#REZ-2026-0055

BILL NO. Z-26-11-29

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. L23 (Sec 26 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 C2/Limited Commercial zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

(as described in Document Number 2026037914)

PARCEL I:

The East 43.2 feet of Lot Numbered 278 in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

PARCEL II:

The East 43.2 feet of Lot Numbered 279 in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

PARCEL III:

The West 40 feet of vacated Hoagland Avenue in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. L23 (Sec 26 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-2026-0055
Bill Number:	Z-26-11-29
Council District:	5 – Geoff Paddock

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 0.256 acres I1/Limited Industrial to C2/Limited Commercial
Location:	419 W Paulding Rd (Sec 26 of Wayne Township)
Reason for Request:	To permit tire sales
Applicant:	Aaron Carl
Property Owner:	JJB Holding Group LLC

Related Petitions:	Primary Development Plan PDP-2026-0031

Effect of Passage:	Property will be rezoned to the C2/Limited Commercial zoning district, which would permit tire sales.
Effect of Non-Passage:	Property will remain zoned I1/Limited Industrial, which would not permit tire sales. The site may continue with existing or non-conforming uses, and may be redeveloped with permitted limited industrial uses.

Rezoning Petition REZ-2026-0055 and Primary Development Plan PDP-2026-0031 - 419 W Paulding Rd

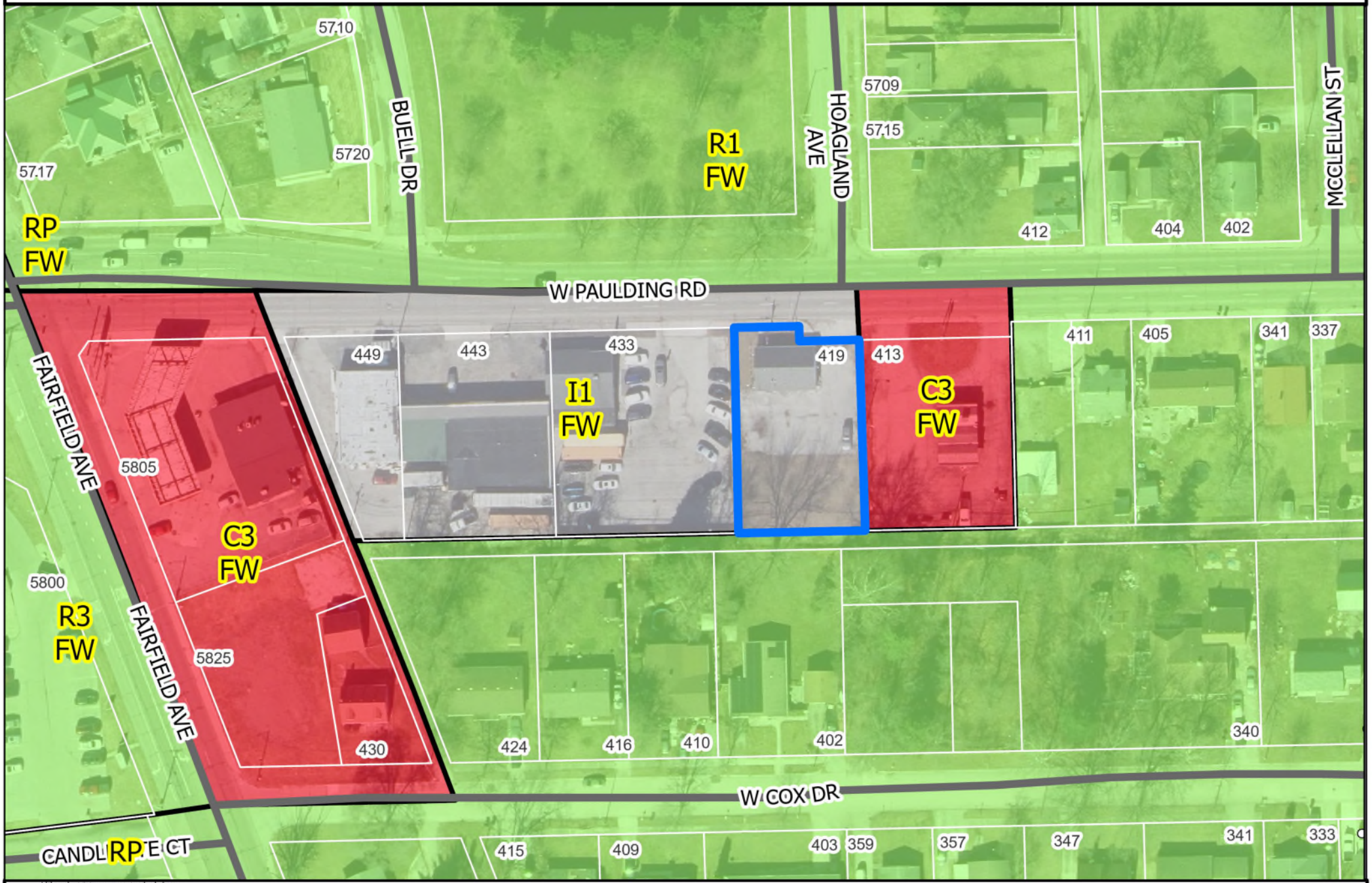


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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/10/2026

0 50 100 Feet

N

Rezoning Petition REZ-2026-0055 and Primary Development Plan PDP-2026-0031 - 419 W Paulding Rd

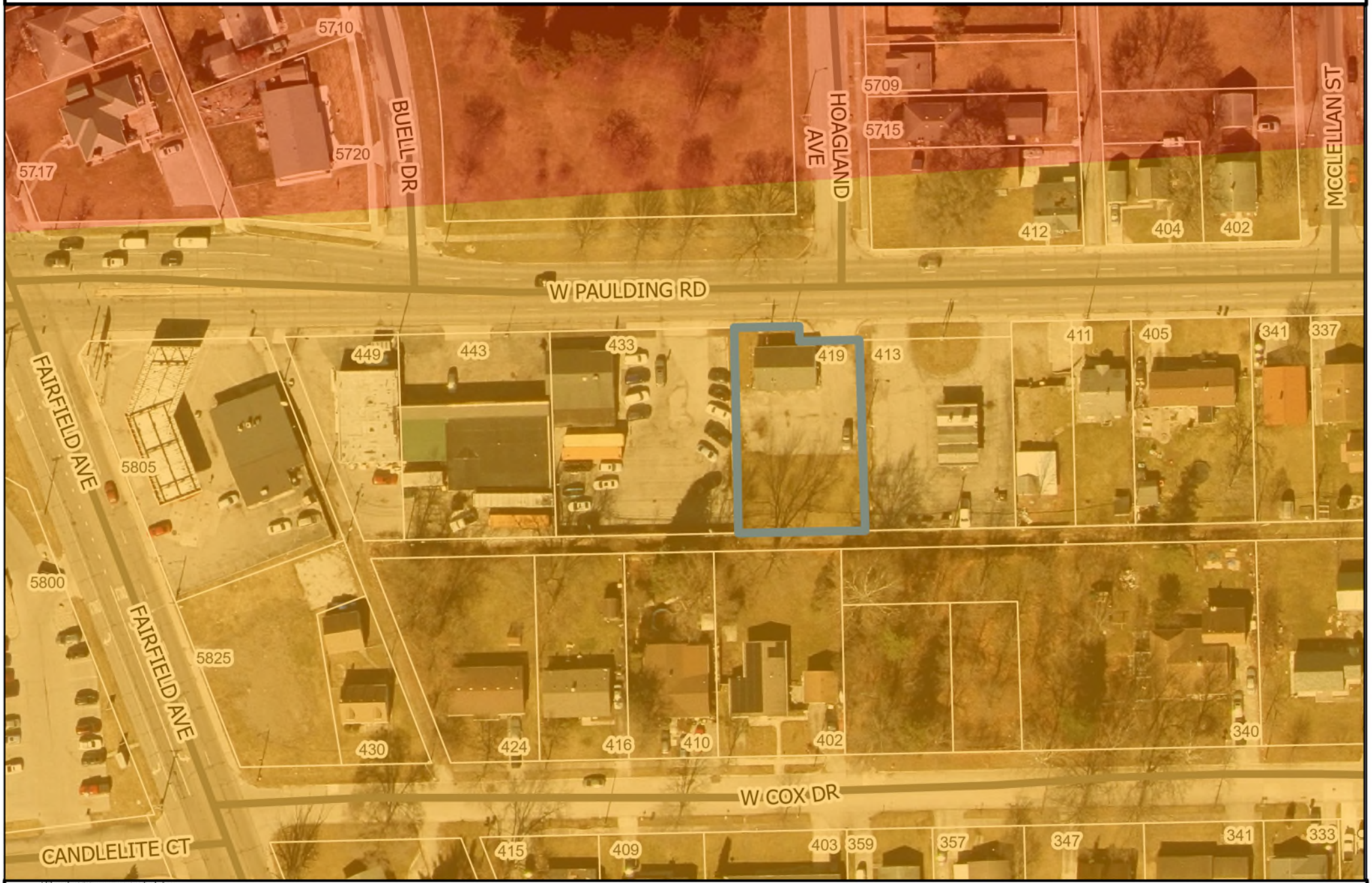


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0 50 100 Feet

N

Rezoning Petition REZ-2026-0055 and Primary Development Plan PDP-2026-0031 - 419 W Paulding Rd



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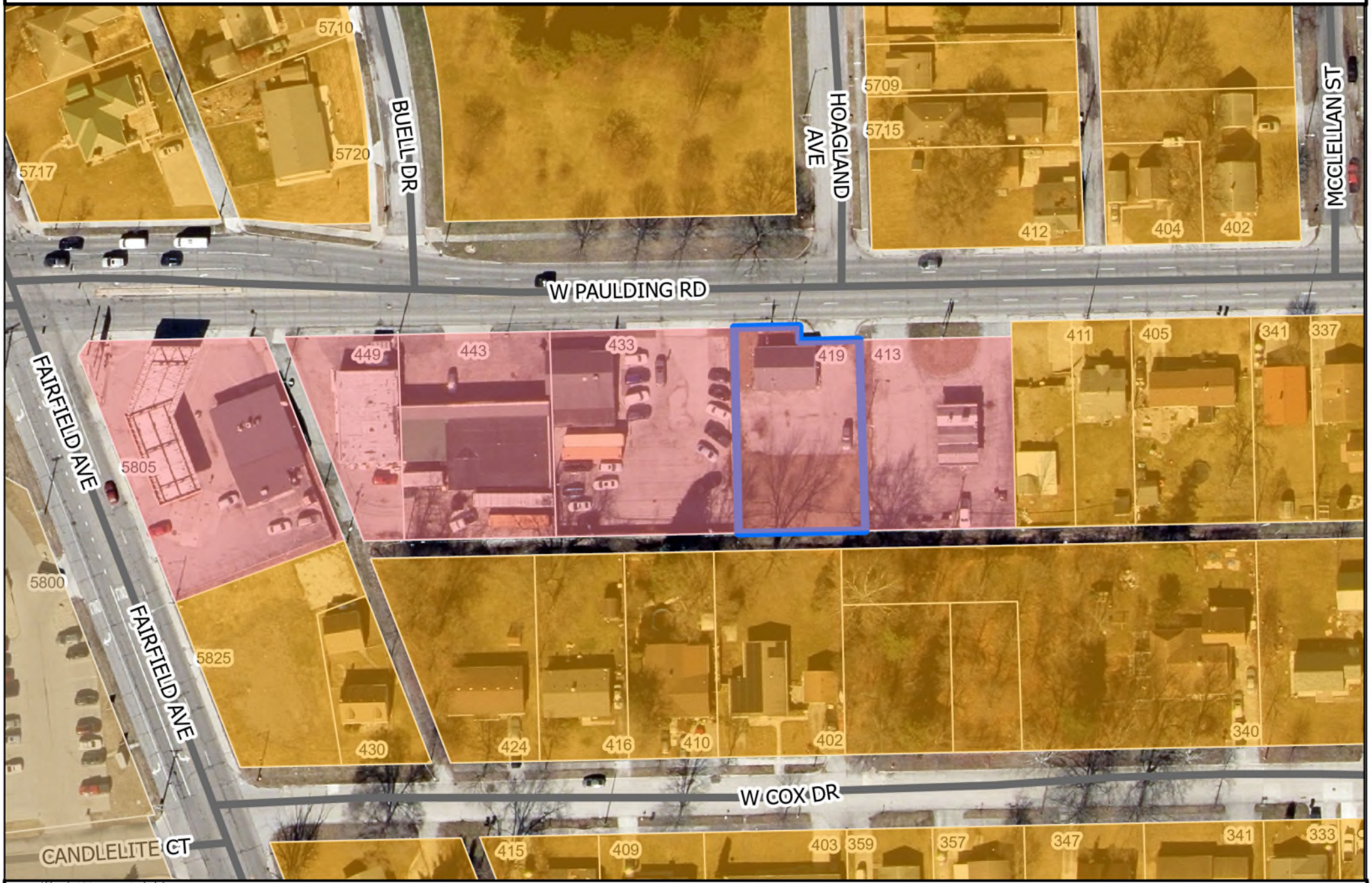
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0 50 100 Feet

Priority Investment Area
Urban Infill Area

N

Rezoning Petition REZ-2026-0055 and Primary Development Plan PDP-2026-0031 - 419 W Paulding Rd



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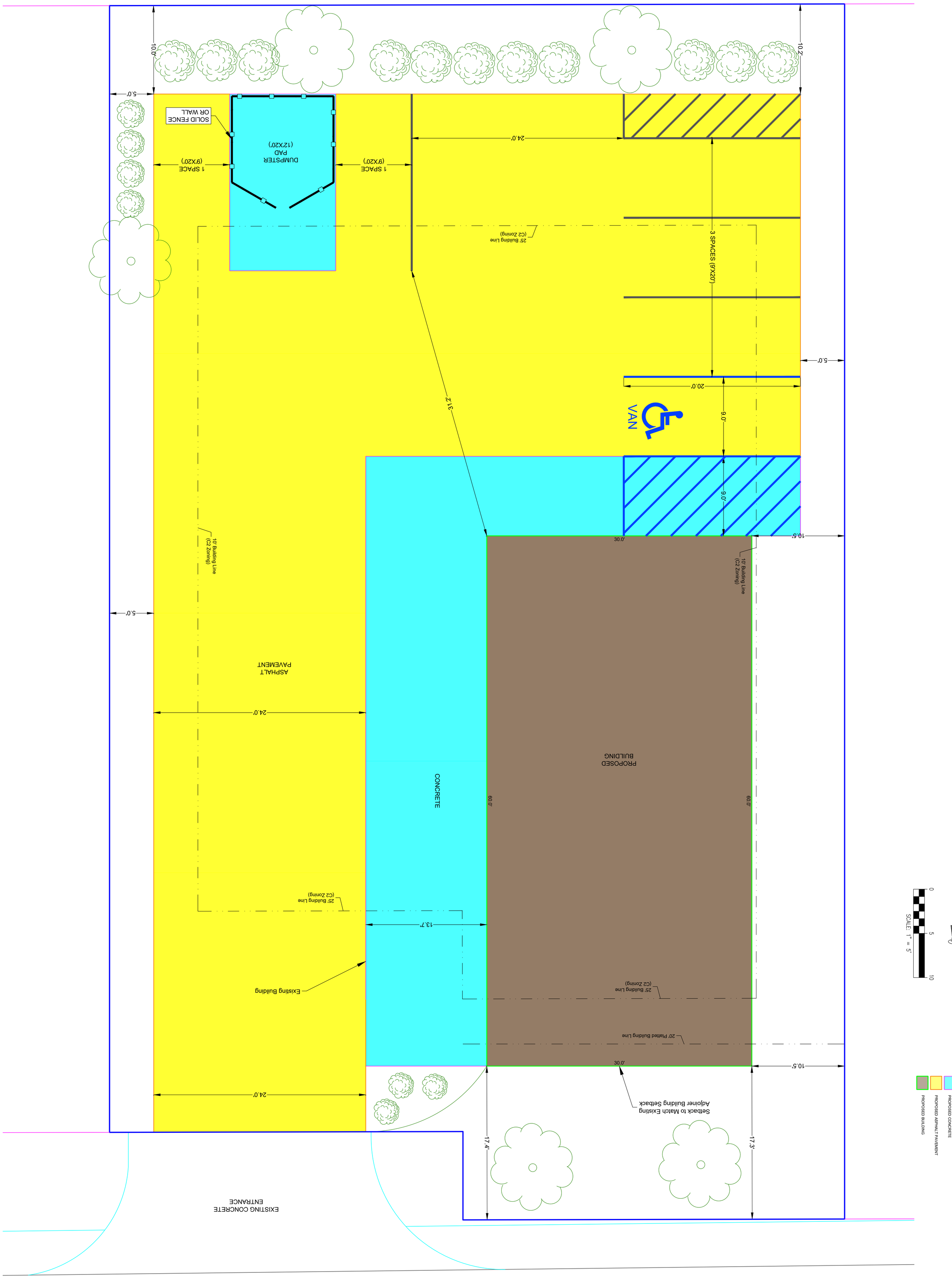
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/10/2026

0 50 100 Feet

- Mixed Residential
- Neighborhood Commercial
- Traditional Neighborhood

N



Sheet No.: C1.0

Scale: as shown

Job No.: 26128

Checked By: AJC

Drawn By: SG

Date: 10-30-26

W. Paulding Road

Preliminary Site Plan

Address: 419 W Paulding Rd, Fort Wayne, Indiana 46807

Date:	No.	Remarks	By:

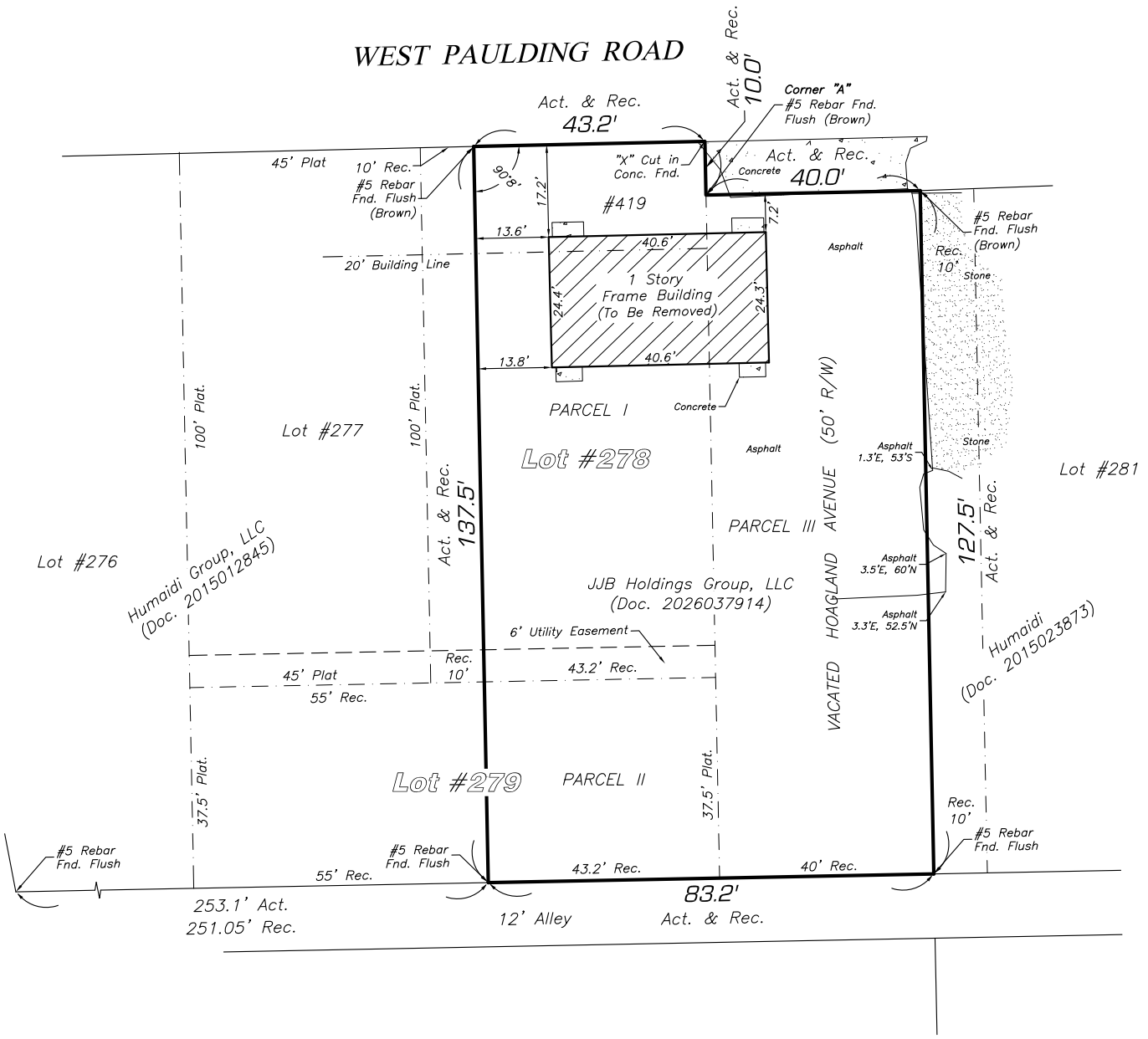
STREBIG CONSTRUCTION INC.
COMMERCIAL – INDUSTRIAL
DESIGN/BUILD CONTRACTORS

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T-E INCORPORATED
8620 Bluffton Road
Fort Wayne, IN 46809
Phone (260) 489-5541
FAX (260) 489-3174
Email TE@t-einc.com
Surveying * Engineering * Asphalt * Utilities * Site Development

NOT FOR CONSTRUCTION

PLAT OF SURVEY
1" = 30'



NORTH

SCALE IN FEET:
0 15 30

October 8, 2026
Survey No. 157-165
JJB Holdings Group, LLC

Sauer Land Surveying, Inc.

Joseph R. Herendeen, PS, Co-Principal Indiana Firm Number 048
Wade N. Hacker, Co-Principal
Brian W. Jacquay, PS
John C. Sauer, PS - retired

7203 Engle Road
Fort Wayne, IN 46804
TEL: 260/469-3300 FAX: 260/469-3301
Toll Free: 877-625-1037
www.sauersurveying.com

CERTIFICATE OF SURVEY

This document is a record retracement survey of real estate prepared under IAC 865 Rule 12 in conformity with established practices of surveying and made in accordance with the records on file in the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from visible encroachments either way across boundary lines unless specifically stated below. Corners were perpetuated as indicated.

RECORD DESCRIPTION: (as described in Document Number 2026037914)

PARCEL I:

The East 43.2 feet of Lot Numbered 278 in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

PARCEL II:

The East 43.2 feet of Lot Numbered 279 in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

PARCEL III:

The West 40 feet of vacated Hoagland Avenue in Fairfield Terrace Addition, Section "B", as recorded in Plat Record 11, pages 52-53, in the Office of the Recorder of Allen County, Indiana.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Maps Numbered 18003C 0292G & 18003C 0294G, both effective August 3, 2009.

October 8, 2026
Survey No. 157-165
JJB Holdings Group, LLC
Last Deed of Record: Doc. 2026037914
Last Date of Fieldwork: September 23, 2026
Pages 2 and 3 contain the Surveyor's Report.

SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Address: 419 West Paulding Road, Fort Wayne, IN 46807

This survey is intended to retrace the record boundaries of three tracts of real estate described in a Warranty Deed from BJH1 Properties, LLC to JJB Holings Group, LLC, dated June 25, 2026, and recorded in Document Number 2026037914 in the Office of the Recorder of Allen County, Indiana.

In Accordance with Title 865, Article 1.1, Chapter 12, Sec. 1 et. seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various uncertainties in (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

REFERENCES: A copy of the following documents were reviewed in completion of this survey:
- -The deeds of the subject lot and any adjoining lots, as shown on the plat of survey.
- -The plat of Fairfield Terrace Addition, Plat Record 11, pages 52-53.

(A) AVAILABILITY OF REFERENCE MONUMENTS:
The following monuments were accepted and held as controlling monuments at the following locations:

- -The Northwest corner of subject tract.....#5 rebar found with Brown cap.
- -The Southwest corner of subject tract.....#5 rebar found.
- -The Southeast corner of subject tract.....#5 rebar found.
- -The Northeast corner of subject tract.....#5 rebar found with Brown cap.
- -Corner "A".....#5 rebar found with Brown cap.
- -The Northeast corner of Lot 278....."X" cut found in concrete.

Uncertainties due to variances between found controlling monuments and record distances were determined to be a maximum of 2.05 feet in the East-West direction. Uncertainties due to variances between all found monuments and record distances were determined to be 2.05 feet in any direction.

(B) OCCUPATION AND/OR POSSESSION LINES:
Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the boundary lines as established in this survey. Encroachments and/or discrepancies may be buried or otherwise obscured by natural or man-made obstructions. Asphalt pavement from subject tract extends a maximum of 3.5 feet East of the East line of the subject tract, as shown on the Plat of Survey. Uncertainties based upon existing occupation and/or possession lines vary from the lines established in this survey by a maximum of 3.5 feet in the East-West direction.

(C) AMBIGUITY OF RECORD DESCRIPTIONS:
Upon review of the most current deeds of record, the base tract description does not contain any ambiguity within its record description or with the adjoining descriptions. Therefore, there are no uncertainties based upon record descriptions.

(D) RELATIVE POSITIONAL ACCURACY:
The relative positional accuracy representing the uncertainty due to random errors in measurements of the corners established in this survey is less than or equal to the specifications for a Suburban Survey (0.13 feet plus 100 ppm) as defined by IAC 865.

(E) ESTABLISHMENT OF LINES AND CORNERS:

1. The lines of subject tract were all established between the above-established corners of said subject tract.

(Continued on Page 4)

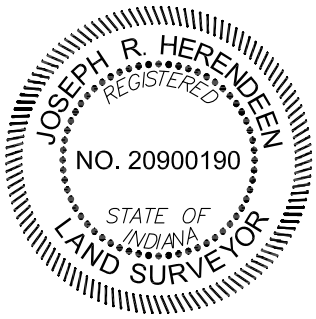
SURVEYOR'S REPORT
(Continued from Page 3)

(F) NOTES:

1. This survey is an opinion of a licensed land surveyor of the State of Indiana as to the actual location of the lines and corners outlined in the deed description. This opinion is based on logic, relevant field and research evidence, and established surveying principles. However, this opinion is subject to the interpretation of its deed description, and the boundaries of adjacent tracts may not be consistent with the boundaries of subject tract. As a consequence, another surveyor may arrive at different conclusions resulting in a different location of the boundaries.
2. A survey cannot resolve uncertainties in the position of the original boundaries that exist. Only courts may establish property lines. The boundaries were established from the most current recorded descriptions. An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent.
3. The flood statement on Page 1 is for informational purposes only. Accurate determination of the flood hazard status of the property can only be made by an elevation study which is beyond the scope of this survey.
4. No attempt has been made to review or come to an opinion on the title or marketability of the title. Any appearance of an opinion on the title is unintentional.
5. Unplatted easements, setback lines, restrictive covenants, or land use regulations affecting the subject tract are shown only when documentation of such matters has been furnished by the client. As of this date, no title commitment has been provided for review.
6. All documents of record and information from other public sources referred to in the survey are hereby incorporated as part of this survey as if fully set out.
7. No attempt has been made to determine the zoning status of the property. It is the responsibility of the parties involved in the real estate transaction to determine compliance with zoning regulations.
8. Any fence or other evidence of possession which varies from the written title lines may constitute adverse possession or prescriptive rights.
9. Subsurface and environmental conditions were not examined or considered as a part of this survey.
10. Expression of distances to hundredths of a foot and angles to seconds of arc is solely to minimize errors introduced by rounding. Neither distances nor angles can be measured to the degree of precision implied by the stated units. No dimension on the survey can be interpreted to be of greater precision than the relative positional accuracy stated in Part (D) of the Surveyor's Report.
11. Since the last date of fieldwork of this survey, conditions beyond the knowledge or control of Sauer Land Surveying, Inc., may have altered the validity and circumstances shown or noted hereon.
12. Declaration is made to original purchaser of the survey and is not transferable to additional institutions or subsequent owners. This survey is valid only with the surveyor's original or electronic signature and seal, full payment of invoice, and complete with all pages of the survey.
13. No statement made by any employee or agent of Sauer Land Surveying, Inc., is valid unless written herein.

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.

_____ Date: 10/08/2026
Indiana Professional Land Surveyor



DPS Plan Commission
Rezoning Petition Application

Applicant

Applicant Name: Aaron Carl

Address: 8620 Bluffton Road City: Fort Wayne State: IN Zip: 46809

Email (type or print): acarl@t-einc.com Phone: 260-489-5541

Property Ownership ☐ Same as applicant

Owner Name: JJB Holdings Group LLC

Address: 419 E Dupont Rd #1232 City: Fort Wayne State: IN Zip: 46825

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 Huntertown ☐ City of Woodburn

Property Information

Development Address or PIN #: 419 W Paulding Rd

Present Zoning : I1 Proposed Zoning : C2 Acreage to be rezoned : 0.256

Purpose of rezoning (attach additional page if necessary): See Exhibit A

Township Name: Wayne Township Section Number: 26

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.

Aaron J. Carl		10-30-26
printed name of applicant	signature of applicant	date
JJB Holdings Group		10-30-26
printed name of property owner	signature of property owner	date

STAFF USE ONLY

Received	Receipt Number	Hearing Date	Petition Number

Department of Planning Services (DPS)
200 East Berry Street • Suite 150 Citizens Square, Fort Wayne, Indiana, 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.in.gov

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;

See Exhibit A

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

See Exhibit A

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

See Exhibit A

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

See Exhibit A

(5) Responsible development and growth.

See Exhibit A

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*

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

Exhibit A **419 W Paulding Rd**
Rezoning Petition Purpose & Questionnaire **Fort Wayne, IN 46807**

Purpose:

To rezone the property from I1 (Limited Industrial) to C2 (Limited Commercial) to permit the development and operation of a retail tire sales and light automotive maintenance facility. The requested C2 classification aligns with the moderate-intensity business goals of the All In Allen Comprehensive Plan, transitions the site away from industrial use, and provides a compatible, neighborhood-oriented commercial service that fits the existing character of the surrounding traffic corridor.

Questionnaire:

1. **Please describe how this petition satisfies the Comprehensive Plan.**

This petition supports the goals of the All In Allen Comprehensive Plan by promoting infill development and business diversification on an existing developed lot. Rezoning this parcel from an I1 (Limited Industrial) to a C2 (Limited Commercial) actively aligns with the plan's vision to foster accessible, commercial activity nodes along established traffic and service corridors. It replaces low-intensity industrial zoning with a commercial business that serves local Fort Wayne residents and the surrounding neighborhood without expanding urban sprawl.

2. **Please describe how this petition satisfies the current conditions and the character of current structures and uses in the district.**

The surrounding district features a mix of auto-oriented uses, light industrial warehouses, and highway business structures. A retail tire sales facility is highly compatible with this established layout. Moving from I1 to C2 acts as a positive land-use transition, removing potential industrial operations and replacing them with a cleaner, pedestrian-and-vehicle-friendly retail store.

3. **Please describe how this petition satisfies the most desirable use for which the land in the district is adapted.**

Given the property’s excellent visibility, road access, and proximity to other business corridors, it is optimally suited for commercial retail and service options rather than heavy manufacturing. The layout allows for secure inventory storage, spacious service bays, and accessible customer parking. Operating a neighborhood-focused automotive service facility, like a tire sales shop,

leverages the site's strengths, transforming the parcel into its most productive and economically desirable community use.

4. **Please describe how this petition satisfies the conservation of property values throughout the jurisdiction.**

The tire sales shop will operate entirely within C2 development standards, including appropriate buffering, lighting, and access controls. Because C2 focuses on neighborhood-oriented and community business uses, it will protect and conserve nearby property values far better than potential heavy industrial alternatives allowed under the current I1 status.

5. **Please describe how this petition satisfies responsible development and growth.**

This project represents highly responsible development because it takes advantage of an existing site already supported by municipal infrastructure, including roads, utilities, public water, and sanitary sewers. By optimizing a previously developed site, the business avoids placing an extra infrastructure burden on Fort Wayne taxpayers. It delivers critical commercial growth, creates local jobs, and expands the local tax base safely and efficiently.