

1 minutes, a distance of 53.3 feet to a standard corner marker set this survey on the
2 North right of way line of Washington Center Road (also the South line of said
3 Lot Number 4); thence Westerly along said line, by a deflection right of 46
4 degrees 45 minutes, a distance of 198.7 feet to the point of beginning, containing
5 0.97 acres more or less.


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

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

13
14 SECTION 3. That this Ordinance shall be in full force and effect from and after its
15 passage and approval by the Mayor.

16 
17 _____
18 Council Member

19 APPROVED AS TO FORM AND LEGALITY:

20 
21 _____
22 Carol T. Helton, City Attorney

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24
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**City of Fort Wayne Common Council
DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2017-0024
Bill Number: Z-17-05-31
Council District: 3-Tom Didier

Introduction Date: May 23, 2017

Plan Commission
Public Hearing Date: June 12, 2017 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 1.56 acres of property from C2-Limited Commercial
to C3-General Commercial

Location: 5917 Lima Road and 1734 West Washington Center Road

Reason for Request: To bring the entirety of the applicant's property into the appropriate zoning
district for the existing gas station, which is proposed to be expanded and
upgraded.

Applicant: Lassus Bros. Oil, Inc.

Property Owner: J & J Realty Co.

Related Petitions: Primary Development Plan, Lassus at Washington Center and Lima

Effect of Passage: Property will be rezoned to the C3-General Commercial zoning district
for the purpose of having appropriate zoning for the existing gas station,
and allow the convenience store to be rebuilt to current standards.

Effect of Non-Passage: The property will remain zoned C2-Limited Retail. The existing gas
station may remain, but it may not be expanded and upgraded, and it is
located in an inappropriate zoning district.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Lassus Bros. Oil, Inc.
 Address 1800 Magnavox Way
 City Fort Wayne State IN Zip 46804
 Telephone 260-436-1415 E-mail lassust@lassus.com

Contact Person
 Contact Person Scott M. Federoff, Synder Morgan Federoff & Kuchmay LLP
 Address 200 West Main St.
 City Syracuse State IN Zip 46567
 Telephone 260-602-8000 E-mail smf@smfklaw.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 1738 W. Washington Center Road & 5917 Lima Road, Ft. Wayne, IN 46818
 Present Zoning C2 Proposed Zoning C3 Acreage to be rezoned 1.56
 Proposed density 1 units per acre
 Township name Washington Township section # 31 North
 Purpose of rezoning (attach additional page if necessary) To allow the reconstruction of a Lassus Handy Dandy convenience store, fuel station, and add approximately 2,925 square feet of retail space.
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

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.

- Filing 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 Rezonings 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.

Todd J. Lassus, President  5/ 17
 (printed name of applicant) (signature of applicant) (date)

See the attached Exhibit "A" _____
 (printed name of property owner) (signature of property owner) (date)

See the attached Exhibit "A" _____
 (printed name of property owner) (signature of property owner) (date)

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

Received	Receipt No.	Hearing Date	Petition No.
5-2-17	123762	6-12-17	REZ-2017 - 0024

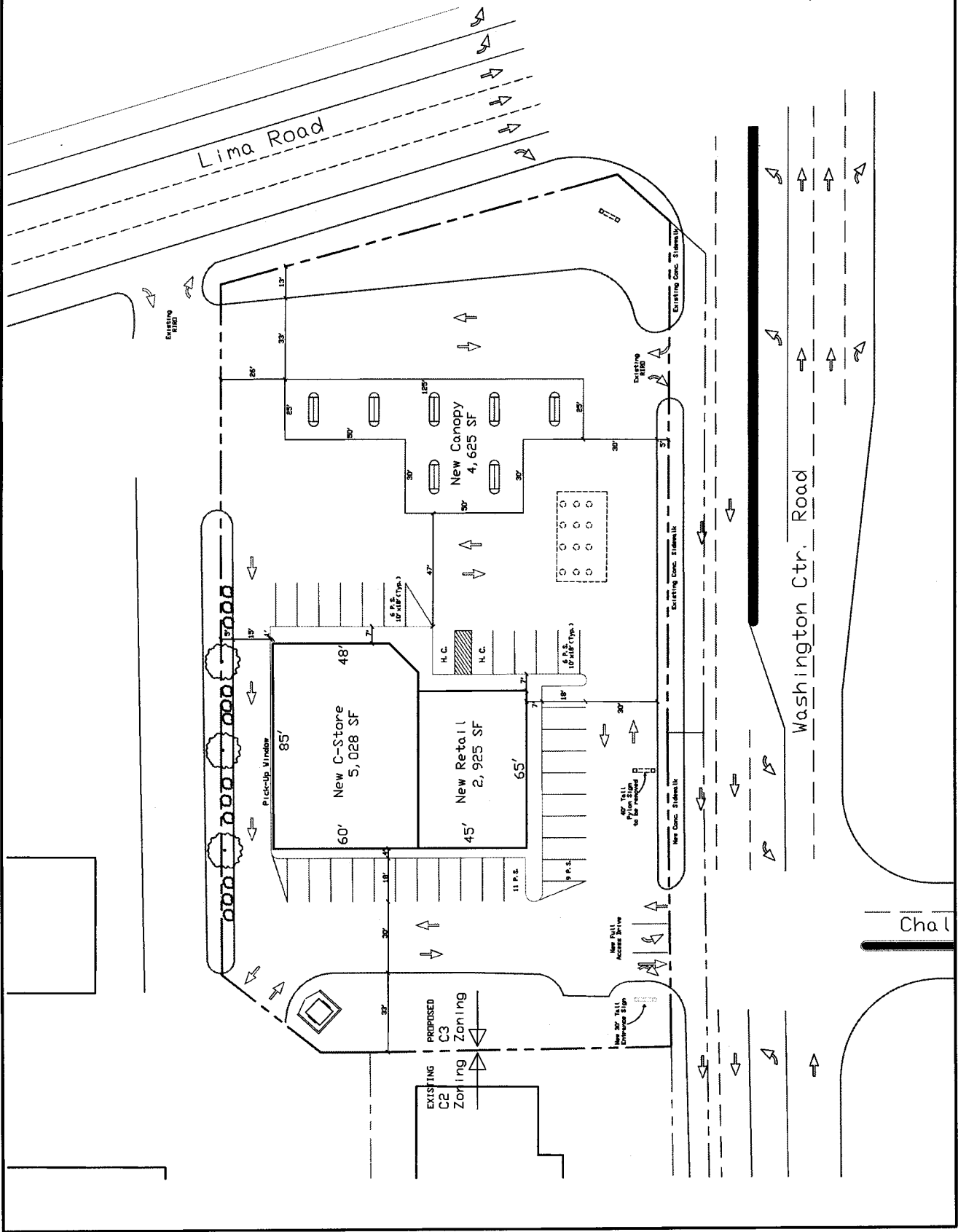


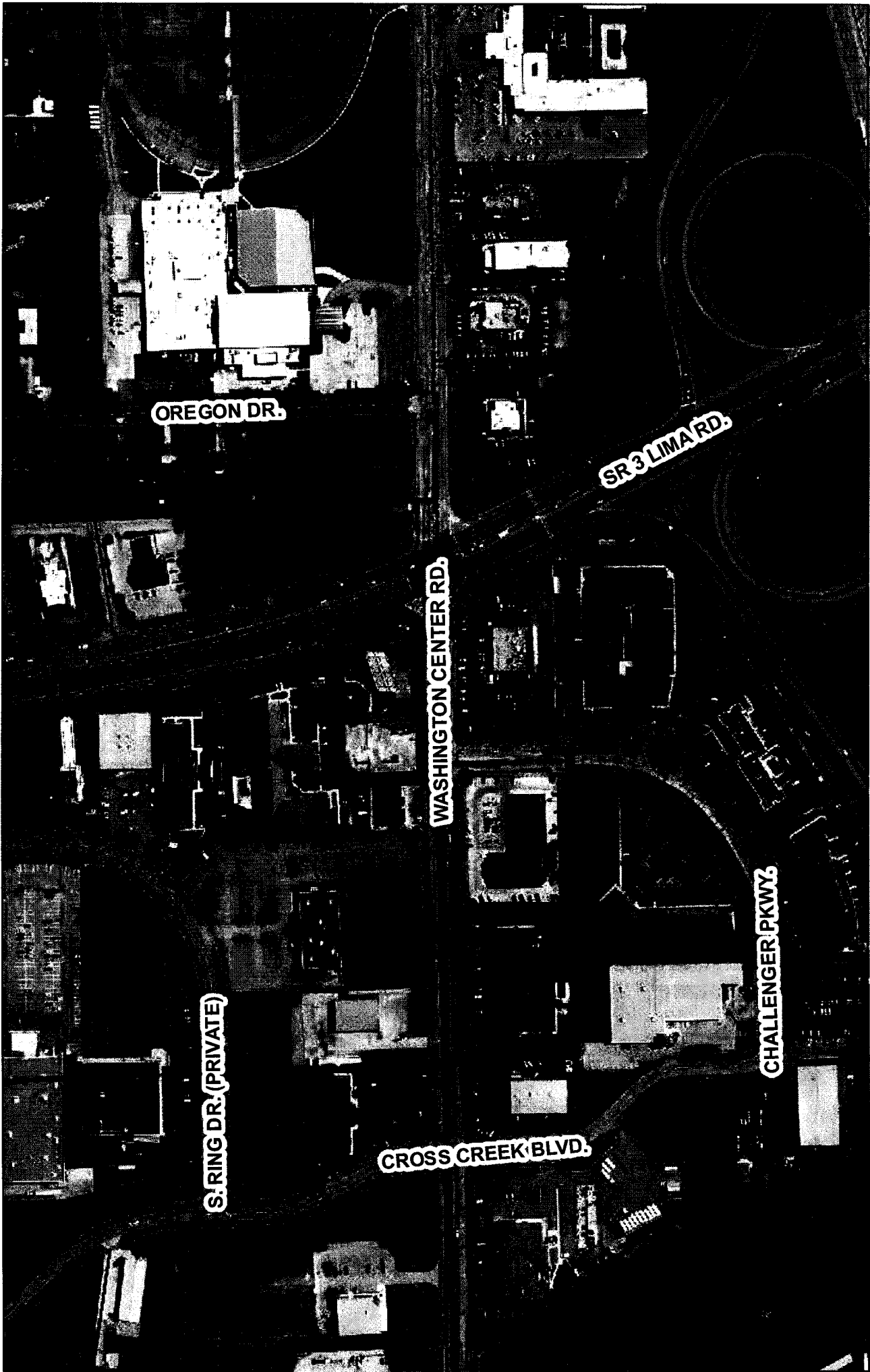
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Primary Development Plan

Lassus Handy Dandy

5917 Lima Rd., Ft. Wayne, IN 46825





1 inch = 300 feet



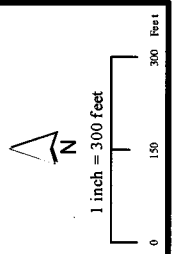
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Sp'g 2009
File: S16017



Rezoning Petition REZ-2017-0024 and Primary Development Plan PDP-2017-0019 - Lassus at Lima and Washington Center Road



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: 5/16/2017



BILL NO. Z-17-05-31

REPORT OF COMMITTEE ON REGULATIONS

July 11, 2017

Michael Barranda Chair

John Crawford Co-Chair

All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. K-38 (Sec. 15 of Washington Township)

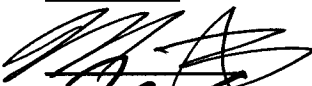
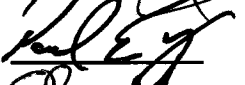

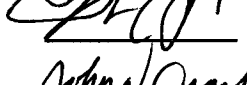
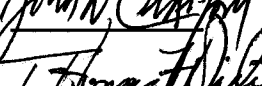
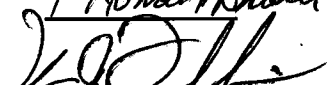

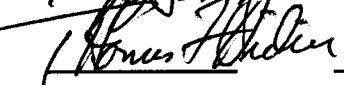
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

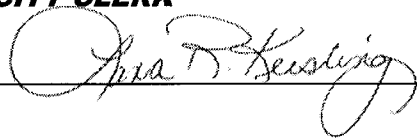
DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: June 12, 2017


Read the first time in full and on motion by Councilman Crawford.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Barranda, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: July 11, 2017




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-17-05-31 on the 11th day of July, 2017

ATTEST:



 LANA R. KEESLING
 CITY CLERK



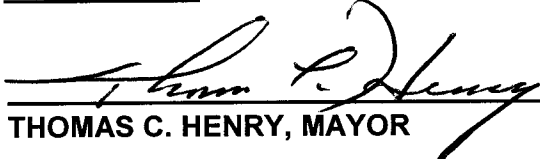
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of July 2017, at the hour of 10:35 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13th day of JULY 2017, at the hour of 3:00 O'clock PM . E.S.T.



 THOMAS C. HENRY, MAYOR