

#REZ-2026-0044

BILL NO. Z-26-09-23

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. Z30 (Sec 24 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 C3/General
Commercial zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

LEGAL DESCRIPTION

COMMENCING AT THE SW CORNER OF THE SE QUARTER, OF THE SW QUARTER
OF SECTION 24, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY INDIANA,
BEING A 1" REBAR (FOUND) IN A MONUMENT BOX 2" BELOW GRADE, ALSO
BEING LOCATED IN THE INTERSECTION OF MAYSVILLE ROAD AND STELLHORN
ROAD
(PUBLIC R/W, WIDTH VARIES), THENCE WITH THE SOUTH LINE OF THE SE
QUARTER, OF THE SW QUARTER, OF SECTION 24-31-13 AND STELLHORN ROAD
N85° 14' 19" E 102.48' TO A PK NAIL AND DISK (FOUND) ID GOULOFF-JORDAN
LEVEL TO SURFACE, THENCE LEAVING SAID SECTION LINE N 4° 46' 48" W 25.01'
TO A 5/8" IRON PIN (FOUND) ID 29500017 LEVEL TO GRADE IN THE NORTH R/W
LINE OF STELLHORN ROAD AND THE EAST R/W LINE OF MAYSVILLE ROAD,
BEING THE SOUTH WEST CORNER OF 9817 STELLHORN ROAD LLC PROPERTY
RECORDED IN DOC. 2025049811, THENCE WITH THE EAST R/W LINE OF
MAYSVILLE
ROAD AND THE WEST LINE OF 9817 STELLHORN ROAD LLC AS FOLLOWS: N 48°
47' 00" W 55.68' TO A 5/8" IRON PIN (FOUND) ID 2500017 LEVEL TO SURFACE,
THENCE N 2° 47' 08" W 81.94' TO A 5/8" IRON PIN (FOUND) ID 2500017 LEVEL TO
SURFACE, BEING THE SW CORNER OF THE RANDALL G. BRUICK AND
WENDY R. BRUICK PROPERTY RECORDED IN (DOC. 86-008833), AND THE NW
CORNER OF THE 9817 STELLHORN ROAD LLC PROPERTY RECORDED IN DOC.
2025049811,
THENCE CONTINUING WITH THE EAST LINE OF MAYSVILLE ROAD AND THE
WEST LINE OF THE BRUICK PROPERTY AS FOLLOWS: N 2° 20' 23" W 152.35' TO
A 5/8" IRON PIN (FOUND) ID 29500017 LEVEL TO GRADE, THENCE LEAVING THE
EAST LINE OF MAYSVILLE ROAD WITH THE NORTH LINE OF THE BRUICK
PROPERTY
AND THE SOUTH OF WHITE-EXNER ENTERPRISES LLC(DOC 203056579), N 85° 13'
20" E 511.02' TO A 5/8" IRON PIN (FOUND) ID 29500017 LEVEL TO GRADE,
BEING THE SOUTHEAST CORNER OF WHITE-EXNER ENTERPRISES LLC
PROPERTY AND THE WEST LINE OF Lm&A ENTERPRISES LLC/ GRIMMER
FAMILY PROPERTY RECORDED

1 IN DOC. 980010865 ,THENCE WITH THE WEST LINE OF THE Lm&A ENTERPRISES
2 LLC/ GRIMMER FAMILY PROPERTY AND TERRY A. HINES AND MARTIAL L.
3 HINES
4 PROPERTY RECORDED IN DOC. 93-009238 AS FOLLOWS: S 2° 53' 40" E 152.34' TO A
5 5/8" IRON PIN (FOUND) ID 29500017 LEVEL TO GRADE, BEING THE
6 SE CORNER OF THE RANDALL G. AND WENDY R. BRUICK PROPERTY ALSO IN
7 THE WEST LINE OF THE HINES PROPERTY. THENCE CONTINUING WITH THE
8 WEST LINE
9 OF THE HINES PROPERTY S 2° 28' 23" E 122.14' TO A 5/8" IRON PIN (FOUND) ID
10 FIRM 0025 2" BELOW GRADE, BEING THE SW CORNER OF THE HINES PROPERTY
11 IN THE NORTH R/W LINE OF STELLHORN ROAD, ALSO BEING THE SOUTHEAST
12 CORNER OF 9855 STELLHORN ROAD, TRISTON E. AND DAWN M. BOYLES
13 PROPERTY RECORDED
14 IN DOC 2023010371 THENCE WITH THE NORTH R/W LINE OF STELLHORN ROAD AS
15 FOLLOWS: S 85° 13' 08" W 260.35' TO A 5/8" IRON PIN (FOUND) ID 2950017 LEVEL
16 TO GRADE BEING THE SOUTHEAST CORNER OF 9817 STELLHORN ROAD LLC
17 PROPERTY AND THE SOUTHWEST CORNER OF THE BOYLES PROPERTY, THENCE
18 S 85° 16' 00" W
19 211.40' TO THE POINT OF BEGINNING CONTAINING 3.205 ACRES ±

20 and the symbols of the City of Fort Wayne Zoning Map No. Z30 (Sec 24 of Saint Joseph Township),
21 as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana, is
22 hereby changed accordingly.

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

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

29 _____
30 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-2026-0044
Bill Number: Z-26-09-23
Council District: 1 – Paul Ensley

Introduction Date: September 22, 2026

Plan Commission
Public Hearing Date: October 12, 2026 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 3.20 acres from R1/Single Family Residential to
C3/General Commercial

Location: 9817 Stellhorn Rd (Sec 24 of Saint Joseph Township)

Reason for Request: To permit a gas station and convenience store

Applicant: Brightwork Real Estate LLC

Property Owner: 9817 Stellhorn Road LLC, Tristan Boyes, Dawn Boyes, Randal Bruick

Related Petitions: Primary Development Plan PDP-2026-0022 – Gas Station/C-Store

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district,
which would permit for a gas station and convenience store.

Effect of Non-Passage: Property will remain zoned R1/Single Family Residential, which would not
permit a gas station and convenience store. The site may continue with
existing or non-conforming uses, and may be redeveloped with similar Single
Family Residential uses.

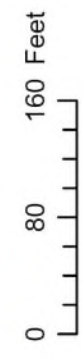


Rezoning Petition REZ-2026-0044 and Primary Development Plan PDP-2026-0022 - Gas Station/C-Store



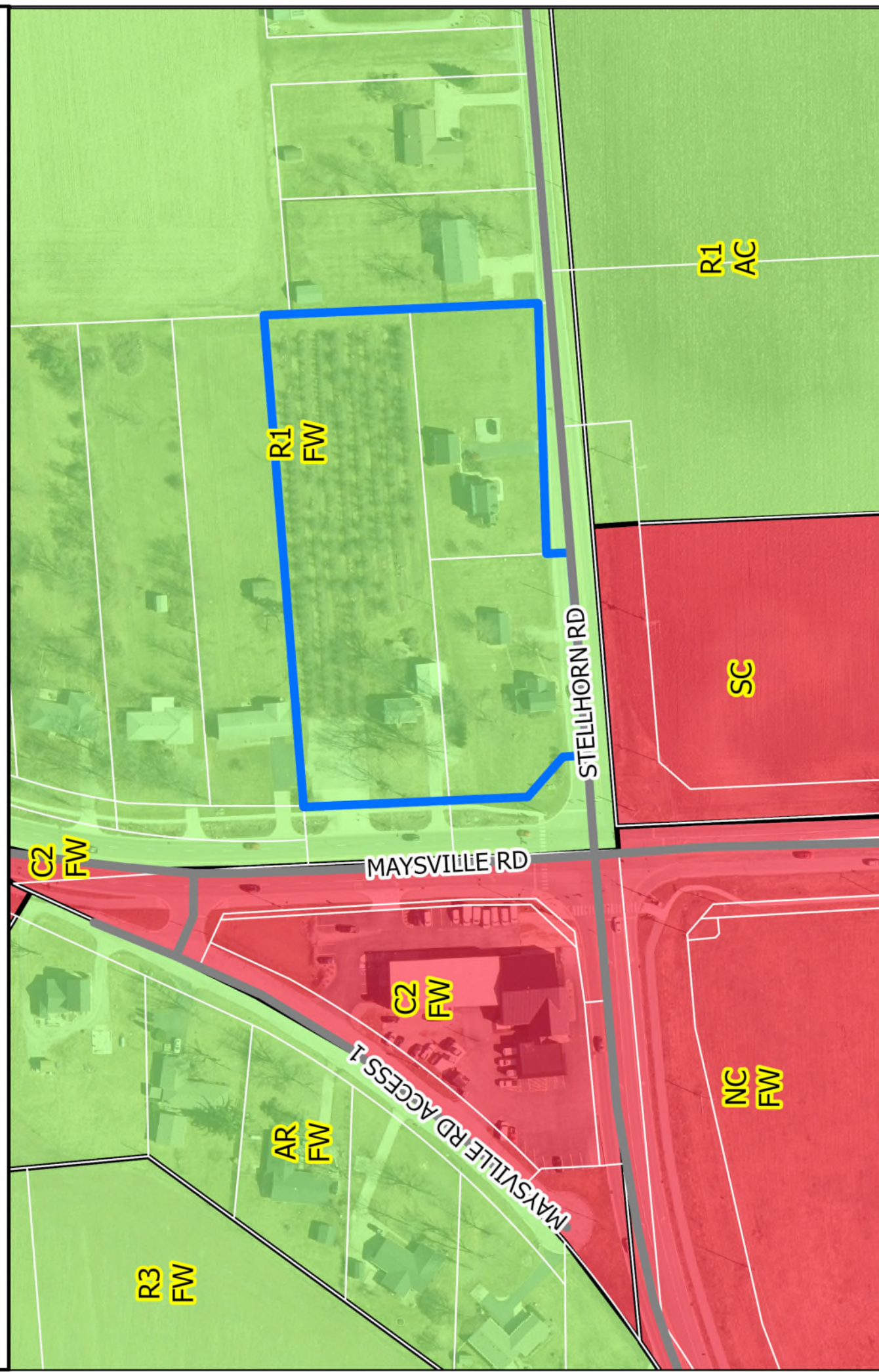
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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





Rezonning Petition REZ-2026-0044 and Primary Development Plan PDP-2026-0022 - Gas Station/C-Store

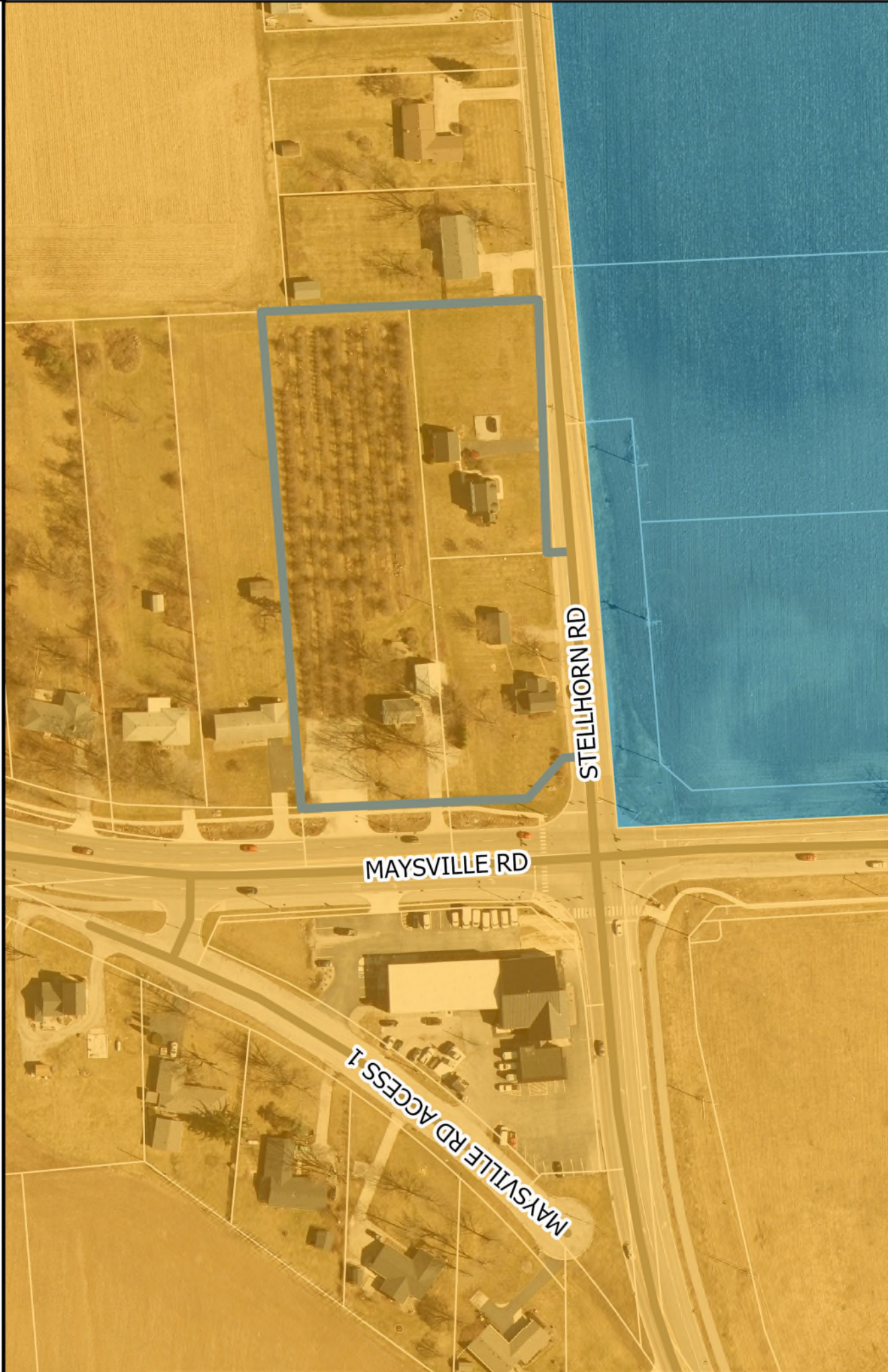


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

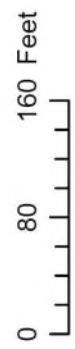
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/8/2026



Rezonning Petition REZ-2026-0044 and Primary Development Plan PDP-2026-0022 - Gas Station/C-Store



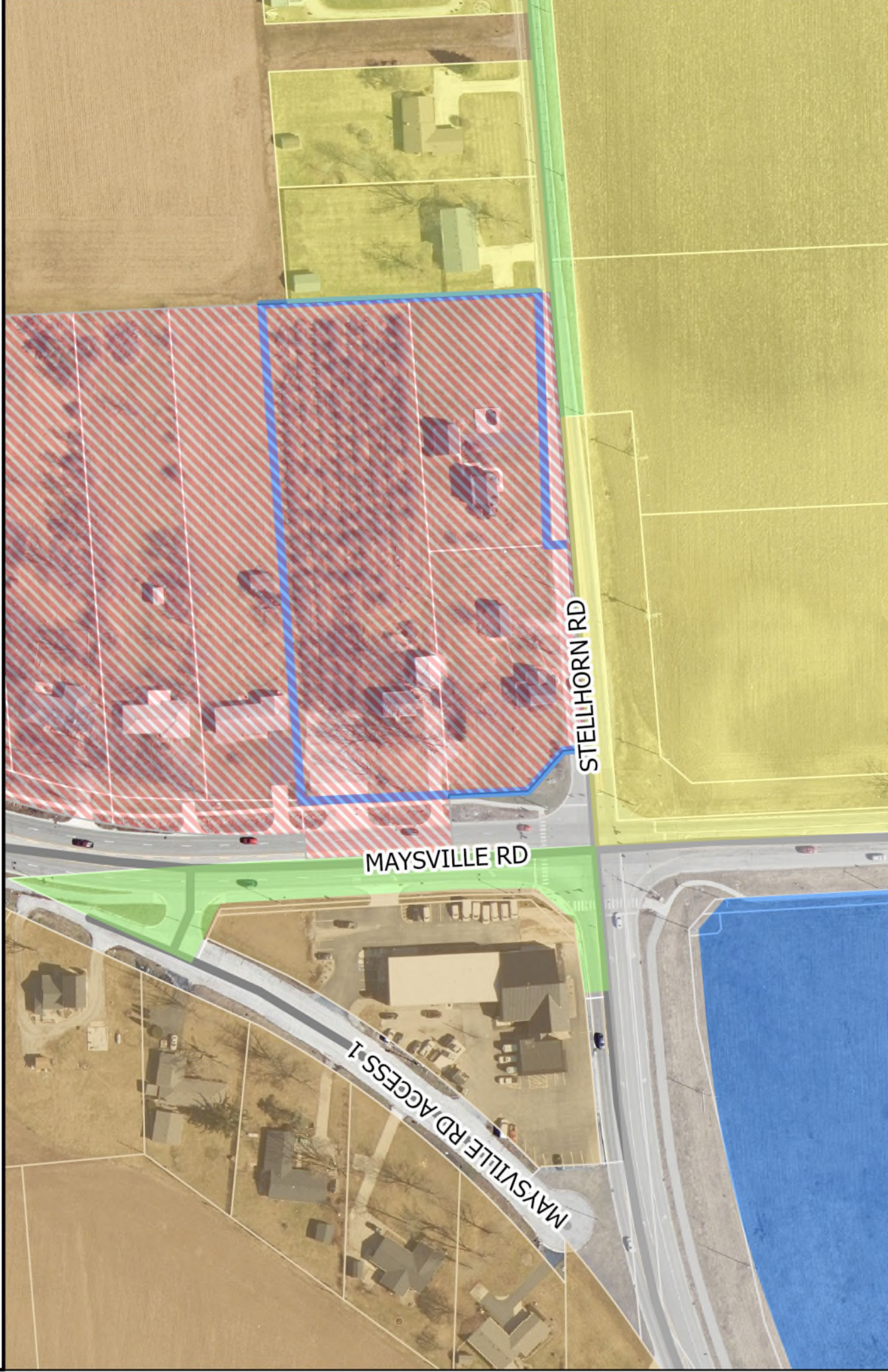
Targeted Growth Area
Urban Infill Area



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



Rezonning Petition REZ-2026-0044 and Primary Development Plan PDP-2026-0022 - Gas Station/C-Store



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

Suburban Neighborhood
<all other values>

Mixed Suburban
Commercial Corridor
Rural Agricultural

Business and Office
Park
Mixed Residential

0 80 160 Feet

N



18703 CHAVILLE ROAD
LUTZ, FL 33558
Phone: (813) 690-3759
BUSINESS CERT. OF AUTH.
No. 37992



Z

[illegible]

OBJECT No.:	2026013
AWN BY:	JGL
CHECKED BY:	JGL
DATE:	08/29/2026
SCALE:	AS SHOWN

PERMIT SET

PROJECT:

C-STORE

—FOR—
BRIGHTW

LOCATION OF SITE
9720 MAYSVILLE ROAD
FT. WAYNE, IN 46815

brightwork
real estate

SHEET TITLE F.

SITE LAYOUT PLAN

SHEET NUMBER:

3.

LEGEND	
TYPICAL NOTE TEXT	NOTE
ONSITE PROPERTY LINE / ROW LINE	
PROPOSED LANDSCAPE BUFFER	
PROPOSED BUILDING SET BACK	
CANOPY OUTLINE	
PROP. PARKING COUNT	5
PROP. SIGN	
PROP. DETECTABLE WARNING SURFACE	
PROP. BUILDING COVERAGE	
PROP. BUILDING OUTLINE	
PROPOSED 4" CONCRETE SIDEWALK	
PROPOSED ASPHALT PAVEMENT	
PROPOSED 6" STANDARD CONCRETE PAVING	
PROPOSED 8" HEAVY DUTY CONCRETE PAVING	
PROPOSED DIRECTIONAL ARROW	
PROPOSED LIGHT POLE LOCATION	

SITE DATA TABLE	
SITE ADDRESS	MAYSVILLE RD & STELLHORN RD, FORT WAYNE IN
JURISDICTION	CITY OF FORT WAYNE
SITE AREA	+/- 3.20 AC
BUILDING	+/- 6400 SF
CANOPY TYPE	STRAIGHT 6
CURRENT ZONING	R1
PROPOSED ZONING	C-3 (RESTRICTED TO C-2 USES WITH FUEL)
OVERLAY DISTRICT	NO
ALLOWED USE	YES - CONVENIENCE STORE WITH FUEL
SUP OR CUP	NO
FRONT SETBACK (ROW)	35'
SIDE SETBACK	40' ADJ RES
REAR SETBACK	40' ADJ RES
FLOOR AREA RATIO	N/A
TOTAL PARKING	55 SPACES

SITE NOTES:

1. ALL DIMENSIONS SHOWN ARE SHOWN AT FACE OF CURB, UNLESS OTHERWISE NOTED. BIC INDICATES DIMENSION IS TO BACK OF CURB.
2. ALL RADI DIMENSIONS ARE 3' TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE IN ACCORDANCE WITH THE "CITY OF FAYETTE, ENGINEERING DRAWINGS," LATEST EDITION, AND CITY LAND DEVELOPMENT CODE.
4. THE PROPERTY SHOWN HEREON APPEARS TO BE IN FLOOD ZONE "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 18002A1955, WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, IN THE CITY OF FAYETTE, STATE OF INDIANA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
5. FREE STANDING SIGNAGE SHOWN ONLY FOR REPRESENTATIONAL PURPOSES, AND SHALL BE PERMITTED SEPARATELY.
6. A RIGHT OF WAY PERMIT WILL BE REQUIRED FOR ALL WORK WITHIN THE PUBLIC RIGHT OF WAY. SPECIFIC STIPULATIONS OR CONDITIONS WILL BE IMPOSED AT THE TIME OF PERMIT APPLICATION.
7. CONSTRUCTION PLAN APPROVAL DOES NOT EXEMPT THE CONTRACTOR FROM OBTAINING THE REQUIRED BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL PERMITS. THESE INCLUDE BUT ARE NOT LIMITED TO ANY STRUCTURE, SIGN, WALL, ENCLOSURE OR SCREENING, ETC.
8. ANY DAMAGED SIDEWALK OR CURB WITHIN THE MAYSVILLE STREET R.O.W. SHALL BE REMOVED AND REPLACED.
9. ALL DISTURBED AREAS WITHIN THE MAYSVILLE AND STELLHORN ROAD R.O.W. WILL BE SODDED.
10. UNLESS OTHERWISE NOTED, TRUNCATED DOMES SHALL BE RED IN COLOR.
11. SITE LIGHTING TO MEET CITY OF FAYETTE STANDARDS. MAX MOUNTING HEIGHT OF 25' ADJACENT TO RESIDENTIAL AREAS.

ADA ACCESSIBILITY NOTES:

1. ALL HANDICAPPED PARKING SPACES AND ACCESS AISLES ADJACENT TO THE HANDICAP PARKING SPACES SHALL HAVE A MAXIMUM OF 2% SLOPE.
2. AN ACCESSIBLE ROUTE FROM THE PUBLIC STREET OR SIDEWALK TO ALL BUILDING ENTRANCES MUST BE PROVIDED. THIS ACCESSIBLE ROUTE SHALL BE A MINIMUM OF 60" WIDE. THE RUNNING SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%.
3. SLOPES EXCEEDING 5% BUT LESS THAN 8% WILL REQUIRE A RAMP AND MUST CONFORM TO THE REQUIREMENTS FOR RAMP DESIGN (HANDRAILS, CURBS, LANDINGS). NO RAMP SHALL EXCEED AN 8% RUNNING SLOPE OR 2% CROSS SLOPE.
4. IN THE CASE THAT A NEW SIDEWALK WILL BE CONSTRUCTED IN THE RW OF A SITE THE RUNNING SLOPE OF THE SIDEWALK SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%. IN THE CASE THAT AN EXISTING SIDEWALK WILL BE REPAIRED OR REPLACED, THE RUNNING SLOPE OF THE SIDEWALK SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%.
5. IT WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO ENSURE THAT THE HANDICAP PARKING SPACES, ACCESSIBLE ROUTES, AND SIDEWALKS/CROSSWALKS ARE CONSTRUCTED TO MEET ADA REQUIREMENTS.
6. ANY REQUIREMENTS LISTED ABOVE THAT CAN NOT BE MET SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION IMMEDIATELY. ANYTHING NOT LISTED ABOVE THAT THE ENGINEER BELIEVES IS NECESSARY FOR THE PROJECT SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION IMMEDIATELY. THE ABOVE STANDARDS WILL REQUIRE REMOVAL AND REPLACEMENT OF THE NON COMPLIANT AREAS AT THE GENERAL CONTRACTOR'S COST.

SITE LEGAL DESCRIPTION:

ACONSOLIDATED LEGAL DESCRIPTION FOR ZONING PURPOSES ONLY

COMMENCING AT THE SW CORNER OF THE SW QUARTER OF SECTION 24, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY INDIANA, BEING A 1/4 REBAR (FOUND IN A MONUMENT BOX) 2' BELOW GRADE, THENCE LEAVING THE EAST LINE OF MATSYLLINE ROAD AND STELLHORN ROAD (PUBLIC RW) 1/2" 102.48", VAPN, KALK, AND DISK (FOUND) ID GOULOFF-JORDAN LEVEL TO SURFACE, THENCE LEAVING SAID SECTION LINE 4' 48" W 25.01" (N85° 11' 19" E 102.48" TO A PINE), THENCE WITH THE SOUTH LINE OF THE SW QUARTER, OF SECTION 24.31-13 AND STELLHORN ROAD (PUBLIC RW) 1/2" 102.48", VAPN, KALK, AND DISK (FOUND) ID GOULOFF-JORDAN LEVEL TO SURFACE, THENCE LEAVING SAID SECTION LINE 4' 48" W 25.01" TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL TO GRADE IN THE NORTH RW LINE OF STELLHORN ROAD AND THE EAST RW LINE OF MATSYLLINE ROAD, BEING THE SOUTH WEST CORNER OF 8617 STELLHORN ROAD LLC PROPERTY RECORDED IN DOC. 2025048811, THENCE WITH THE EAST RW LINE OF MATSYLLINE ROAD AND THE WEST LINE OF 8617 STELLHORN ROAD LLC AS FOLLOWS N 47° 09' W 55.68' TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL TO SURFACE, THENCE N 47° 09' W 55.68' TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL, BEING THE SW CORNER OF THE RANDALL K. BRUCK AND WENDY R. BRUCK PROPERTY RECORDED IN DOC. 84-008653, AND THE NW CORNER OF THE 8617 STELLHORN ROAD LLC PROPERTY RECORDED IN DOC. 2025048811, THENCE CONTINUING WITH THE EAST LINE OF MATSYLLINE ROAD AND THE WEST LINE OF THE BRUCK PROPERTY AS FOLLOWS N 2° 20' 25" W 152.35' TO A 3/8" IRON PIN (FOUND) ID 25600717 LEVEL TO GRADE, THENCE LEAVING THE EAST LINE OF MATSYLLINE ROAD WITH THE NORTH LINE OF THE BRUCK PROPERTY AND THE SOUTH OF WHITEHEARN ENTERPRISES LLC DOC. 200595789, N 85° 13' 20" E 51.12' TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL TO GRADE, BEING THE SOUTHEAST CORNER OF WHITEHEARN ENTERPRISES LLC AND THE WEST LINE OF LUMA ENTERPRISES LLC GRIMMER FAMILY PROPERTY RECORDED IN DOC. 980010805, THENCE WITH THE WEST LINE OF THE LUMA ENTERPRISES LLC GRIMMER FAMILY PROPERTY AND TERRY A. HINES AND MARTIAL L. HINES PROPERTY RECORDED IN DOC. 93-009238 AS FOLLOWS S 2° 53' 40' E 123.34' TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL TO GRADE, BEING THE SE CORNER OF THE RANDALL K. AND WENDY R. BRUCK PROPERTY ALSO IN THE WEST 0225' 2' BELOW GRADE, BEING THE SW CORNER OF THE WEST LINE OF THE HINES PROPERTY S 2° 28' 21" E 123.14' TO A 5/8" IRON PIN (FOUND) ID FIRM, BEING THE SW CORNER OF THE HINES PROPERTY RECORDED IN THE NORTH RW LINE OF STELLHORN ROAD, ALSO BEING THE SOUTHEAST CORNER OF 8655 STELLHORN ROAD, TRISTONE A. DAWN M. BOYLES PROPERTY RECORDED IN DOC. 2023010327, THENCE WITH THE NORTH RW LINE OF STELLHORN ROAD AS FOLLOWS S 85° 13' 08" W 380.35' TO A 5/8" IRON PIN (FOUND) ID 25600717 LEVEL TO GRADE BEING THE SOUTHEAST CORNER OF 8617 STELLHORN ROAD LLC PROPERTY AND THE SOUTHWEST CORNER OF THE BOYLES PROPERTY, THENCE S 85° 16' 00" W 21' 40" TO THE POINT OF BEGINNING CONTAINING 3.205 ACRES. 3

THIS PROPERTY BEING DESCRIBED IS RECORDED IN ALLEN COUNTY INDIANA PER RECORD DOCUMENTS:

TRISTAN E. BOYLES & DAWN M. BOYLES DOC. 2023010371
RANDALL G. BRUICK & WENDY R. BRUICK DOC 86-008833
9817 STELLHORN ROAD LLC DOC. 2025049811

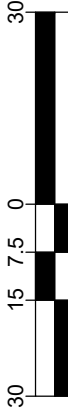
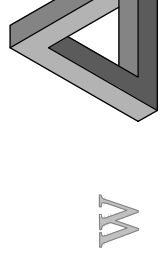


**18703 CHAVILLE ROAD
LUTZ, FL 33558
Phone: (813) 690-3759
BUSINESS CERT. OF AUTH.
No. 37992**



It's fast. It's free. It's the law.

Z

[illegible]

PROJECT No.: 2026013
DRAWN BY: JGL
CHECKED BY: JGL
DATE: 08/29/2026
SCALE: AS SHOWN

PERMIT SET

C-STORE

— FOR —
BRIGHTWORK

LOCATION OF SITE
9720 MAYSVILLE ROAD
FT. WAYNE, IN 46815

brightwork
real estate

SHEET TITLE:

LANDSCAPE
PLAN

SHEET NUMBER:

9.

GENERAL LANDSCAPE NOTES

- [illegible]

GENERAL IRRIGATION NOTES:

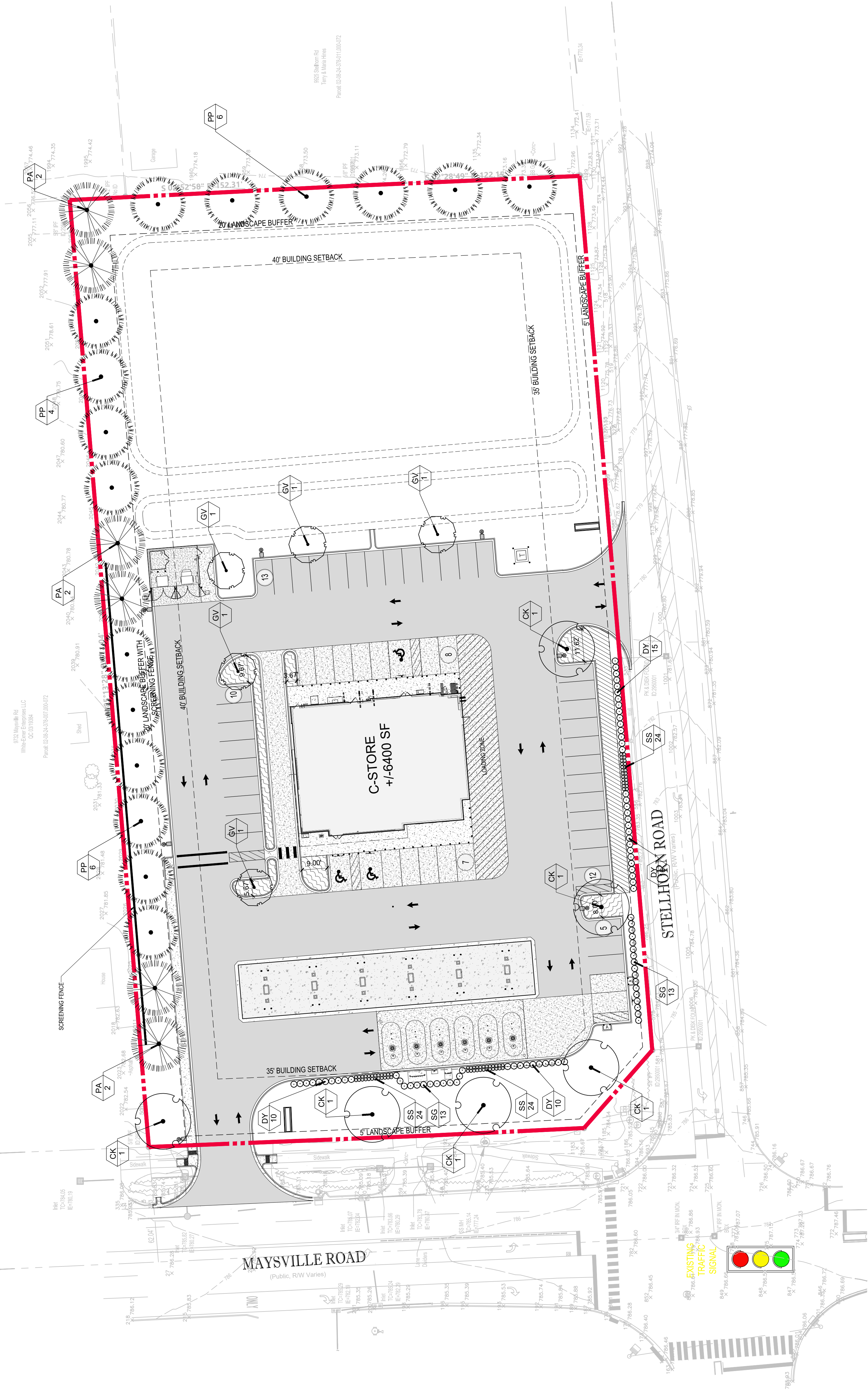
- [illegible]

GENERAL INSTALLATION NOTES

1. INSPECTION SHALL BE COMPLETE AT THE TIME OF PLANT INSPECTION EXCEPT AS PROVIDED OTHERWISE.
2. PLANTS SHALL BE MAINTAINED IN SUCH A MANNER AS TO PRESERVE THE NATURAL SHAPE AND GROWTH CHARACTERISTICS OF THE SPECIES.
3. REQUIRED PLANT MATERIALS (CUTTINGS) ARE REMOVED AND SHALL BE REPLACED WITHIN FIFTY (50) DAYS.
4. UNDERSTORY GROWTH AND THE NATURAL FUNCTION OF THE AREA SHALL BE MAINTAINED.
5. INSTALLATION SHALL BE IN A SOUND, PROFESSIONAL MANNER.
6. REQUIRED LANDSCAPING SHALL BE MAINTAINED AND PRUNED IN A MANNER THAT PRESERVES THE NATURAL SHAPE AND GROWTH CHARACTERISTICS OF THE SPECIES. PRUNING THAT "HATTRACKS" OR "LOLLIPOPS" CANOPY TREES IS PROHIBITED WITHOUT PRIOR APPROVAL OF THE PLANNING DIRECTOR OR BOARD OF COUNTY COMMISSIONERS.

STANDARD ABBREVIATIONS:

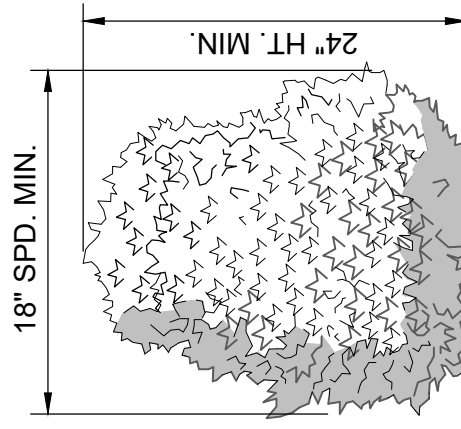
- | | |
|-----|--|
| BB | SPACE AS SHOWN ON PLAN |
| BMB | BALLED AND BURLAPPED |
| CA | 6" ABOVE GROUND FOR TREES UP TO 4" IN CALIPER, 12" ABOVE GROUND FOR TREES GREATER THAN 4" IN CALIPER |
| CLR | CRITICAL PROTECTION ZONE |
| CPZ | CLEARANCE |
| DBH | DIAMETER AT BREAST HEIGHT (TYPICALLY 4.5' ABOVE GROUND) |
| DW | DECIDUOUS WOOD |
| FW | FOLIAGE WOOD |
| FT | GALLONS OF CONTAINER SIZE |
| FL | OVERALL TREE HEIGHT |
| HF | HYDROLOGIC DRAINAGE CODE |
| LSP | LANDSCAPE PLAN |
| MM | MINIMUM |
| MA | NOT APPLICABLE |
| NC | SPACE ON CENTER (CENTER TO CENTER) |
| NA | REQUIRED |
| NO | SQUARE FEET |
| RD | REDO |
| SP | SPREAD |
| SPD | CROWN SPREAD DIAMETER |
| ST | SHADE TREE |
| TP | UNDERSTORY TREE |
| UT | VEHICULAR USE AREA |
| VUA | |



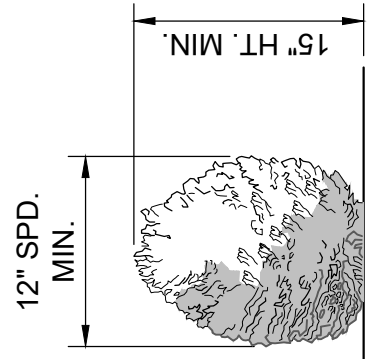
PLANT SCHEDULE

PLANT_SCHEDULE				SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
TREES									
	OK	6	QUADRANTIS KENTUCKA	AMERICAN YELLOWWOOD		2' CAL	BAB		
	PA	6	PICEA ABIES	SERBIAN SPRUCE		7' HGT.	BAB		
	PP	16	PICEA PUNGENS	COLORADO BLUE SPRUCE		7' HGT.	BAB		
	QV	5	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA		2' CAL	BAB		
		33	SUBTOTAL						
SHRUBS									
	SS	90	PANICUM V. 'SHEMADOAH'	SHEMADOAH SWITCHGRASS		CLUMP	NO. 2 CONT.		
	DY	51	TAUNUS DENSIFORMIS	DENSE YEW		24" SPR.	BAB		
	SG	26	JUNIPERUS CH. 'SEA GREEN'	SEA GREEN JUNIPER		24" SPR.	BAB		
		167	SUBTOTAL						
GROUND COVERS									
	HC	125	HYPERICUM CALYCLINUM	CREEPING ST. JOHN'S WORT		1 CAL	POT		
		125	SUBTOTAL						

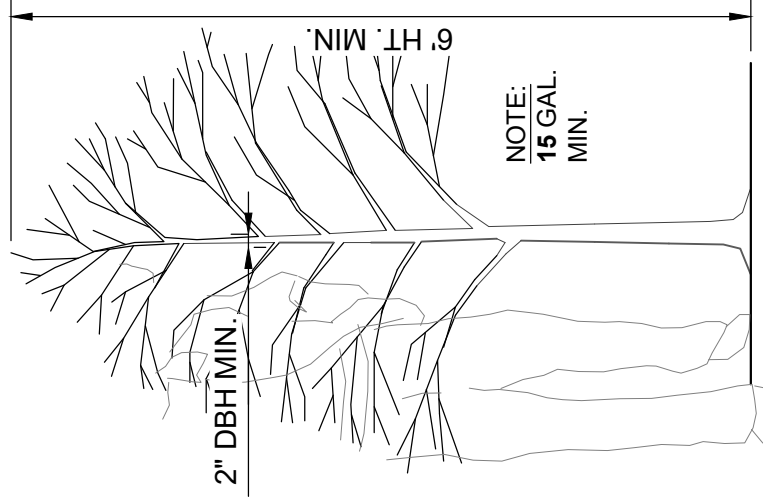
* NOTE: TREES AND SHRUBS MUST MEET MINIMUM SIZING SPECIFICATIONS AT TIME OF PLANTING. SINCE DIFFERENT SPECIES GROW AT DIFFERENT RATES, THE CONTRACTOR MUST ENSURE THAT PLANTS MEET THESE REQUIREMENTS EVEN IF UPSIZING OF PLANTS IS REQUIRED.



**TYPICAL BUFFER
SHRUB MINIMUM SIZE
AT TIME OF PLANTING**



**TYPICAL SHRUB
MINIMUM SIZE AT
TIME OF PLANTING**



**TYPICAL TREE
MINIMUM SIZE AT
TIME OF PLANTING**

NOTE: THE OWNER OR TENANT SHALL PROVIDE ADEQUATE SOIL, WATER, OR OTHER PLANT NEEDS TO SUSTAIN HEALTHY GROWTH AND MATURITY OF PLANT SPECIES. DISEASE OR INSECT INFESTATION SHALL BE MONITORED AND TREATED BY THE TENANTS OR OWNER. DEAD OR DISEASED LANDSCAPE PLANTINGS SHALL BE REMOVED AND REPLACED BY THE TENANT OR PROPERTY OWNER.

Always call 811 two full business days before you dig to have underground utilities located and marked.

Department of Planning Services **Rezoning Petition Application**

Applicant
 Applicant Brightwork Real Estate, LLC
 Address 3708 W. Swann Ave., Suite 200
 City Tampa State FL Zip 33609
 Telephone 260.316.4302 E-mail rcarlson@brightworkre.com

Property Ownership
 Property Owner See attached Exhibit "A"
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

Contact Person
 Contact Person Scott M. Federoff, Federoff Law LLC
 Address 14033 Illinois Road
 City Fort Wayne State IN Zip 46814
 Telephone 260-602-8000 E-mail smf@federoff-law.net

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 9817 Stellhorn Road, Ft. Wayne, IN 46815 Township and Section St. Joseph/24
 Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned 3.20
 Purpose of rezoning (attach additional page if necessary) To allow the development and construction of a gas station and convenience store.
 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 (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

Brightwork Real Estate, by Ronnie Carlson, Partner
 (printed name of applicant)

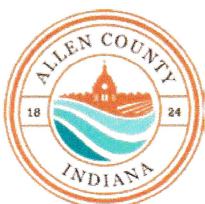
Signed by: [Signature]
 (signature of applicant)

August 31, 2026
 (date)

See Attached Exhibit "A"
 (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 • 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 Future Growth and Development Map of the All In Allen Comprehensive Plan identifies the subject property as an "Urban Infill Area" and the Preferred Growth Approach Map as an area of "Mixed Suburban Commercial Corridor." Both plan objectives are met by the proposed rezoning to allow C3 uses, in conjunction with a Written Commitment, as done with similarly situated rezonings, which will serve the established and planned residential developments in the area.

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

The existing frontage along the west side of Maysville Road is an established a commercial district (C2), where C R Carpet is located. The property to the southwest of the intersection is an established commercial zoning district (NC), which includes a Marathon gas station and the hard corner is owned by Parkview Health Systems, Inc. The property immediately to the south was recently rezoned to SC, which further expanded the commercial district in this area where a proposed Casey's gas station will be located. The proposed rezoning is a logical extension of this pattern of development, as the last non-commercial corner of this intersection.

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

Commercial zoning is the most desirable use of the subject property with frontage along a major roadway (Maysville Road) since this area has increased visibility, accessibility, and pedestrian traffic, which translates to higher potential for business and investment.

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

The location of the subject property is adjacent to existing and future commercial uses insures that this rezoning will conserve, if not enhance, the use and value of the properties in the immediate area.

(5) Responsible development and growth.

This petition is consistent with the additional growth and development occurring in this area of Fort Wayne and Allen County. Fort Wayne City Utilities are available at the property lines to serve the intended development as necessary for responsible development and growth.

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*

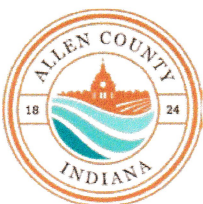


Exhibit "A"
Property Owners

9817 Stellhorn Road LLC
2816 Covington Reserve Parkway
Fort Wayne, IN 46804
Telephone: 260.615.7271
Email: bstinson@stinsonteam.com

9817 Stellhorn Road LLC

Signed by:
By: Brad Stinson
50B95440A50B4A0...
Bradly Stinson, Member

Date: August 20, 2026

Tristan E. Boyes and Dawn M. Boyles
9855 Stellhorn Road
Fort Wayne, IN 46815
Telephone: _____
Email: _____

Signed by:
Tristan E. Boyes
E4B26E771D224DB...

Date: August 20, 2026

DocuSigned by:
Dawn M. Boyes
30CD42303C0A44B...

Date: August 20, 2026

Randall G. Bruick
9720 Stellhorn Road
Fort Wayne, IN 46815
Telephone: 260.704.1783
Email: wbruick@yahoo.com

Signed by:
Randall Bruick
D2FA8BC4EC8B453...

Date: August 20, 2026