

#REZ-2026-0036

BILL NO. Z-26-08-46

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N06 (Sec 1 of Wayne 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

W 20ft Lot 155 E 15 Ft Lot 156 Hanna Add

and the symbols of the City of Fort Wayne Zoning Map No. N06 (Sec. 1 of Wayne 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-2026-0036
Bill Number: Z-26-08-46
Council District: 5 – Geoff Paddock

Introduction Date: August 25, 2026

Plan Commission
Public Hearing Date: September 14, 2026 (not heard by Council)

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

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

Location: 612 E Jefferson Blvd (Section 1 of Wayne Township)

Reason for Request: To align zoning with use

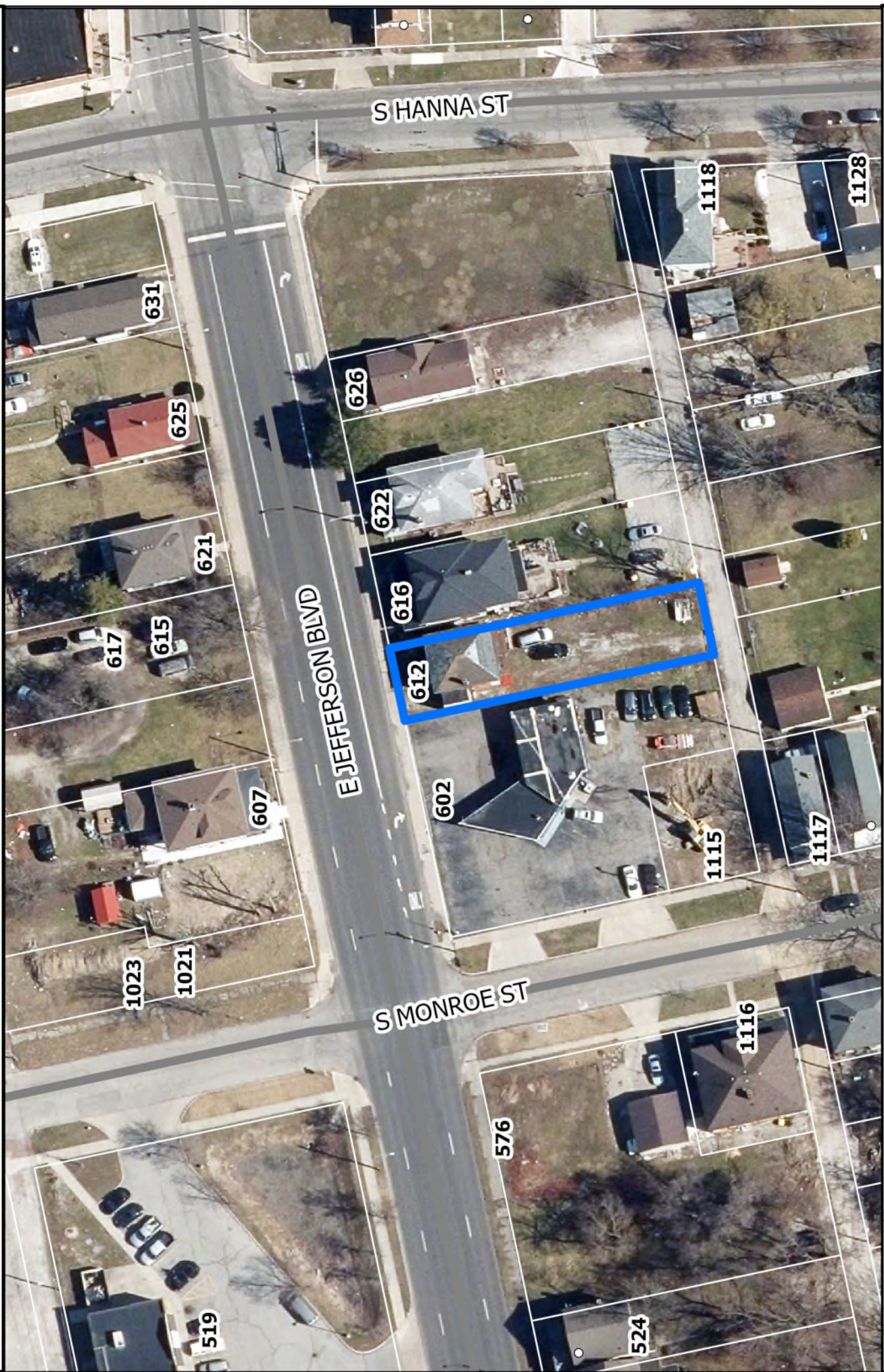
Applicant: Samuel Benford

Property Owner: Dellteck LLC

Related Petitions: None

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district,
which would align zoning with use.

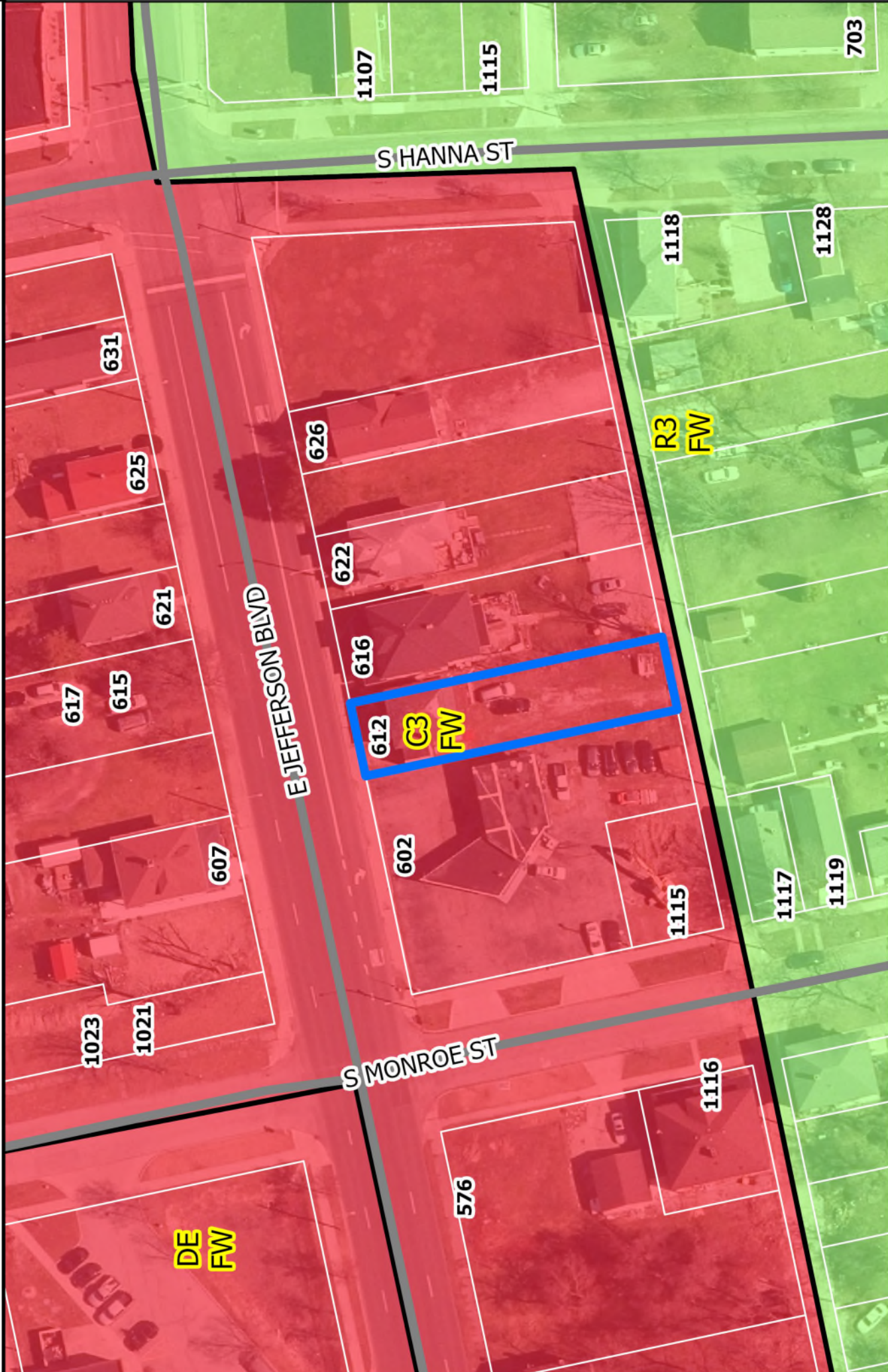
Effect of Non-Passage: Property will remain zoned C3/General Commercial, which would not align
zoning with use. The site may continue with existing or non-conforming uses,
and may be redeveloped with similar general commercial uses.



Although every reasonable effort has been made to ensure the accuracy 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.

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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 8/10/2026

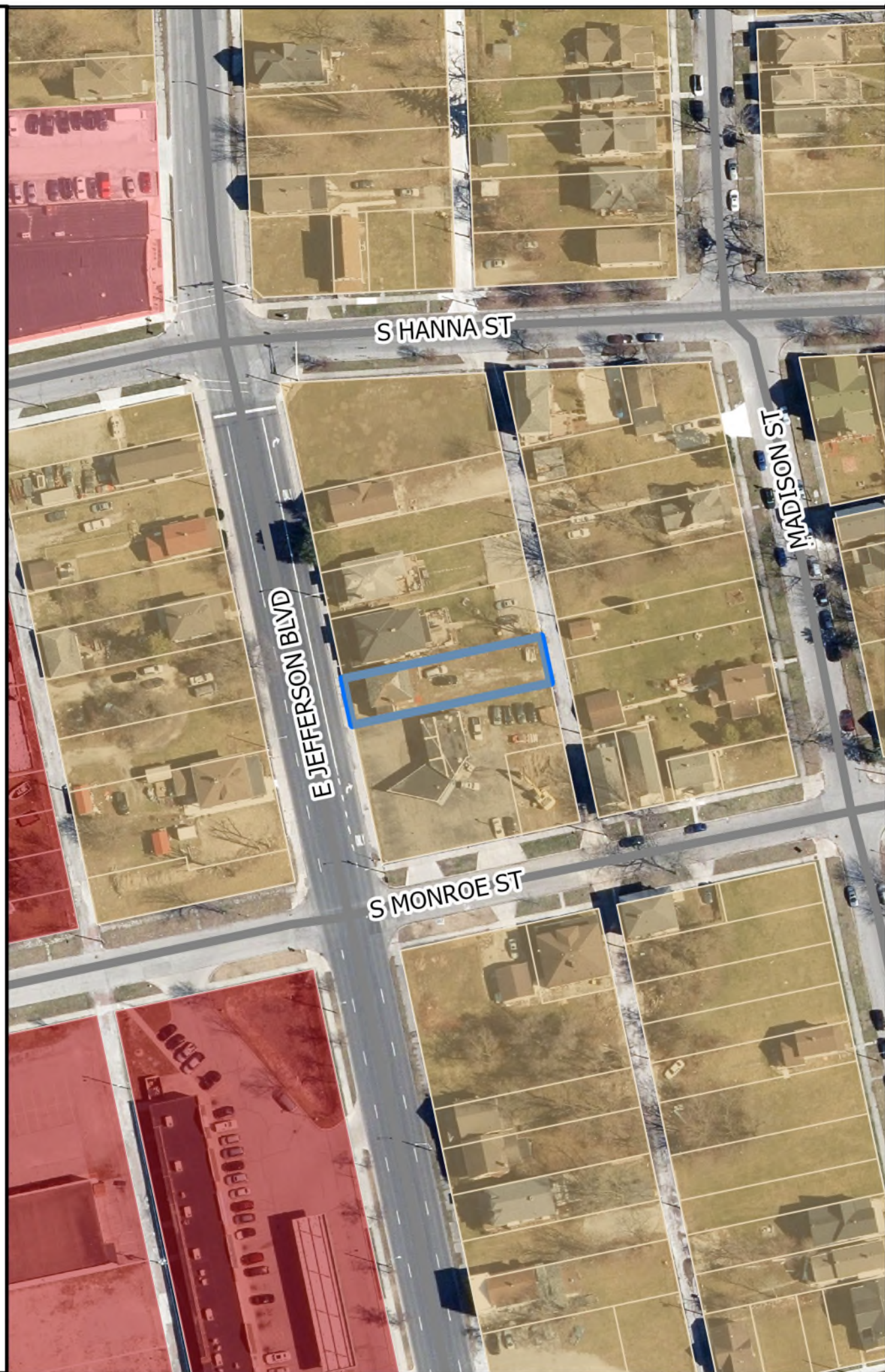
Rezoning Petition REZ-2026-0036 - 612 E Jefferson Downzoning



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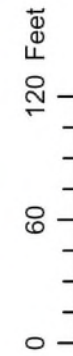
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Photos and Contours: Spring 2009
Date: 8/10/2026

Rezoning Petition REZ-2026-0036 - 612 E. Jefferson Downzoning



Neighborhood
Commercial

Downtown
Mixed Residential



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Photos and Contours: Spring 2009
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Downtown
Priority Investment Area

0 60 120 Feet

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State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/12/2026



**DPS Plan Commission
Rezoning Petition Application**

Page 1 of 1

Applicant

Applicant Name: Samuel Benford
Address: 612 E Jefferson Blvd City: Fort Wayne State: IN Zip: 46802
Email (type or print): Cycron3@yahoo.com Phone: _____

Property Ownership

☐ Same as applicant

Owner Name: Dellteck LLC
Address: PO Box 10102 City: Fort Wayne State: IN Zip: 46850
Email (type or print): Cycron3@yahoo.com Phone: 260-225-7276

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 Huntertown ☐ City of Woodburn

Property Information

Development Address or PIN #: 612 E Jefferson
Present Zoning: C3 Proposed Zoning: R1 Acreage to be rezoned: .12 acres
Purpose of rezoning (attach additional page if necessary): Aligned current use with zoning

Township Name: Wayne Township Section Number: _____
Sewer Provider: Fort Wayne City Utilities Water Provider: Fort Wayne City Utilities

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.

Samuel Benford [Signature] 15 July 26
printed name of applicant signature of applicant date
Dellteck LLC Samuel Benford 15 July 26
printed name of property owner signature of property owner date

STAFF USE ONLY			
Received <u>7/15</u>	Receipt Number <u>51451754</u>	Hearing Date	Petition Number <u>REZ-2026-0036</u>



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;

Align use with proper zoning

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

Align use with proper zoning

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

Align use with proper zoning

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

Align use with proper zoning

- (5) Responsible development and growth.

Align use with proper zoning

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*





DocId:9158580

Tx:4757379

2025055315

RECORDED: 12/08/2025 01:01:33 PM

Recorded as Presented
Allen County Indiana
Recorder Nicole KeeslingPrepared By: Heather Lahrman
send Tax Bills to:After Recording Return To: 4 tax bills to
Dellteck LLC
PO Box 10102
Fort Wayne, IN 46850

WARRANTY DEED

STATE OF INDIANA COUNTY OF ALLEN

THIS WARRANTY DEED is made this 5th day of December 2025, by and between**Bryant Perrey Investment LLC**

(hereinafter referred to as "Grantor"), and

Dellteck LLC

(hereinafter referred to as "Grantee"):

WITNESSETH: The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells, remises, releases, transfers and conveys to the Grantee, all that certain land situate in Allen County, State of Indiana, to wit:

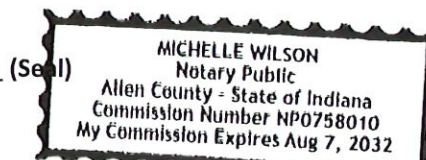
612 E Jefferson Blvd W 20ft Lot 155 E 15 Ft Lot 156 Hanna Add (see Exhibit A)

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, to have and to hold in fee simple forever.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, has good right and lawful authority to sell and convey said land, hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free and clear of all encumbrances, except taxes accruing subsequent to December 31, 2025, conditions, restrictions, easements, limitations and zoning ordinances of record, if any, and the following described mortgage(s), which Grantee herein takes title to Property subject to:

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Grantor: Bryant Perrey Investment LLC / Member
Javen Bryant

Before me, a Notary Public in and for the said County and State, personally appeared Javen Bryant who acknowledged the execution of the foregoing Quitclaim Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this 5 day of December, 2025.

My commission expires: August 7, 2032

Signature:
Printed: Michelle WilsonAUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

DEC 08 2025

I declare, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Ryan Marshall

(name printed, stamped or signed w/print)

DEC 08 2025

AUDITOR OF ALLEN COUNTY



EXHIBIT

A

(Attached to and becoming a part of document)

EXHIBIT A

Land situated in the County of Allen, State of Indiana, is described as follows:

The East 15 feet of Lot Number 156 and the West 20 feet of Lot Number 155 in Hanna's Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Record "B", page 447, in the Office of the Recorder of Allen County, Indiana.

File Number: 4035-109859

FACT SHEET

Case #REZ-2026-0036 Bill # Z-26-08-46 Project Start: August 2026

APPLICANT: Samuel Benford
REQUEST: Downzone from C3/General Commercial to R1/Single Family Residential to align zoning with use
LOCATION: 612 E Jefferson Blvd (Section 1 of Wayne Township)
LAND AREA: 0.12 acres
PRESENT ZONING: C3/General Commercial
PROPOSED ZONING: R1/Single Family Residential
Council District: 5 – Geoff Paddock

September 14, 2026 Public Hearing

- No one spoke in support or with concerns.
- Paul Sauerteig was absent.

September 21, 2026 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Scott Myers, to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

5-0 MOTION PASSED

- Connie Haas Zuber, Paul Sauerteig, Ryan Neumeister, and Karen Richards were absent.

Fact Sheet Prepared by:
Karen Couture, Principal Land Use Planner
September 22, 2026

PROJECT SUMMARY

The applicant is petitioning to rezone the property from C3/General Commercial to R1/Single Family Residential to align zoning with the use. The site is part of the Hannas 1st Addition, which was platted in 1837, and is located in East Central Neighborhood Association, which is currently active according to the Fort Wayne Neighborhoods registry. There has been a single-family residential dwelling on this site since 1900 according to property records. The immediate adjacent properties to the north, east, and west are zoned C3/General Commercial. The properties to the north and east are single-family residential dwellings, and to the west is an automobile sales business. To the south is a subdivision located in a multiple-family residential zoning district. The applicant wishes to rezone the property in order to align with the current use. The rezoning will allow the property owner to have the ability for investment in the home.

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 1** – Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

Generalized Future Land Use Map

- The project site is located within the Mixed Residential generalized land use category.
- Single-Family Detached Residential is a Primary and 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 Mixed Residential Corridor of the comprehensive plan. Both the neighborhood and street are stable and maintain residential character.

Other Applicable Plans: None

PUBLIC HEARING SUMMARY:

Presenter: Samuel Benford, applicant, presented the request as outlined above.

Public Comments: None

1 #REZ-2026-0036

2 BILL NO. Z-26-08-46

3 ZONING MAP ORDINANCE NO. Z-_____
4

5 AN ORDINANCE amending the City of Fort Wayne
6 Zoning Map No. N06 (Sec 1 of Wayne 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
13 LEGAL DESCRIPTION

14 W 20ft Lot 155 E 15 Ft Lot 156 Hanna Add

15
16 and the symbols of the City of Fort Wayne Zoning Map No. N06 (Sec. 1 of Wayne Township), as
17 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana, is hereby
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22 approved by the Common Council as part of the zone map amendment, that written commitment
23 is hereby approved and is hereby incorporated by reference.
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26 SECTION 3. That this Ordinance shall be in full force and effect from and after its passage
27 and approval by the Mayor.
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Council Member

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny, City Attorney

FORT WAYNE PLAN COMMISSION

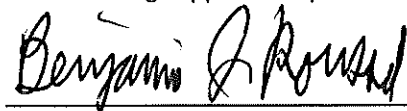
Findings of Fact • September 2026

PROPOSAL:	Rezoning Petition REZ-2026-0036 – 612 East Jefferson Downzoning
APPLICANT:	Samuel Benford
REQUEST:	Downzone from C3/General Commercial to R1/Single Family Residential to align zoning with current use
LOCATION:	612 E Jefferson Blvd (Section 1 of Wayne 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-2026-0036 be returned to Council, with a “Do Pass” recommendation after considering the following:

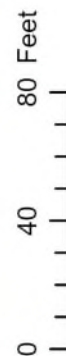
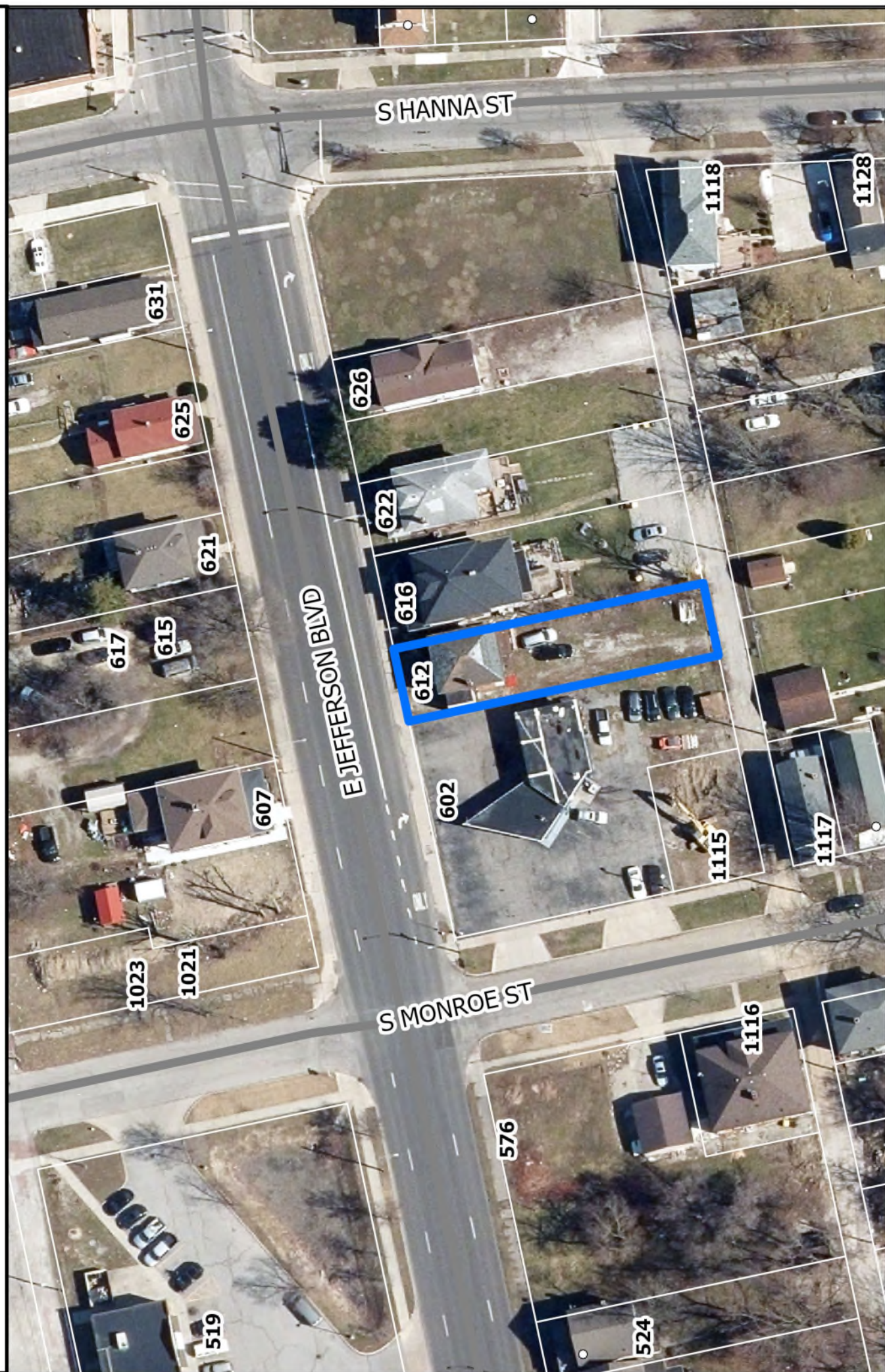
1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The rezoning would allow for a single-family dwelling, which is desirable in an Urban Infill and Priority Investment Area.
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 continue the property's use as a single-family dwelling.
3. Approval is consistent with the preservation of property values in the area. The rezoning allows for the property to be in compliance with the current zoning ordinance, thus allowing 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 September 21, 2026.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

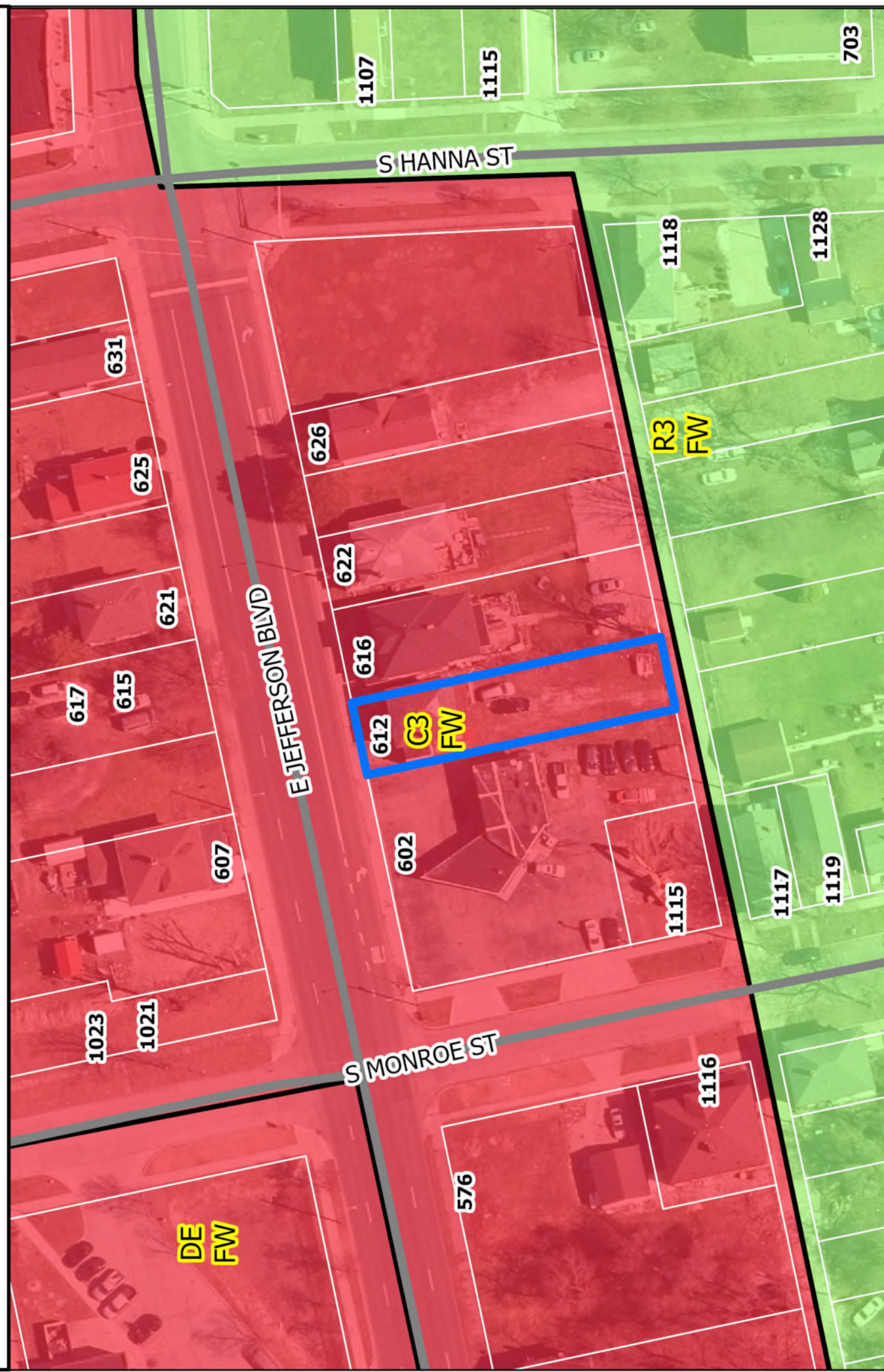
Rezoning Petition REZ-2026-0036 - 612 E Jefferson Downing



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Rezoning Petition REZ-2026-0036 - 612 E Jefferson Downzoning



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612 East Jefferson

Google Maps



**DPS Plan Commission
Rezoning Petition Application**

Page 1 of 1

Applicant

Applicant Name: Samuel Benford
Address: 612 E Jefferson Blvd City: Fort Wayne State: IN Zip: 46802
Email (type or print): Cycron3@yahoo.com Phone: _____

Property Ownership

☐ Same as applicant

Owner Name: Dellteck LLC
Address: PO Box 10102 City: Fort Wayne State: IN Zip: 46850
Email (type or print): Cycron3@yahoo.com Phone: 260-225-7276

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 Huntertown ☐ City of Woodburn

Property Information

Development Address or PIN #: 612 E Jefferson
Present Zoning: C3 Proposed Zoning: R1 Acreage to be rezoned: .12 acres
Purpose of rezoning (attach additional page if necessary): Aligned current use with zoning

Township Name: Wayne Township Section Number: _____
Sewer Provider: Fort Wayne City Utilities Water Provider: Fort Wayne City Utilities

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.

Samuel Benford [Signature] 15 July 26
printed name of applicant signature of applicant date
Dellteck LLC Samuel Benford 15 July 26
printed name of property owner signature of property owner date

STAFF USE ONLY			
Received <u>7/15</u>	Receipt Number <u>51451754</u>	Hearing Date	Petition Number <u>REZ-2026-0036</u>



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;

Align use with proper zoning

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

Align use with proper zoning

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

Align use with proper zoning

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

Align use with proper zoning

- (5) Responsible development and growth.

Align use with proper zoning

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*





DocId:9158580

Tx:4757379

2025055315

RECORDED: 12/08/2025 01:01:33 PM

Recorded as Presented
Allen County Indiana
Recorder Nicole KeeslingPrepared By: Heather Lahrman
send Tax Bills to:After Recording Return To: 4 tax bills to
Dellteck LLC
PO Box 10102
Fort Wayne, IN 46850

WARRANTY DEED

STATE OF INDIANA
COUNTY OF ALLENTHIS WARRANTY DEED is made this 5th day of December 2025, by and between**Bryant Perrey Investment LLC**

(hereinafter referred to as "Grantor"), and

Dellteck LLC

(hereinafter referred to as "Grantee"):

WITNESSETH: The Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells, remises, releases, transfers and conveys to the Grantee, all that certain land situate in Allen County, State of Indiana, to wit:

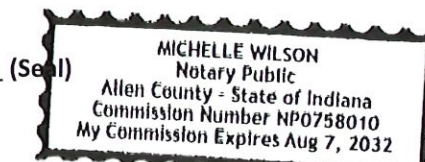
612 E Jefferson Blvd W 20ft Lot 155 E 15 Ft Lot 156 Hanna Add (see Exhibit A)

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, to have and to hold in fee simple forever.

The Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, has good right and lawful authority to sell and convey said land, hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free and clear of all encumbrances, except taxes accruing subsequent to December 31, 2025, conditions, restrictions, easements, limitations and zoning ordinances of record, if any, and the following described mortgage(s), which Grantee herein takes title to Property subject to:

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Grantor: Bryant Perrey Investment LLC / Member
Javen Bryant

Before me, a Notary Public in and for the said County and State, personally appeared Javen Bryant who acknowledged the execution of the foregoing Quitclaim Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this 5 day of December, 2025.

My commission expires: August 7, 2032

Signature:
Printed: Michelle WilsonAUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

DEC 08 2025

DEC 08 2025

I declare, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Ryan Marshall

(name printed, stamped or signed w/print)

AUDITOR OF ALLEN COUNTY



EXHIBIT

A

(Attached to and becoming a part of document)

EXHIBIT A

Land situated in the County of Allen, State of Indiana, is described as follows:

The East 15 feet of Lot Number 156 and the West 20 feet of Lot Number 155 in Hanna's Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Record "B", page 447, in the Office of the Recorder of Allen County, Indiana.

File Number: 4035-109859