#REZ-2026-0051

BILL NO. Z-26-11-27

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. V18 (Sec 34 of St. 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

Part of the Northwest Quarter of Section 34, Township 31 North, Range 13 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet North of the Southwest comer of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, and 52.0 feet East of the West line of the northwest Quarter of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, said point being the intersection of the East Right of Way line of Maplecrest Road and a line 40 feet Northwesterly and parallel to the center line of East State Boulevard; thence north 00 degrees 00 minutes East (assumed) along the East Right of Way line of Maplecrest Road, a distance of 300.0 feet to a point; thence North 90 degrees 00 minutes 00 seconds East, a distance of 151.01 feet to a point; thence South 36 degrees 36 minutes East, a distance of 152.90 feet to a point in a line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes 00 seconds West, a distance of 300.0 feet to the Point of Beginning, containing 1.046 acres of land, more or less.

EXCEPT that part being more particularly described as follows:

A part of the northwest Quarter of Section 34, Township 31 North, Range 13 East, Alien County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet north of the Southwest corner of the Northwest Quarter of said Section 34, and 52.0 feet East of the West line of said Northwest Quarter; thence north 00 degrees, 00 minutes, 00 seconds (assumed), a distance of 25.0 feet; thence Southeasterly, a distance of 23.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes 00 seconds West, a distance of 25.0 feet to the Point of Beginning, containing 0.006 acres of land, more or less.

ALSO EXCEPTING:

A part of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet North of the Southwest comer of the Northwest Quarter of said Section 34, and52.0 feet East of the West line of the said Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East (assumed), a distance of 25.0 feet to the point of Beginning; thence continuing North 00 degrees 00 minutes 00 seconds East (assumed) a distance of 30.0 feet; thence Southeasterly a distance of 51.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes West, a distance of30.0 feet; thence northwesterly a distance of 23.0 feet along the existing Right of Way line across the Southwest comer of the above referenced parcel to the Point of Beginning, containing 0.023 acres of land, more or less.

and the symbols of the City of Fort Wayne Zoning Map No. V18 (Sec 34 of St. Joseph 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-2026-0051
Bill Number:	Z-26-11-27
Council District:	1 – Paul Ensley

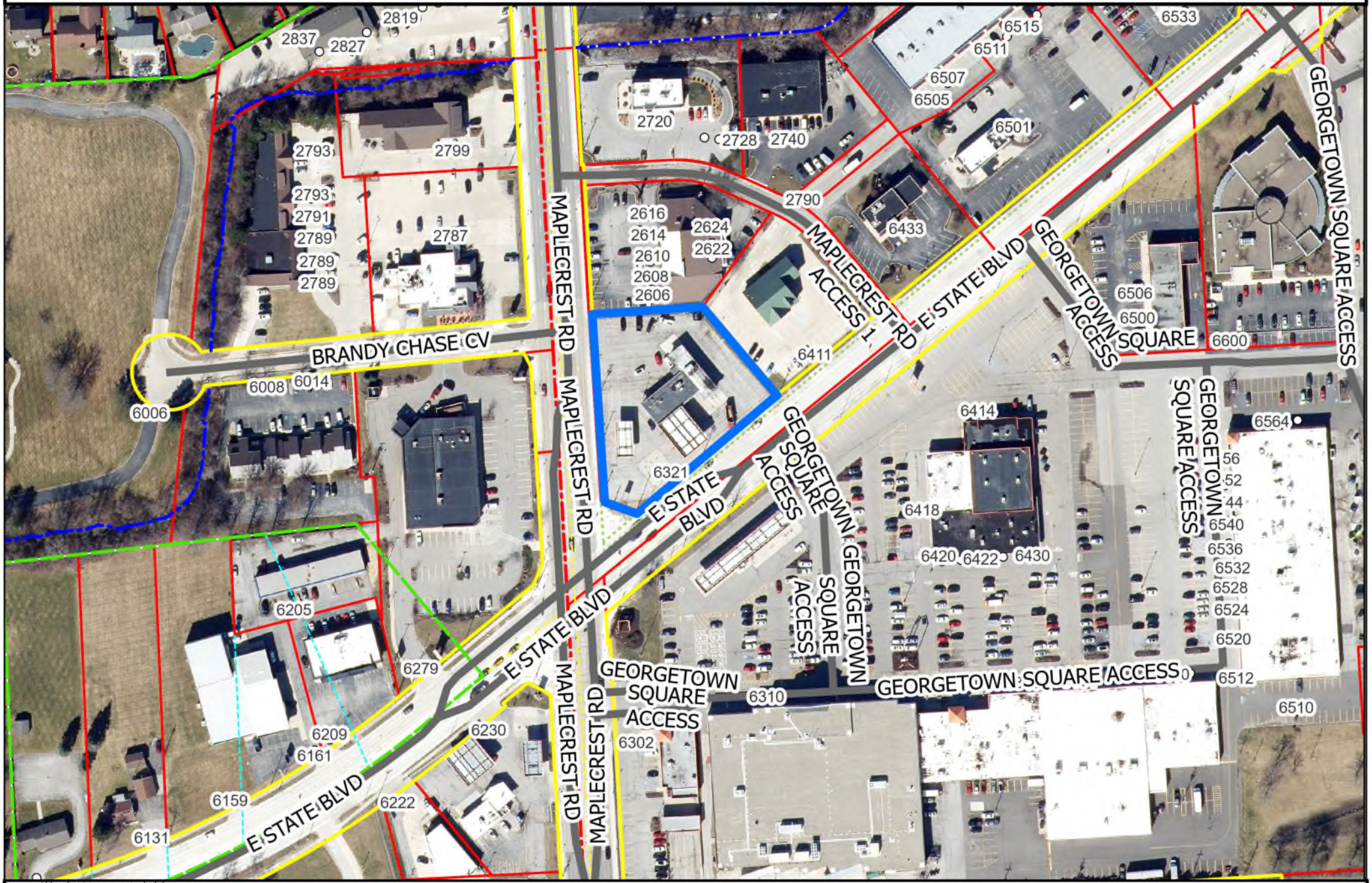
Introduction Date:	November 24, 2026
Plan Commission Public Hearing Date:	December 7, 2026 (not heard by Council)
Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance:	To rezone 0.99 acres NC/Neighborhood Center to C3/General Commercial
Location:	6321 E State Blvd (Sec 34 of St. Joseph Township)
Reason for Request:	To align with the current use
Applicant:	Sekhon Enterprises LLC
Property Owner:	Sekhon Enterprises LLC

Related Petitions:	None

Effect of Passage:	Property will be rezoned to the C3/General Commercial zoning district, which would permit a gas station.
Effect of Non-Passage:	Property will remain zoned NC/Neighborhood Center, which would not permit a gas station. The site may continue with existing or non-conforming uses, and may be redeveloped with permitted neighborhood center uses.

Rezoning Petition REZ-2026-0051 - East State Shell Station



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.

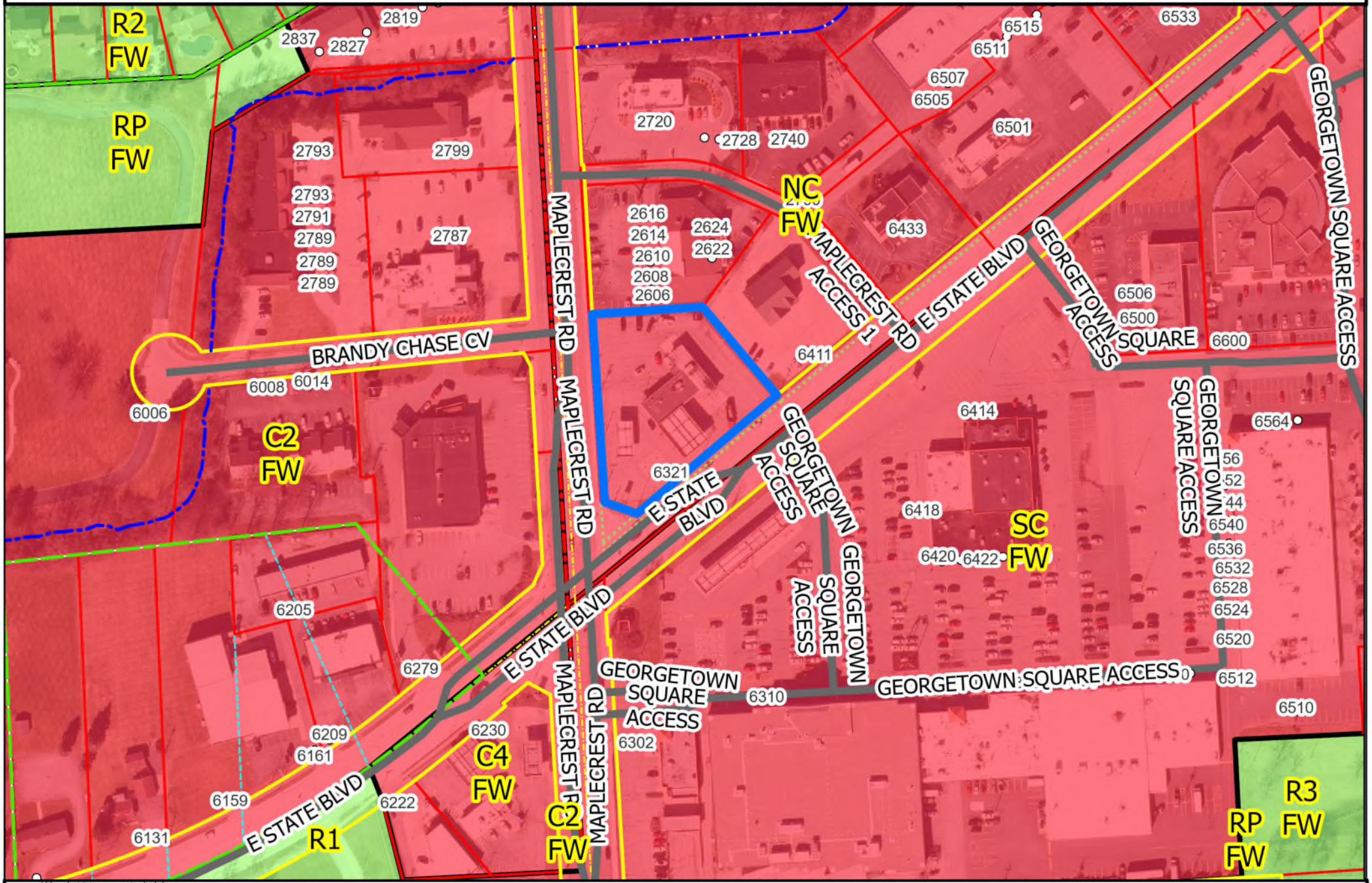
© 2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/10/2026

0 100 200 Feet

N

Rezoning Petition REZ-2026-0051 - East State Shell Station



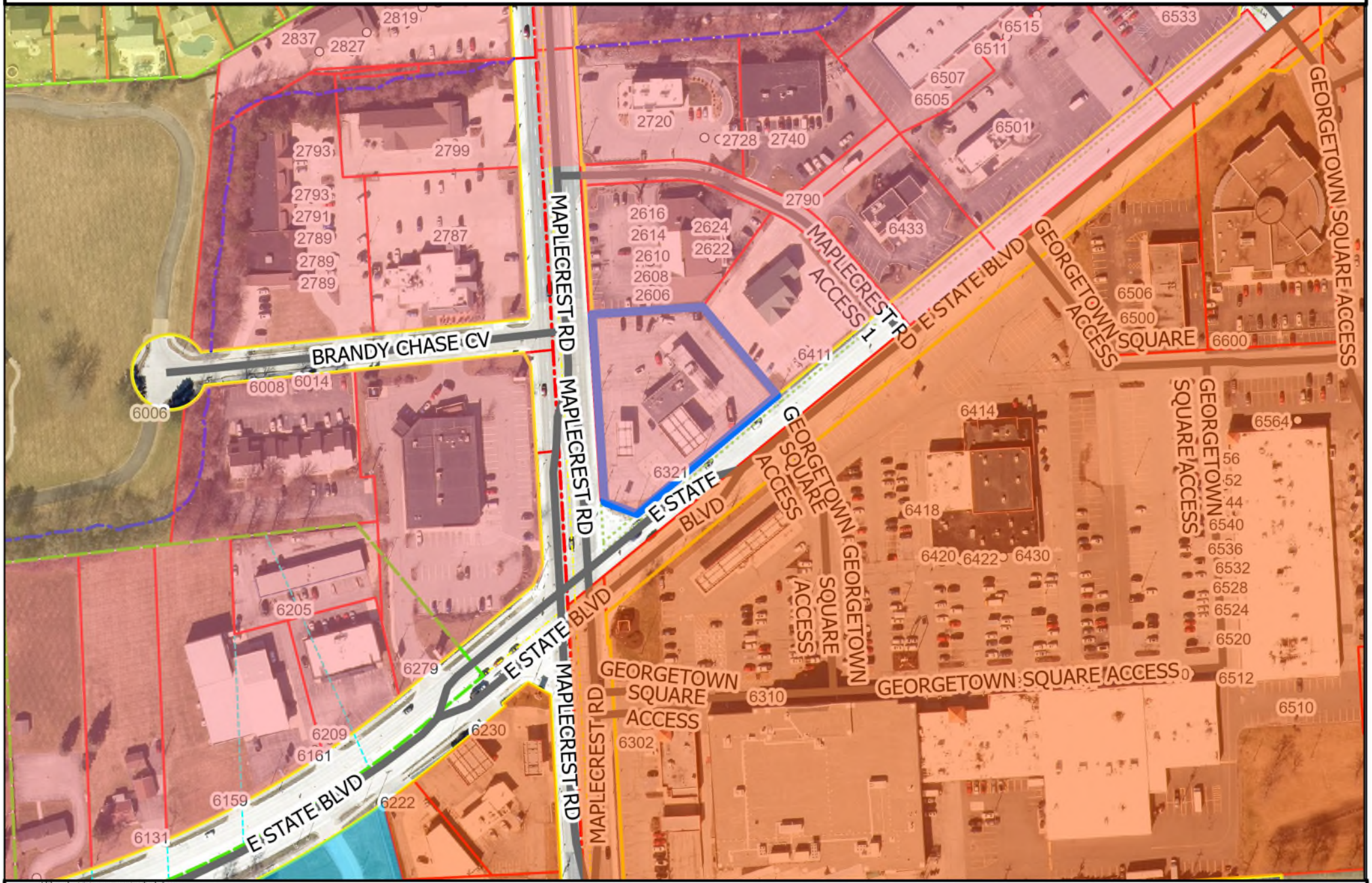
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/10/2026

0 100 200 Feet

N

Rezoning Petition REZ-2026-0051 - East State Shell Station



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

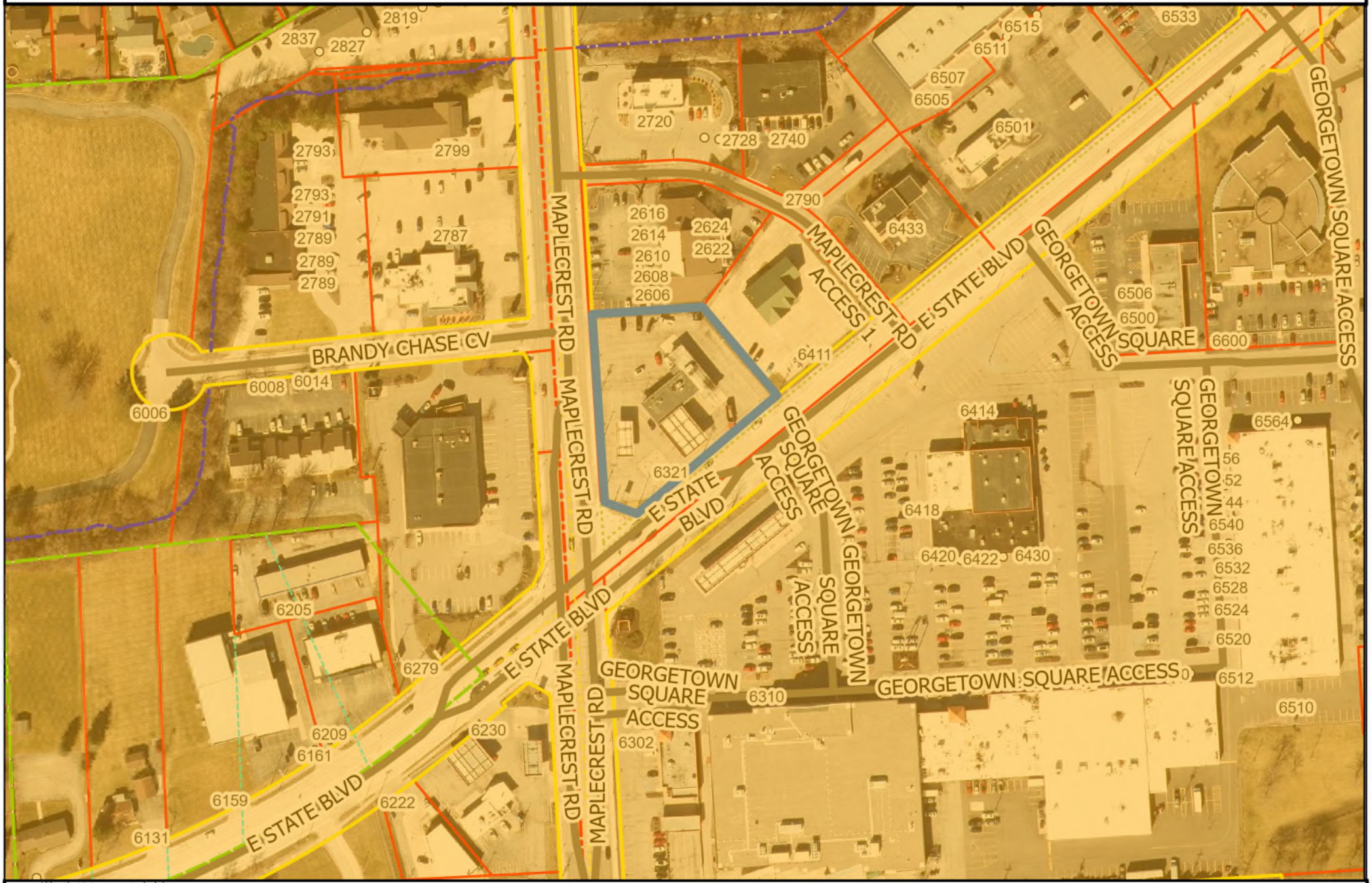
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/10/2026

0 100 200 Feet

- Community Commercial
- Institutional
- Mixed Residential
- Neighborhood Commercial
- Suburban Neighborhood

N

Rezoning Petition REZ-2026-0051 - East State Shell Station



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: 11/10/2026

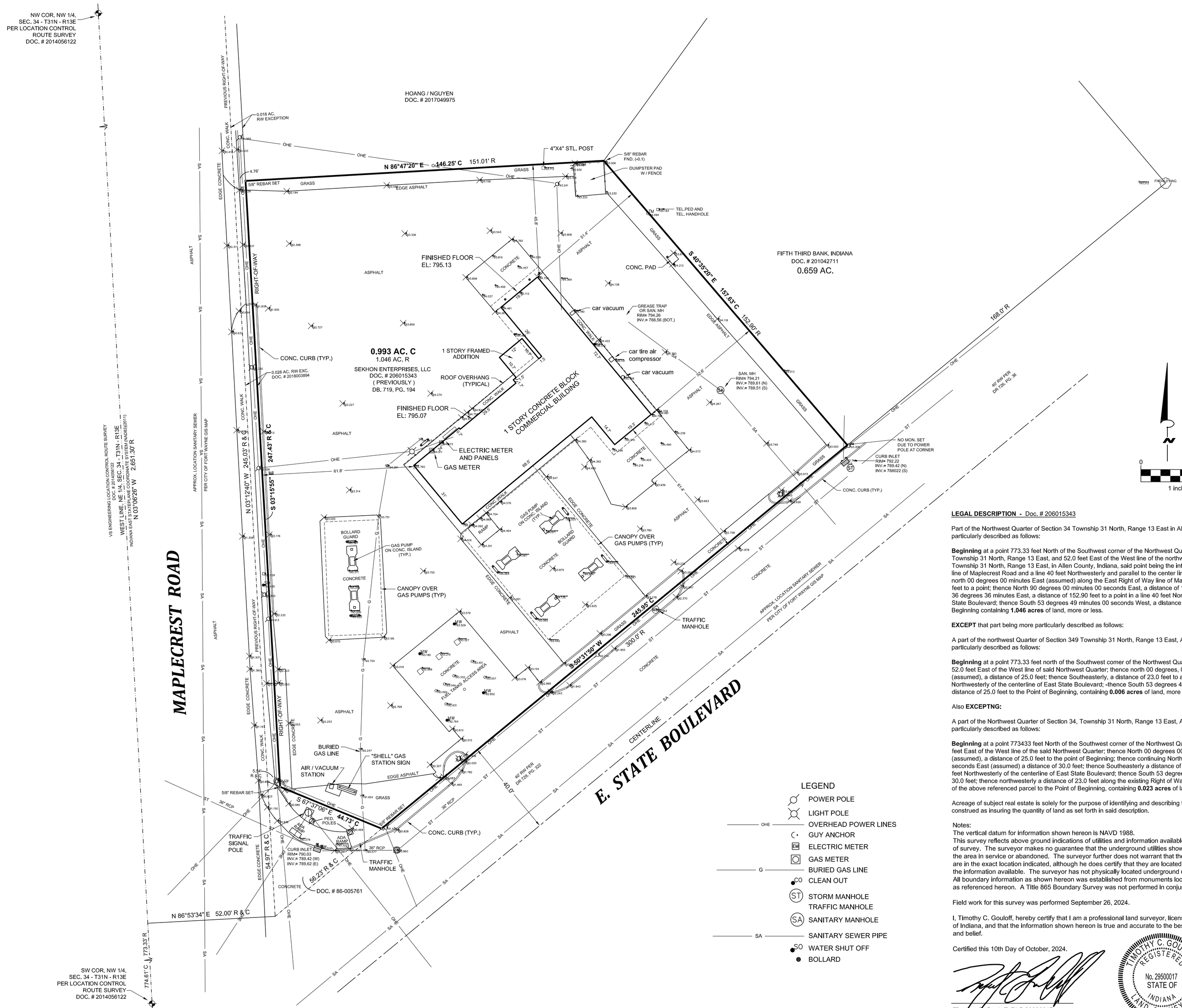
0 100 200 Feet

Urban Infill Area

N

BOUNDARY / TOPOGRAPHIC SURVEY

PART OF THE NORTHWEST QUARTER OF SECTION 34
TOWNSHIP 31 NORTH, RANGE 13 EAST
ALLEN COUNTY, INDIANA



LEGEND

- POWER POLE
- LIGHT POLE
- OHE — OVERHEAD POWER LINES
- GUY ANCHOR
- EM — ELECTRIC METER
- GAS METER
- G — BURIED GAS LINE
- CO — CLEAN OUT
- ST — STORM MANHOLE
- TRAFFIC MANHOLE
- SA — SANITARY MANHOLE
- SA — SANITARY SEWER PIPE
- SO — WATER SHUT OFF
- BOLLARD

LEGAL DESCRIPTION - Doc. # 206015343

Part of the Northwest Quarter of Section 34 Township 31 North, Range 13 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet North of the Southwest corner of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, and 52.0 feet East of the West line of the northwest Quarter of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, said point being the intersection of the East Right of Way line of Maplecrest Road and a line 40 feet Northwesterly and parallel to the center line of East State Boulevard; thence north 00 degrees 00 minutes East (assumed) along the East Right of Way line of Maplecrest Road, a distance of 300.0 feet to a point; thence North 90 degrees 00 minutes 00 seconds East, a distance of 151.01 feet to a point; thence South 36 degrees 36 minutes East, a distance of 152.90 feet to a point in a line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes 00 seconds West, a distance of 300.0 feet to the Point of Beginning containing **1.046 acres** of land, more or less.

EXCEPT that part belng more particularly described as follows:

A part of the northwest Quarter of Section 349 Township 31 North, Range 13 East, Allen County Indiana, more particularly described as follows:

Beginning at a point 773.33 feet north of the Southwest comer of the Northwest Quarter of said Section 34, and 52.0 feet East of the West line of said Northwest Quarter; thence north 00 degrees, 00 minutes, 00 seconds (assumed), a distance of 25.0 feet; thence Southeasterly, a distance of 23.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; -thence South 53 degrees 49 minutes 00 seconds Wests a distance of 25.0 feet to the Point of Beginning, containing **0.006 acres** of land, more or less.

Also **EXCEPTNG:**

A part of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, Allen C&unty, Indiana, more particularly described as follows:

Beginning at a point 773433 feet North of the Southwest corner of the Northwest Quarter of said Section 34, and 52.0 feet East of the West line of the said Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East (assumed), a distance of 25.0 feet to the point of Beginning; thence continuing North 00 degrees 00 minutes 00 seconds East (assumed) a distance of 30.0 feet; thence Southeasterly a distance of 51.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes West, a distance of 30.0 feet; thence northwesterly a distance of 23.0 feet along the existing Right of Way line across the Southwest corner of the above referenced parcel to the Point of Beginning, containing **0.023 acres** of land, more or less.

Acreage of subject real estate is solely for the purpose of identifying and describing the insured land and should not be construed as insuring the quantity of land as set forth in said description.

Notes:
The vertical datum for information shown hereon is NAVD 1988.
This survey reflects above ground indications of utilities and information available from utility companies at time of survey. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from the information available. The surveyor has not physically located underground utilities.
All boundary information as shown hereon was established from monuments located in the field and information as referenced hereon. A Title 865 Boundary Survey was not performed in conjunction with this survey.

Field work for this survey was performed September 26, 2024.

I, Timothy C. Gouloff, hereby certify that I am a professional land surveyor, licensed under the laws of the State of Indiana, and that the information shown hereon is true and accurate to the best of my information, knowledge and belief.

Certified this 10th Day of October, 2024.

Timothy C. Gouloff, RLS 29500017

TIMOTHY C. GOULOFF REGISTERED No. 29500017 STATE OF INDIANA LAND SURVEYOR

"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."
Timothy C. Gouloff

GOULOFF - JORDAN
WIGHTMAN
6415 MUTUAL DR.
FORT WAYNE, IN. 46825
260.424.5362
www.gowightman.com

PROJECT NAME:
6321 E. STATE BOULEVARD
FORT WAYNE, IN 46815

SEKHON ENTERPRISES, LLC

REVISIONS

XR Ref: Name Native - 6321 E State Blvd\810 AutoCAD Based\241180 TOPO.dwg 1 OF 1 10/10/2024 2:45:17 PM

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED.
© 2024 WIGHTMAN & ASSOCIATES, INC.

DATE: OCTOBER 10, 2024
SCALE: 1"=30

BOUNDARY TOPOGRAPHIC SURVEY

JOB No. 241861

1 OF 1

DPS Plan Commission
Rezoning Petition Application

Applicant

Applicant Name: Sekhon Enterprises LLC

Address: 6321 East State Boulevard City: Fort Wayne State: IN Zip: 46815

Email (type or print): ranvirsekhon@gmail.com Phone:

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: Scott M. Federoff, Federoff Law LLC

Address: 14033 Illinois Road, Suite A City: Fort Wayne State: IN Zip: 46814

Email (type or print): smf@federoff-law.net Phone: 260-602-8000

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 #: 6321 East State Boulevard, Fort Wayne, IN 46815; Parcel No. 02-08-34-106-003.000-072

Present Zoning : NC Proposed Zoning : C3 Acreage to be rezoned : 0.99 acres

Purpose of rezoning (attach additional page if necessary): To bring current use of the property into legal conformity with the Zoning Ordinance.

Township Name: St. Joseph Township Section Number: 34

Sewer Provider: City of Fort Wayne Water Provider: City of Fort Wayne

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.

Ranvir Sekhon, President Sekhon Enterprises, LLC	Ranvir Sekhon Ranvir Sekhon (Oct 30, 2026 11:12:00 EDT)	Oct 30, 2026
printed name of applicant	signature of applicant	date
Ranvir Sekhon, President Sekhon Enterprises, LLC	Ranvir Sekhon Ranvir Sekhon (Oct 30, 2026 11:12:00 EDT)	Oct 30, 2026
printed name of property owner	signature of property owner	date

STAFF USE ONLY

Received	Receipt Number	Hearing Date	Petition Number

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 existing use has been in place in the present configuration for at least 40 years. No changes are proposed to the development. The purpose of the rezoning is to allow an existing use to comply with the zoning ordinance.

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

Presumably the project received Plan Commission and legislative review and approval when it was developed. A proposed Written Commitment prohibiting all but existing C3 uses will protect surrounding property owners from new intensive or incompatible uses.

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

The use will not change and is is most desirable use for which the land in the district is adapted. Three of the four corners of this intersection, including the subject property, are gas stations with convenience stores.

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

This proposal does not increase the intensity of the existing use, and allows for the property to be maintained, expanded and/or improved, allowing for investment when desired or necessary

(5) Responsible development and growth.

The site is presently served by all utilities. No new connections are proposed.

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*

WRITTEN COMMITMENT

This Written Commitment (this "Commitment") is made effective as of the ____ day of _____, 2026, by Sekhon Enterprises, LLC, an Indiana limited liability company ("Company").

RECITALS

A. By virtue of that certain Warranty Deed, Company is the owner of record in fee simple of certain real estate located in Allen County, Indiana, which is legally described in the addendum attached to this Commitment as Exhibit "A" (collectively, the "Real Estate").

B. Company filed an application under Case Number REZ-2026-____ (the "Rezoning Application") to change the zoning map applicable to the Real Estate from the R1 Zoning District to the C3 Zoning District.

D. Pursuant to Ind. Code § 36-7-4-1015(a)(1) and the City of Fort Wayne Zoning Ordinance (the "Ordinance"), the Fort Wayne Plan Commission (the "Plan Commission") may require an owner of real property to make a written commitment concerning the use or development of the real property as part of rezoning application (the "Approval").

E. In connection with the Rezoning Application, Company offered to make, and the Plan Commission required Company to make, a written commitment concerning the use and development of the Real Estate.

COMMITMENT

In consideration of the Approval, Company makes the following written commitments pursuant to I.C. §36-7-4-1015(a)(1):

1. ***PERMITTED/PROHIBITED USES***. All uses normally permitted in the C3/General Commercial zoning district under §157.216 of the Ordinance that are not permitted uses in the C2/Limited Commercial under §157.213 of the Ordinance (all of which shall remain permitted) shall be prohibited except for the following (which shall be permitted):

a) Automobile car wash;
b) Gas station;

c) Propane/bottled gas sales and service as an accessory use to a gas station or convenience store; and

d) Truck fueling station.

2. ***ENFORCEMENT RIGHTS.*** The Fort Wayne Zoning Administrator (the "Zoning Administrator") and the Plan Commission each shall have the option (but not the obligation) to enforce this Commitment, at law or in equity, in the event of a breach of an obligation in this Commitment; and in the event such an enforcement action is commenced, the Zoning Administrator or the Plan Commission (as applicable) shall have the remedies allowed by the Ordinance (or the ordinance governing the Real Estate at the time of the enforcement action) and I.C. §36-7-4-1015, which remedies shall be cumulative and not exclusive. A violation of this Commitment shall be deemed a violation of the Ordinance, or the ordinance governing the Real Estate at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Zoning Administrator or the Plan Commission, or any successor agency having zoning jurisdiction over the Real Estate.

3. ***EFFECTIVE DATE.*** This Commitment shall be effective upon its recording in the Office of the Recorder of Allen County, Indiana.

4. ***SUCCESSORS AND ASSIGNS***. This Commitment and the restrictions set forth above shall inure to the benefit of: (a) all persons who own property comprising the Real Estate, and their successors and assigns; and (b) the Zoning Administrator and the Plan Commission, together with any successor agency having zoning jurisdiction over the Real Estate.

5. ***SEVERABILITY***. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.

6. ***GOVERNING LAW***. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.

7. ***STATUTORY AUTHORITY.*** This Commitment is made pursuant to I.C. §36-7-4-1015(a)(1).

8. ***PERMITS***. No permits shall be issued under the Ordinance by the Zoning Administrator until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.

9. ***MODIFICATION AND TERMINATION.*** Modification and termination of this Commitment may only be made in accordance I.C. §36-7-4-1015, as such statute may be amended from time-to-time.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

[SIGNATURE PAGE FOLLOWS.]

Sekhon Enterprises, LLC,
An Indiana limited liability company

By: _____
Ranvir Sekhon, Member

"Company"

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, this ___ day of_____, 2026, personally appeared as a Member of Sekhon Enterprises, LLC, an Indiana limited liability company, and acknowledged the execution of the foregoing Written Commitment on behalf of said company.

WITNESS my hand and Notarial Seal.

_____

My commission expires:

_____, Notary Public

_____ Resident of _____, County, Indiana

This instrument prepared by and after recording return to: Scott M. Federoff, Federoff Law, LLC, 14033 Illinois Road, Suite A, Fort Wayne, Indiana 46814.

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. Scott M. Federoff

Exhibit "A"
Legal Description of the Real Estate

Part of the Northwest Quarter of Section 34, Township 31 North, Range 13 East in Allen County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet North of the Southwest comer of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, and 52.0 feet East of the West line of the northwest Quarter of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, said point being the intersection of the East Right of Way line of Maplecrest Road and a line 40 feet Northwesterly and parallel to the center line of East State Boulevard; thence north 00 degrees 00 minutes East (assumed) along the East Right of Way line of Maplecrest Road, a distance of 300.0 feet to a point; thence North 90 degrees 00 minutes 00 seconds East, a distance of 151.01 feet to a point; thence South 36 degrees 36 minutes East, a distance of 152.90 feet to a point in a line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes 00 seconds West, a distance of300.0 feet to the Point of Beginning, containing 1.046 acres of land, more or less.

EXCEPT that part being more particularly described as follows:

A part of the northwest Quarter of Section 34, Township 31 North, Range 13 East, Alien County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet north of the Southwest corner of the Northwest Quarter of said Section 34, and 52.0 feet East of the West line of said Northwest Quarter; thence north 00 degrees, 00 minutes, 00 seconds (assumed), a distance of25.0 feet; thence Southeasterly, a distance of23.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes 00 seconds West, a distance of25.0 feet to the Point of Beginning, containing 0.006 acres of land, more or less.

ALSO EXCEPTING:

A part of the Northwest Quarter of Section 34, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point 773.33 feet North of the Southwest comer of the Northwest Quarter of said Section 34, and52.0 feet East of the West line of the said Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East (assumed), a distance of25.0 feet to the point of Beginning; thence continuing North 00 degrees 00 minutes 00 seconds East (assumed) a distance of 30.0 feet; thence Southeasterly a distance of 51.0 feet to a point on the line 40 feet Northwesterly of the centerline of East State Boulevard; thence South 53 degrees 49 minutes West, a distance of30.0 feet; thence northwesterly a distance of23.0 feet along the existing Right of Way line across the Southwest comer of the above referenced parcel to the Point of Beginning, containing 0.023 acres of land, more or less.