (5) Responsible development and growth.

This re-zoning preserves the property present use, as a residential property

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*

