

1 #REZ-2015-0055

2 BILL NO. Z-15-10-12

3 ZONING MAP ORDINANCE NO. Z-23-15

4 AN ORDINANCE amending the City of Fort Wayne  
5 Zoning Map No. K-38 (Sec. 15 of Washington Township)

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

8 SECTION 1. That the area described as follows is hereby designated a C3 (General  
9 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
10 Wayne, Indiana:

11 A parcel of land located in the Southeast quarter of Section 15, Township 31 North,  
12 Range 12 East, City of Fort Wayne, Washington Township, Allen County, being  
13 more particularly described as:


14 Commencing at the Northeast Corner of Lot Number 86 in Ludwig Park Addition as  
15 recorded in Allen County Plat Book 23, Page 49; thence South 2 degrees 9 minutes  
16 18 seconds East, 187.33 feet (rec. 2 degrees 5 minutes 14 seconds East, 187.33  
17 feet); thence North 88 degrees 50 minutes 36 seconds East, 4.44 feet (rec. 88  
18 degrees 54 minutes 40 seconds East, 4.44 feet); thence South 01 degree 47  
19 minutes 41 seconds East, 306.89 feet (rec. South 01 degree 43 minutes 38 seconds  
20 East, 306.89 feet) to the point of beginning; thence South 01 degree 47 minutes 42  
21 seconds East, 218.76 feet (rec. South 01 degree 43 minutes 38 seconds East,  
22 218.58 feet); thence South 80 degrees 52 minutes 35 seconds West, 269.94 feet  
23 (rec. South 80 degrees 54 minutes 08 seconds West, 269.90 feet) to the Easterly  
24 right-of-way of Lima Road (aka State Road #3); thence North 09 degrees 08  
25 minutes 36 seconds West, 216.74 feet (rec. North 09 degrees 05 minutes 52  
26 seconds West, 216.78 feet) along said Easterly right-of-way line; thence North 80  
27 degrees 49 minutes 57 seconds East, 297.92 feet (rec. North 80 degrees 54  
28 minutes 08 seconds East, 297.94 feet) to the point of beginning. Containing 1.41  
29 acres more or less. Subject to all legal rights-of-way, easements and restrictions of  
30 record.

and the symbols of the City of Fort Wayne Zoning Map No. K-38 (Sec. 15 of Washington  
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
Wayne, Indiana is hereby changed accordingly.

1 SECTION 2. That this Ordinance shall be in full force and effect from and after its  
2 passage and approval by the Mayor.

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4 \_\_\_\_\_  
Council Member

5 APPROVED AS TO FORM AND LEGALITY:

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Carol T. Helton, City Attorney

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City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2015-0055  
Bill Number: Z-15-10-12  
Council District: 3-Tom Didier

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Introduction Date: October 27, 2015

Plan Commission  
Public Hearing Date: November 9, 2015

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

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Synopsis of Ordinance: To rezone approximately 1.41 acres of property from C2-Limited Commercial  
to C3-General Commercial

Location: 6040 Lima Road

Reason for Request: To allow for a retail tires sales store and general automobile repair center.

Applicant: Jeffrey Ballard

Property Owner: WCC Properties, LLC

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Related Petitions: Primary Development Plan, Belle Tire

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Effect of Passage: Property will be rezoned to the C3-General Commercial zoning district  
which will permit the property to be used for general automobile repair.

Effect of Non-Passage: The property will remain zoned for C2-Limited Commercial development  
which does not permit the level of automobile repair that is proposed on  
this site.

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Jeffrey Ballard, RLA  
 Address 1643 Commerce Drive  
 City South Bend State Indiana Zip 46628  
 Telephone 574-234-4003 E-mail jballard@danchharner.com

**Contact Person**  
 Contact Person Christopher Enright, NCARB  
 Address 390 Park Street  
 City Birmingham State Michigan Zip 48009  
 Telephone 248-258-6485 E-mail cenright@enrightarchitects.com

*All staff correspondence will be sent only to the designated contact person.*

**Request**  
 Allen County Planning Jurisdiction  City of Fort Wayne Planning Jurisdiction  
 Address of the property 6040 Lima Road  
 Present Zoning C-2 Proposed Zoning C-3 Acreage to be rezoned 1.41  
 Proposed density n/a units per acre  
 Township name Washington Township section # 15  
 Purpose of rezoning (attach additional page if necessary) To allow the construction and operation of a proposed automotive tire store and service center. C-2 allows for "quick service", While C-3 allows for auto repair and maintenance.  
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

**Filing Requirements**  
*Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.*

- Applicable filing fee
- Applicable number of surveys showing area to be rezoned (plans must be folded)
- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only

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 Allen County Plan Commission 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 I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Jeffrey Ballard 9-28-15  
 (printed name of applicant) (signature of applicant) (date)

\_\_\_\_\_  
 (printed name of property owner) (signature of property owner) (date)

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 (printed name of property owner) (signature of property owner) (date)

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 (printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
<u>10/6/15</u>	<u>119248</u>	<u>11/9/15</u>	<u>122-2015-0055</u>









# Rezoning Petition REZ-2015-0055 and Primary Development Plan - Belle Tire

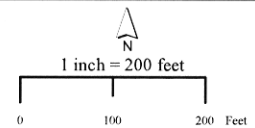


Project boundaries represented by bold colored lines are for representational purposes only.

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.

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North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009

Date: 10/21/2015





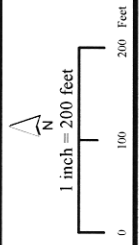
Rezoning Petition REZ-2015-0055 and Primary Development Plan - Belle Tire



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Date: 10/21/2015

Public Hearing Date, if applicable 11-9-15

Read the first time in full and on motion by Councilman Glynn Hines

Read the second time by title and referred to the Regulations

Committee. Read the third time in full and on motion by Councilman Martin Bender placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>    </u>	<u>1</u>	<u>2</u>
BENDER	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>
CRAWFORD	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>
DIDIER	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>
HARPER	<u>    </u>	<u>    </u>	<u>    </u>	<u>✓</u>
HINES	<u>    </u>	<u>    </u>	<u>    </u>	<u>✓</u>
JEHL	<u>    </u>	<u>    </u>	<u>✓</u>	<u>    </u>
PADDOCK	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>
SHOAFF	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>
SMITH	<u>✓</u>	<u>    </u>	<u>    </u>	<u>    </u>

DATED: 11-24-15 Michelle D. Chambers  
MICHELLE D. CHAMBERS, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. 23-15 on the 24<sup>th</sup> day of  
November, 2015

ATTEST: Michelle D. Chambers John N. Crawford  
MICHELLE D. CHAMBERS, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30<sup>th</sup> day  
of November, 2015, at the hour of 12:00 o'clock PM. E.S.T.

Michelle D. Chambers  
MICHELLE D. CHAMBERS, CITY CLERK

Approved and signed by me this 1<sup>st</sup> day of December  
2015, at the hour of 4:00 O'clock PM. E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

**BILL NO. Z-15-10-12**

**REPORT OF COMMITTEE ON REGULATIONS**

**November 24, 2015**

*Glynn Hines, Chair  
Mitch Harper, Co-Chair  
All Council Members*

**AN ORDINANCE** amending the City of Fort Wayne Zoning Map No. K-38 (Sec. 15 of Washington Township). **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

**DO PASS**

**DO NOT PASS**

**ABSTAIN**

**NO REC**

*Martin B. C.*  
\_\_\_\_\_  
*John A. Campbell*  
\_\_\_\_\_  
*Mitch Harper*  
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*Thomas J. Kelly*  
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*Robert J. ...*  
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**MICHELLE D. CHAMBERS**  
**CITY CLERK** *Michelle D. Chambers*