

1 #REZ-2018-0044

2 BILL NO. Z-18-08-28

3  
4 ZONING MAP ORDINANCE NO. Z-~~27-18~~

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. E-03 (Sec. 7 of Wayne Township)

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

9 SECTION 1. That the area described as follows is hereby designated a C2 (Limited  
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
11 Wayne, Indiana:

12 **Tract 1:**

13 Part of Lot Number One (1) in Poplar Ridge Subdivision recorded in Plat Book 48,  
14 Page 124 in the Office of the Recorder of Allen County, Indiana, being part of the  
15 Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second  
Principal Meridian, Wayne Township in Allen County, Indiana, more particularly  
described as follows:

16 Commencing at a Railroad Spike marking the Southwest corner of said Northeast  
17 Quarter; thence North 00 degrees 03 minutes 32 seconds West (GPS grid bearing and  
18 basis of bearings to follow), a distance of 212.75 feet (Deed) along the West line of  
19 said Northeast Quarter and within the right-of-way of Getz Road; thence South 88  
20 degrees 44 minutes 45 seconds East, a distance of 40.0 feet (Deed) to the Southwest  
21 corner of an existing 0.850 acre tract as described in Document Number 2017025486  
22 in the Office of the Recorder of Allen County, Indiana, said point also being the  
23 Point of Beginning of the herein described tract. Thence South 88 degrees 44  
24 minutes 45 seconds East, a distance of 227.60 feet (Deed) along said South line to  
25 the East line of said 0.850 acre tract; thence South 00 degrees 03 minutes 32 seconds  
26 East, a distance of 22.00 feet along the Southerly extension of said East line; thence  
27 North 88 degrees 58 minutes 07 seconds West, a distance of 70.00 feet; thence South  
28 01 degrees 01 minutes 53 seconds West, a distance of 16.87 feet; thence North 88  
29 degrees 58 minutes 07 seconds West, a distance of 93.17 feet; thence North 72  
30 degrees 37 minutes 45 seconds West, a distance of 67.16 feet to the Easterly right-of-  
way line of said Getz Road; thence North 00 degrees 03 minutes 32 seconds West, a  
distance of 20.87 feet along said Easterly right-of-way line to the Point of Beginning,  
Containing 0.164 Acres, more or less. Subject to easement of record.

1 **Tract 2:**

2 Part of the Northwest Quarter of Section 7, Township 30 North, Range 12 East, in  
3 Allen County, Indiana more particularly described as follows, to-wit:

4 Commencing at the Southwest corner of the Northeast Quarter of Section 7,  
5 Township 30 North, Range 12 East; thence North, along the West line of said  
6 Northeast Quarter also being the centerline of the Getz Road, a distance of 212.75  
7 feet; thence East, perpendicular to said West line, a distance of 40.0 feet, to the true  
8 Point of Beginning; thence North, parallel with said West line, distance of 162.75;  
9 thence East, perpendicular to said West line, a distance of 227.6 feet; thence South,  
10 parallel with said West line and distance of 162.75 feet, thence West, perpendicular  
11 to said West line, a distance of 227.6 feet to the true Point of Beginning, said in  
12 previous deed to contain 0.850 acres of land, more or less.


13  
14 and the symbols of the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne  
15 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
16 Wayne, Indiana is hereby changed accordingly.

17  
18 SECTION 2. If a written commitment is a condition of the Plan Commission's  
19 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
20 approved by the Common Council as part of the zone map amendment, that written  
21 commitment is hereby approved and is hereby incorporated by reference.

22  
23 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
24 passage and approval by the Mayor.

25  
26   
27 \_\_\_\_\_  
28 Council Member

29 APPROVED AS TO FORM AND LEGALITY:

30  
  
\_\_\_\_\_  
Carol T. Helton, City Attorney  


**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Peter Bobeck  
 Address 3333 W. Hamilton Rd.  
 City Fort Wayne State IN Zip 46814  
 Telephone 260-348-1204 E-mail Peterbobeck@gmail.com

**Contact Person**  
 Contact Person see Above  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

*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 1907 Getz Road  
 Present Zoning R-1 Proposed Zoning C-2 Acreage to be rezoned 0.9 acres  
 Proposed density up to 2500 square feet units per acre  
 Township name Wayne Township section # \_\_\_\_\_  
 Purpose of rezoning (attach additional page if necessary) \_\_\_\_\_  
Please see Attached  
 Sewer provider \_\_\_\_\_ Water provider \_\_\_\_\_

*Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plansurvey 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 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.

Peter Bobeck Peter Bobeck 7-24-18  
 (printed name of applicant) (signature of applicant) (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)  
 \_\_\_\_\_ (signature of property owner) \_\_\_\_\_ (date)

Received	Receipt No.	Hearing Date	Petition No.
7/24/18	127827	9-10-18	REZ-2018-0044



**MSKTD & Associates**  
 Architects | Engineers | Landscape Architects  
 11111 W. Washington Blvd., Suite 100  
 Indianapolis, IN 46241  
 Phone: (317) 552-1111  
 Fax: (317) 552-1112  
 www.msktd.com

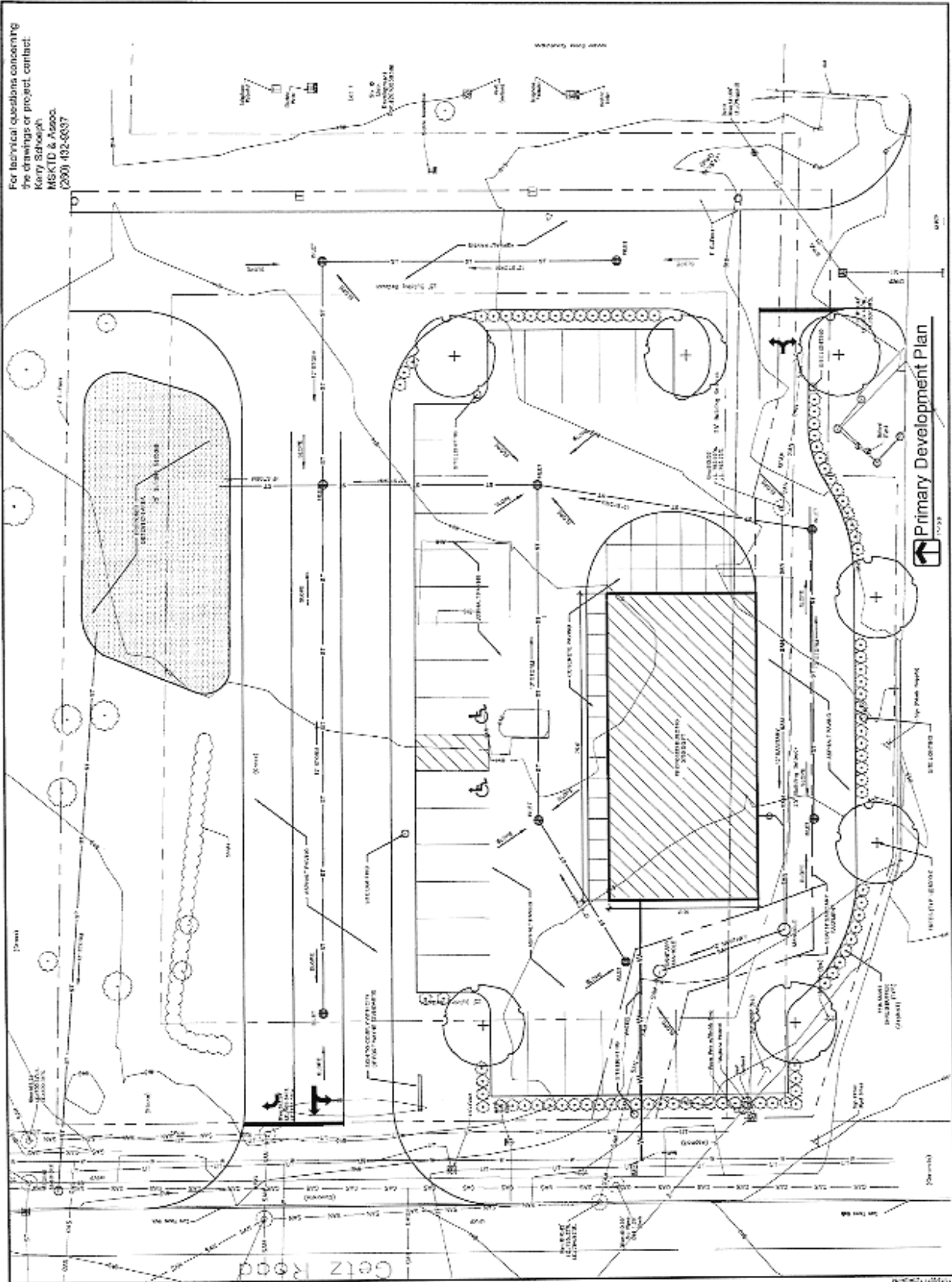


**Bobcock Real Estate**  
 A Project for:  
 Developer: Bobcock Real Estate Company  
 3939 W. Hamilton Road South, Fort Wayne, Indiana 46814  
 Office: (317) 432-1200  
 1907 Getz Road, Fort Wayne, Indiana 46804

DATE	11-13-17
PROJECT NO.	286

11/13/17  
 Primary Development Plan

C4-1



For technical questions concerning the drawings or project, contact:  
 Kerry Schwach  
 MSKTD & Assoc.  
 (317) 552-1111

Primary Development Plan

I am seeking rezoning of this parcel from a residential use to commercial to develop a use that is more consistent with the increased traffic along Getz Road.

This same parcel was submitted for rezoning in December of 2017. I am submitting the same survey as well as the same Primary Development Plan

The reasons for a "Do not Pass" recommendation were as follows:

**Concern:** Lack of specificity with respect to intended use

**Developer Solution:** Developer will limit prospective uses to the following:

1. Retail food and beverage uses such as small restaurant, café, or dessert / ice cream store
2. Quick serve restaurant
3. Stand alone professional office for uses such as insurance, financial services, banking, legal services

**Concern:** Southbound traffic on Getz Road might still try to turn left into existing Poplar Ridge entrance and cars leaving existing Poplar Ridge entrance will try to turn left to go Southbound on Getz

**Developer Solution:** Developer has come to an agreement with Poplar Ridge owner (Tom Chronister) whereby access road shown in Primary Development Plan would tie into Poplar Ridge and existing Poplar Ridge entrance would be limited to "Right In / Right Out" traffic. This limitation would be called out by both a "pork chop" at the entrance as well as signage on the property. Traffic Engineering has approved this solution.



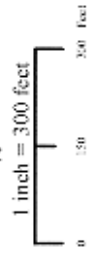
Rezoning Petition REZ-2018-0044 and Primary Development Plan PDP-2018-0036 - 1907 Getz

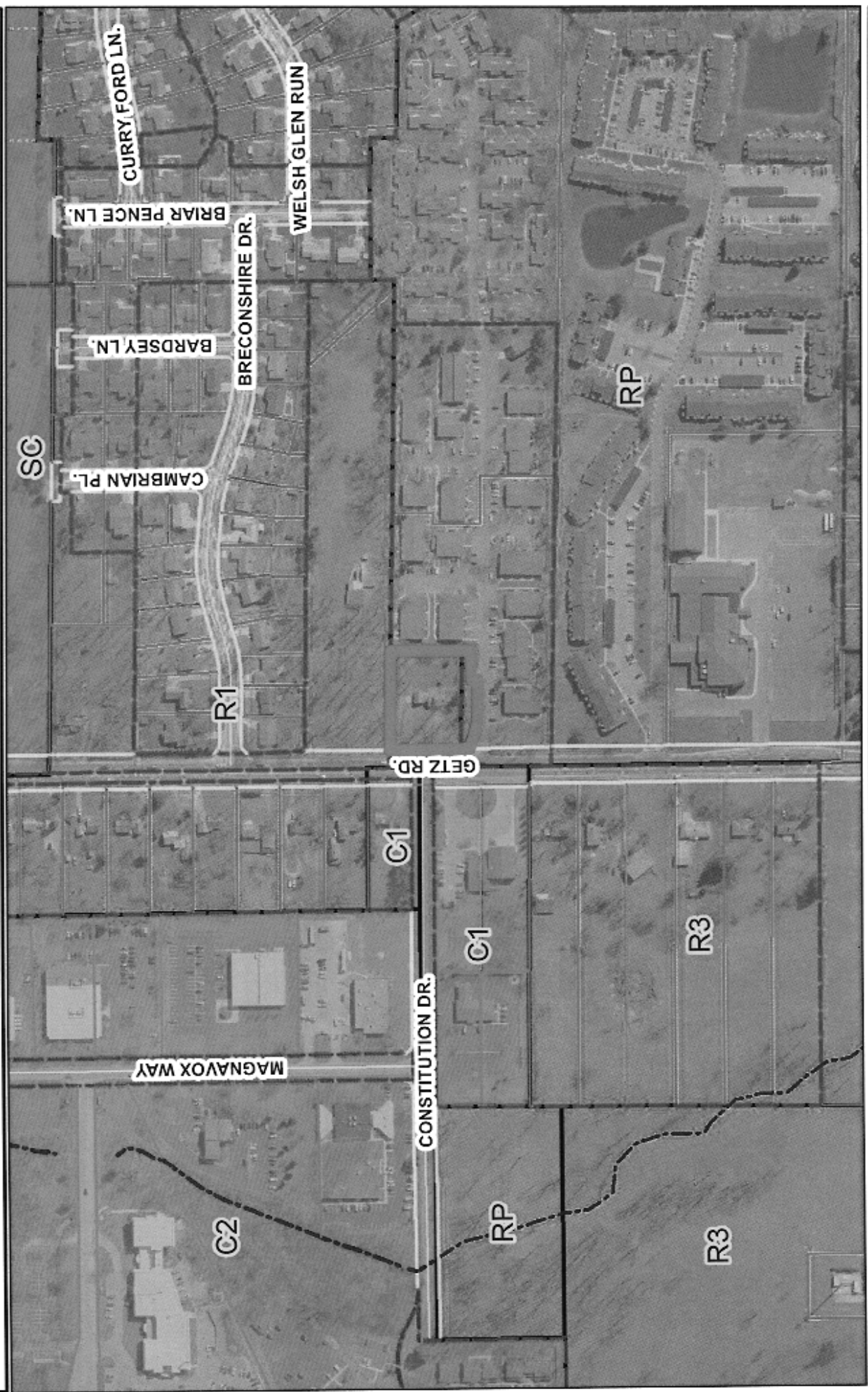


Although these assembly standards have been employed in the compilation of this map, Alton County does not warrant or guarantee the accuracy of the information contained herein and the boundaries and all details resulting from any error or omission in this map.

© 2018 Board of Commissioners of the County of Alton  
 North American Datum, 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Graphics: Spring 2019  
 Date: 6/27/2018

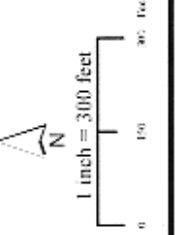
**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**





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## FACT SHEET

Case #REZ-2018-0044 Bill # Z-18-08-28 Project Start: 7 August 2018

APPLICANT:	Peter Bobeck
REQUEST:	To rezone property from R1/Single Family Residential to C2/Limited Commercial for a single building commercial development.
LOCATION:	The site is located on the east side of the 1900 block of Getz Road. The address of the subject property is 1907 Getz Road (Section 7 of Wayne Township).
LAND AREA:	Approximately 1 acre
PRESENT ZONING:	R1/Single Family Residential
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECTS:	Primary Development Plan, 1907 Getz Road Development
SPONSOR:	City of Fort Wayne Plan Commission

### 10 September 2018 Public Hearing

- One neighbor spoke at the hearing, with concerns.
- Connie Haas Zuber, Paul Sauerteig and Rachel Tobin-Smith were absent.

### 17 September 2018 – Business Meeting

#### Plan Commission Recommendation: DO PASS w/Written Commitment

A motion was made by Judi Wire and seconded by Paul Sauerteig to return the ordinance with a Written Commitment with a Do Pass recommendation to Common Council for their final decision.

#### 5-0 MOTION PASSED

- Connie Haas Zuber, Paul Ensley, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
24 September 2018

Reviewed by:



Kimberly R. Bowman, AICP  
Executive Land Use Director

## PROJECT SUMMARY

In 2017, the petitioner proposed a zoning change to C2/Limited Commercial along with a similar development plan for a single retail building. This proposal received a Do Not Pass recommendation from the Plan Commission and the request was withdrawn prior to Council action on the rezoning. The applicant waited the requisite time before resubmitting the proposal.

The proposal is to rezone the property to C2/Limited Commercial which would permit a retail, restaurant, or office building. The Getz Road corridor has seen a mix of uses develop, including apartments, professional offices, churches and more intensive commercial at the north and south ends of the corridor. In 2017, there was no tenant identified, which caused some neighborhood, staff, and Plan Commission concern over how intensive the commercial use could be. Traffic, lights, noise, and general activity can vary greatly depending on the use. There is still no specific user identified, but the applicant has stated interest in only the following uses: Retail food and beverage uses such as a small restaurant, café or dessert/ice cream store; a quick-serve restaurant; a stand-alone professional office for uses such as insurance, financial services, banking, or legal services. Upon reviewing this list, staff identified which uses in the zoning ordinance aligned with the desired uses, and also identified retail or office/service uses that would have similar or no greater impact on the area. The applicant and his attorney are reviewing the list at the time of this printing.

There was also concern in 2017 regarding traffic and access. The development plan application is for the construction of a new 2,700 square foot commercial building with associated parking, similar to the 2017 proposal. Since the original submittal, a traffic light has been installed at Getz Road and Constitution Drive, which is now a functioning 3-way signaled intersection. The development plan proposes access for this property at the signal, with a new access cut for the Poplar Ridge Apartment complex, located south of the development parcel. Staff is supportive of this shared access, however the existing Getz Road access to the apartments still remains. This has been a concern of Transportation/Traffic Engineering as well. To remedy this, the applicant stated he has entered into an agreement with the owner of the apartments to limit the Getz Road apartment access (just south of the new signal) to right-in/right-out only traffic. This will reduce conflicts south of the signal and encourage traffic to use the signalized intersection. These ideas were also presented in 2017, but there was no formalized agreement with the apartment owner (Tom Chronister), and Plan Commission cannot enforce improvements on an offsite property. The attorney for the applicant is currently working on a voluntary, recordable agreement for Plan Commission to review. Staff is also requesting review and approval from Transportation Engineering.

The applicant is also showing internal access to the parcel to the north. Since the streets proposed in this development will be private, a cross-access agreement will be required to benefit all parties involved in this petition.

A stormwater detention basin is shown in the northeastern corner of the site. Lighting is proposed to meet the Ordinance standards for pole and light fixture height, and location. A conceptual landscaping and screening plan has been submitted, but adjustments may need to be made depending on the final outcome of the commercial building and its use. No waivers have been requested, so the resulting landscape plan will need to meet all ordinance requirements. Sidewalks are currently installed along the Getz Road frontage.

Given the offering of a Written Commitment, and a new traffic management agreement, the proposed zoning district could be supported by the Comprehensive Plan. It will offer infill development and investment in the area. Due to increased activity and traffic on the Getz Road corridor, this parcel is less desirable as a residential property. The proposal will provide additional retail/restaurant opportunities in the southwest quadrant within close proximity to other services and neighborhoods. The comprehensive plan supports this development through the following objectives:

**LU1.** Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;

**LU3.** Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

**LU5.B** Encourage development proposals that enhance area connectivity.

**LU5.C** Encourage development proposals that provide neighborhood commercial, civic, institutional and other similar uses, designed to allow adequate access for pedestrians and bicycles, in close proximity to housing.

**LU6.C** Encourage the conversion of vacant or underutilized properties into compatible mixed-use development areas.

**LU6.D** Support carefully planned, coordinated, compatible mixed-use development.

**LU8.** Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

**PUBLIC HEARING SUMMARY:**

Presenter: Peter Bobeck, owner and developer, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

Corinne Tessman voiced concerns over traffic, what kind of commercial uses would be allowed, impacts on neighbors, and how Getz will develop.

Rebuttal:

The development plan, Written Commitment and Memorandum of Understanding with Poplar Ridge all address the concerns noted above.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2018-0044

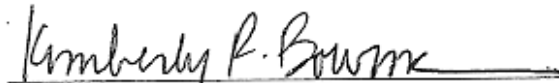
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LAND AREA: Approximately 1 acre  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: C2/Limited Commercial

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The Plan Commission recommends that Rezoning Petition REZ-2018-0044, with a Written Commitment, 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 general area has seen a mixture of land developments from commercial to single family residential land uses. This proposal will provide for new business opportunities in a neighborhood setting without the need for new infrastructure improvements.
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. Site plan review from the Plan Commission and staff will ensure a compatible development that complements the area.
3. Approval is consistent with the preservation of property values in the area. This proposal allows for new neighborhood orientated business to provide additional services in the southwest quadrant of Fort Wayne.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for the proposed uses and adequate infrastructure is available to service the site.

These findings approved by the Fort Wayne Plan Commission on September 17, 2018.



Kimberly R. Bowman, AICP  
Executive Director  
Secretary to the Commission

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Peter Bobeck  
 Address 3333 W. Hamilton Rd.  
 City Fort Wayne State IN Zip 46814  
 Telephone 260-348-1204 E-mail Peterbobeck@gmail.com

**Contact Person**  
 Contact Person see Above  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

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 Township name Wayne Township section # \_\_\_\_\_  
 Purpose of rezoning (attach additional page if necessary) Please see Attached  
 Sewer provider \_\_\_\_\_ Water provider \_\_\_\_\_

**Filing Requirements**  
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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.

Peter Bobeck [Signature] 7-24-18  
 (printed name of applicant) (signature of applicant) (date)

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

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

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

Received <u>7/24/18</u>	Receipt No. <u>127827</u>	Hearing Date <u>9-10-18</u>	Petition No. <u>REZ-2018-0044</u>
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**MSKTD & Associates**  
 Architects & Engineers, Inc.  
 1100 N. 10th Street, Suite 100  
 Fort Wayne, Indiana 46804  
 Phone: (317) 432-6337  
 Fax: (317) 432-6338

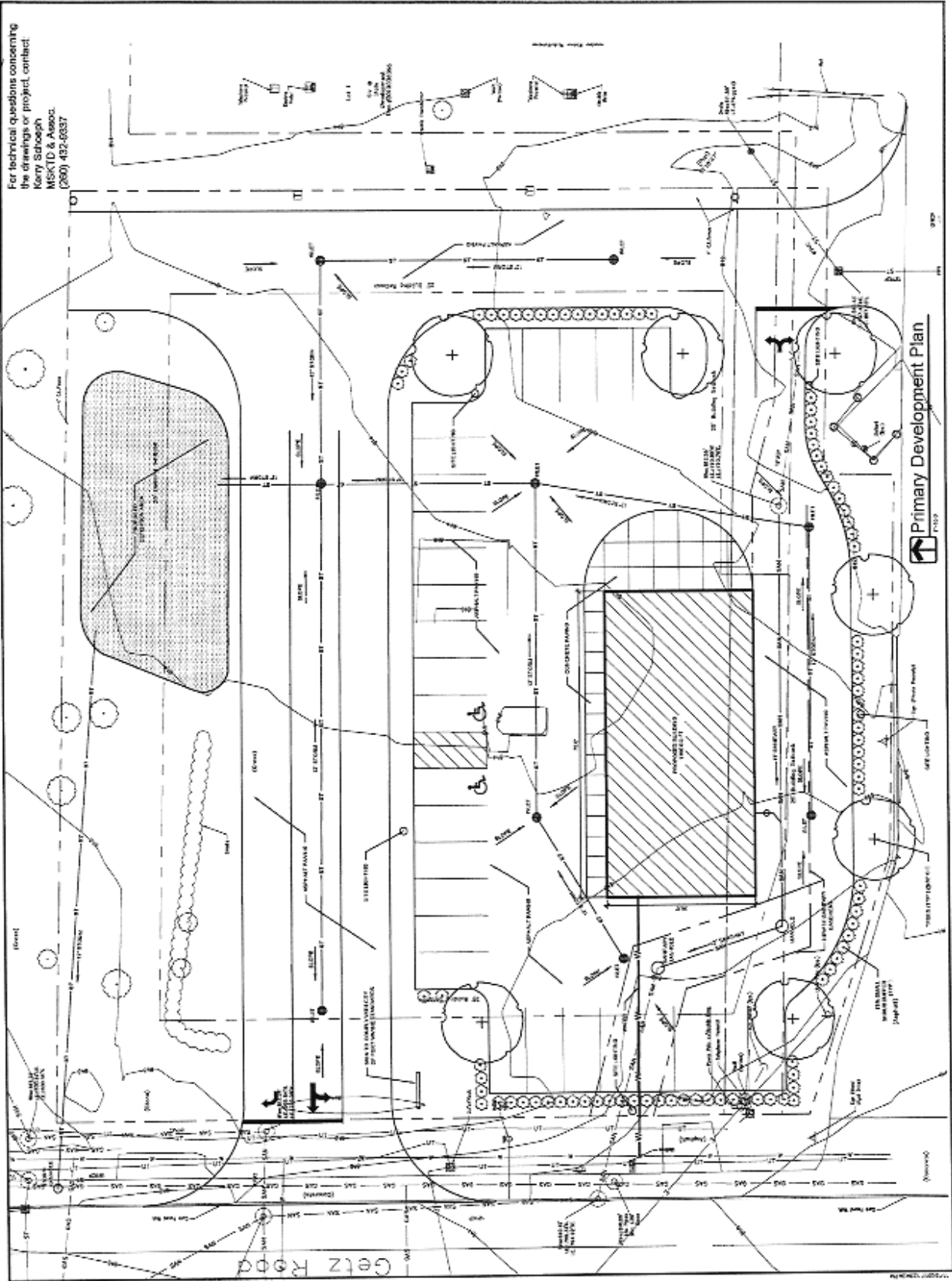


**Bobeck Real Estate**  
 A Project for  
 Bobeck Real Estate Company  
 2222 N. Vanhook Road South, Fort Wayne, Indiana 46814  
 Phone: (317) 452-1550  
 Fax: (317) 452-1551

DATE: 11/19/17  
 SHEET NO: C4-1

PROJECT: Primary Development Plan  
 SHEET NUMBER: C4-1

For technical questions concerning the drawings or project, contact:  
 Kerry Schoepf  
 MSKTD & Assoc.  
 (317) 432-6337

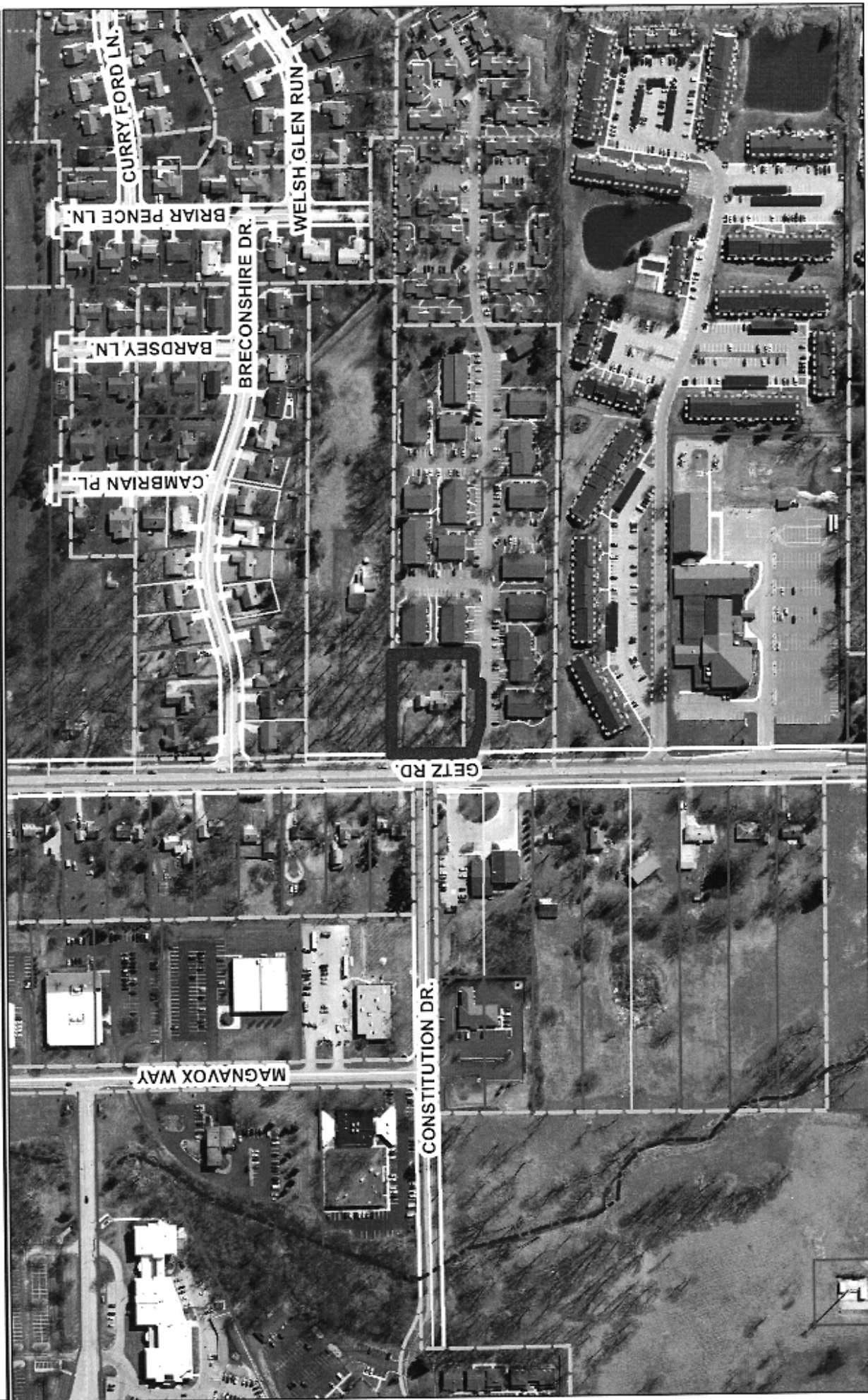


**Primary Development Plan**

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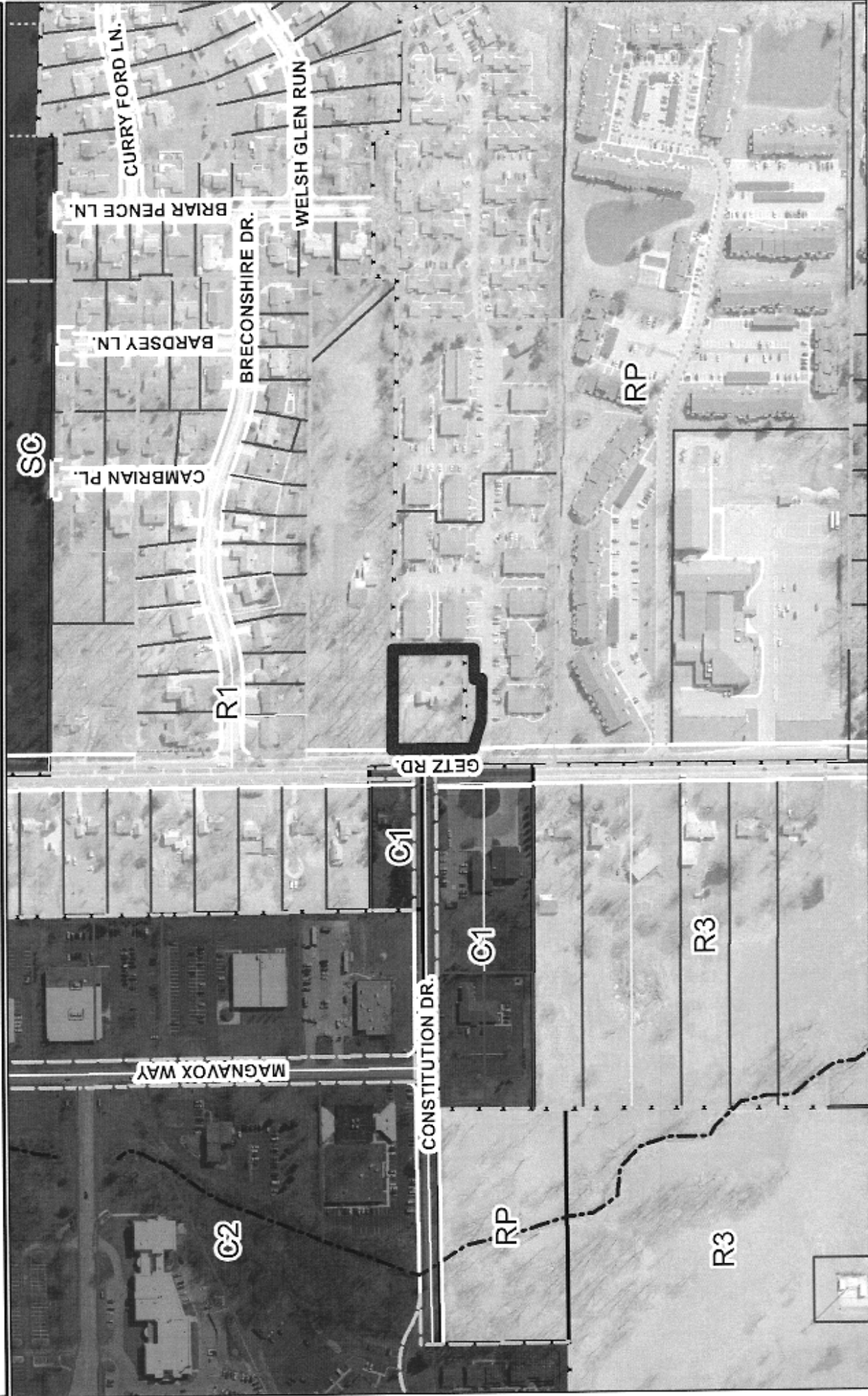
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All boundaries are approximate. See  
 the ordinance for the complete description of the map.  
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 of this map or any portion of this map.  
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 State Data Collection System - Indiana, 2018  
 2018 and 2019. 2018  
 Date: 12/20/2018

**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**



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**Project Boundaries Represented with Bold Lines are for Representational Purposes Only**

## WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT ("Commitment") is made as of this 7th day of Spetember, 2018, by PETER BOBECK AND SIX @ MAIN DEVELOPMENT LLC, the property owner's ("Declarant's"), under the following circumstances:

### WITNESSETH:

**WHEREAS**, Declarant is the owner of approximately 1.014 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit A (the "Real Estate"); and

**WHEREAS**, Declarant's Zoning Map Amendment Application, filed with the City of Fort Wayne Plan Commission (the "Plan Commission"), bearing number REZ-2017-0055 (the "Application"), respecting the Real Estate, has been approved by the City of Fort Wayne, Indiana Common Council and the Mayor of the City of Fort Wayne; and

**WHEREAS**, pursuant to the Application, the Real Estate has been rezoned to C2 pursuant to the City of Fort Wayne Zoning Ordinance (the "Ordinance") which permits development upon the Real Estate of certain professional office and personal service uses and limited and retail commercial uses; and

**WHEREAS**, the Declarant's have submitted this Commitment, voluntarily, pursuant to section 157.503 of the Ordinance and Indiana Code 36-7-4-1015 for the purpose of limiting certain off site impacts and certain uses arising from development upon the Real Estate; and

**WHEREAS**, in conjunction with said Application, the Plan Commission has required the execution of this Commitment and its recordation with the Allen County, Indiana, Recorder's Office prior to the commencement of any building improvements for uses permitted pursuant to the Application.

**NOW, THEREFORE**, in consideration of the above and foregoing recitals, the Declarant's hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or a portion of the Real Estate.

1. Use Limitations. The following specific uses, which are otherwise allowed in the C2 zoning district, shall be prohibited upon the Real Estate:

- [1] Adult care center
- [2] Adult care home
- [3] Air conditioning sales
- [4] Animal grooming
- [5] Animal hospital
- [6] Animal kennel
- [7] Animal obedience school
- [8] Answering service
- [9] Arcade
- [10] Assisted living facility
- [11] Auction service
- [12] Automobile accessory store
- [13] Automobile rental (indoor)
- [14] Automobile sales (indoor)
- [15] Bait sales
- [16] Bankruptcy service
- [17] Bar or tavern
- [18] Barber/beauty school
- [19] Bicycle sales and repair shop
- [20] Billiard or pool hall
- [21] Bingo establishment
- [22] Blood bank
- [23] Blood or plasma donor facility
- [24] Boarding/lodging house
- [25] Bowling alley
- [26] Business training
- [27] Catalog showroom
- [28] Child care center
- [29] Child care home (class I or II)
- [30] Cigarette/tobacco/cigar store
- [31] Clinic
- [32] Club, private
- [33] Coin shop
- [34] Collection agency
- [35] Community center
- [36] Community garden (incl. outdoor)

- [37] Consignment shop
- [38] Convenience store
- [39] Copy or duplicating service
- [40] Correctional services facility
- [41] Costume and clothing rental
- [42] Credit service
- [43] Customer service facility
- [44] Dance instruction
- [45] Data processing facility
- [46] Data storage facility
- [47] Dating service
- [48] Day care
- [49] Department store
- [50] Diagnostic center
- [51] Dialysis center
- [52] Diaper service facility
- [53] Dinner theater
- [54] Dormitory
- [55] Driving instruction
- [56] Drug store
- [57] Dry cleaning store
- [58] Employment agency
- [59] Entertainment facility
- [60] Farmer's market (incl. outdoor)
- [61] Fireworks sales
- [62] Fitness center
- [63] Flea market
- [64] Floor covering store
- [65] Fraternity house
- [66] Funeral home
- [67] Furniture store
- [68] Furrier
- [69] Glass cutting/glazing shop
- [70] Group residential facility (large)(2)
- [71] Group residential facility (small)
- [72] Gymnastics instruction

- [73] Hardware store
- [74] Haunted house
- [75] Heating sales
- [76] Homeless/emergency shelter(2)
- [77] Hospice care center
- [78] Hospital
- [79] Hotel
- [80] Laboratory
- [81] Land surveyor
- [82] Laundromat/coin operated laundry
- [83] Library
- [84] Martial arts training
- [85] Model unit
- [86] Motel
- [87] Movie and game sales and rental
- [88] Multiple family complex
- [89] Multiple family dwelling
- [90] Museum
- [91] Neighborhood facility
- [92] Nursing home
- [93] Package liquor store
- [94] Paint store
- [95] Park or recreation area
- [96] Parking area
- [97] Parking area (off-site)
- [98] Parking structure
- [99] Pet store
- [100] Planetarium
- [101] Pottery sales
- [102] Public transportation or similar public facility
- [103] Radio station
- [104] Real estate
- [105] Reception/banquet hall
- [106] Recreation facility
- [107] Rehabilitation facility
- [108] Religious institution/school field

- [109] Rental and/or leasing store
- [110] Rescue mission
- [111] Residential dwelling unit
- [112] Residential facility for homeless individuals
- [113] Retirement facility
- [114] School
- [115] Security service
- [116] Sign sales store
- [117] Skating rink
- [118] Social service agency
- [119] Sorority house
- [120] Sporting goods sales and rentals
- [121] Supermarket
- [122] Surgery center
- [123] Swim club
- [124] Swimming pool/hot tub sales
- [125] Tattoo establishment
- [126] Taxi service
- [127] Telephone sales and service
- [128] Television station
- [129] Tennis club
- [130] Theater
- [131] Tire sales
- [132] Townhouse complex
- [133] Treatment center
- [134] Variety store
- [135] Veterinary clinic
- [136] Window sales
- [137] Wind energy conversion system (micro)
- [138] Yoga/pilates instruction
- [139] Zoo

The following special uses are also prohibited on the real estate:

**C2-Limited Retail Special Uses (with Board of Zoning Appeals approval)**

- (1) Automobile maintenance (quick service)

- (2) Commercial communication tower (see § 157.503(D)(3)(a) for additional standards)
  - (3) Educational institution-associated uses (on non-contiguous properties)
  - (4) Gas station  
The Board may consider the gas station size, building/canopy orientation, general design standards, and specific primary building orientation design requirements set forth for gas stations in § 157.219(C)(7) (Downtown Edge district).
  - (5) Homeless/emergency shelter (if adjacent to a residential district, or accessory to a religious institution)
  - (6) Residential facility for a court-ordered re-entry program
  - (7) Residential facility for homeless individuals (if adjacent to a residential district)
  - (8) Shooting range (indoor)
2. Access. The Declarant's agree to a shared access agreement across the Real Estate. The access agreement will be signed by the Declarant's prior to submittal of any new application.
  3. Successors and Assigns. This Commitment and the restrictions set forth above shall inure to the benefit of all persons who own property comprising the Real Estate, their successors and assigns, and shall also inure to the benefit of the Zoning Administrator of the City of Fort Wayne and the Plan Commission. This Commitment and the restrictions and limitations set forth herein shall run with the Real Estate, and any conveyance thereof, shall be binding upon Declarant and its successors and assigns as owners of the Real Estate.
  4. Enforcement Rights. The City of 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.
  5. Amendment or Termination. This Commitment may be amended or terminated upon application by an owner of the Real Estate and only with the prior written consent of all owners of the Real Estate and the Plan Commission, following a public hearing to consider said amendment or termination.
  6. Remedies. In addition to any remedies that may be available at law, temporary, preliminary and permanent injunctive relief may be granted to enforce any provision of this Commitment, without the necessity of proof of actual damage, in the event of an

actual breach or violation, or threatened breach or violation, of any restriction or covenant under this Commitment. Such remedies shall be cumulative and nonexclusive, and shall be afforded to any owner of property which comprises all or a portion of the Real Estate, the Zoning Administrator of the City of Fort Wayne and the Plan Commission.

7. 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.
8. 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.
9. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
10. Effective Date. This Commitment shall be effective upon its recording in the Office of the Recorder of Allen County, Indiana.
11. Last Deed of Record. The last deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number \_\_\_\_\_.
12. Statutory Authority. This Commitment is made pursuant to I.C. §36-7-4-1015(a)(2).

[SIGNATURE AND EXHIBIT PAGES FOLLOW]

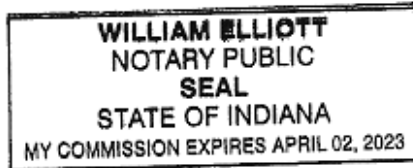
"DECLARANT"

PETER BOBECK

By: [Signature]  
Name: Peter Bobeck

Its: Owner

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Allen )



Before me, the undersigned, a Notary Public, in and for said County and State, this 7<sup>th</sup> day of September, 2018, personally appeared PETER BOBECK as the property owner, and acknowledged the execution of the foregoing instrument for and on behalf of said company.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]  
William Elliott, Notary Public

My Commission Expires: April 2nd, 2023

My County of Residence: Allen

THIS INSTRUMENT prepared by William Elliott

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

**EXHIBIT A**

**“LEGAL DESCRIPTION”**

**Tract 1:**

Part of Lot Number One (1) in Poplar Ridge Subdivision recorded in Plat Book 48, Page 124 in the Office of the Recorder of Allen County, Indiana, being part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second Principal Meridian, Wayne Township in Allen County, Indiana, more particularly described as follows:

Commencing at a Railroad Spike marking the Southwest corner of said Northeast Quarter; thence North 00 degrees 03 minutes 32 seconds West (GPS grid bearing and basis of bearings to follow), a distance of 212.75 feet (Deed) along the West line of said Northeast Quarter and within the right-of-way of Getz Road; thence South 88 degrees 44 minutes 45 seconds East, a distance of 40.0 feet (Deed) to the Southwest corner of an existing 0.850 acre tract as described in Document Number 2017025486 in the Office of the Recorder of Allen County, Indiana, said point also being the Point of Beginning of the herein described tract. Thence South 88 degrees 44 minutes 45 seconds East, a distance of 227.60 feet (Deed) along said South line to the East line of said 0.850 acre tract; thence South 00 degrees 03 minutes 32 seconds East, a distance of 22.00 feet along the Southerly extension of said East line; thence North 88 degrees 58 minutes 07 seconds West, a distance of 70.00 feet; thence South 01 degrees 01 minutes 53 seconds West, a distance of 16.87 feet; thence North 88 degrees 58 minutes 07 seconds West, a distance of 93.17 feet; thence North 72 degrees 37 minutes 45 seconds West, a distance of 67.16 feet to the Easterly right-of-way line of said Getz Road; thence North 00 degrees 03 minutes 32 seconds West, a distance of 20.87 feet along said Easterly right-of-way line to the Point of Beginning. Containing 0.164 Acres, more or less. Subject to easement of record.

**Tract 2:**

Part of the Northwest Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, Indiana more particularly described as follows, to-wit:

Commencing at the Southwest corner of the Northeast Quarter of Section 7, Township 30 North, Range 12 East; thence North, along the West line of said Northeast Quarter also being the centerline of the Getz Road, a distance of 212.75 feet; thence East, perpendicular to said West line, a distance of 40.0 feet, to the true Point of Beginning; thence North, parallel with said West line, distance of 162.75; thence East, perpendicular to said West line, a distance of 227.6 feet; thence South, parallel with said West line and distance of 162.75 feet, thence West, perpendicular to said West line, a distance of 227.6 feet to the true Point of Beginning, said in previous deed to contain 0.850 acres of land, more or less.

## MEMORANDUM OF UNDERSTANDING

This **MEMORANDUM OF UNDERSTANDING** (the "**MOU**") is made and entered into as of this 31st day of August, 2018 (the "**Effective Date**"), by and between **GETZ ROAD DEVELOPMENT, LLC**, an Indiana limited liability company ("**GRD**"), and **SIX @ MAIN DEVELOPMENT, LLC**, an Indiana limited liability company ("**SMD**"). (GRD and SMD are hereinafter sometimes referred to individually as either a "**Party**" or collectively as the "**Parties**")

### RECITALS

WHEREAS, GRD is or will be the owner of approximately .850 acres of land more or less, more commonly known as 1907 Getz Rd, Fort Wayne, IN, and more particularly described as the legal description provided for "Tract 2" in the Exhibits attached hereto;

WHEREAS, SMD is the current owner of approximately .164 acres of land more or less, more particularly described as the legal description provided for "Tract 1" in the Exhibits attached hereto;

WHEREAS, Tract 1 and Tract 2 are hereinafter sometimes referred to collectively as the "**Real Estate**";

WHEREAS, the general location of monuments and improvements as situated on the Real Estate are as shown on the Topographic Survey attached hereto as Exhibit B;

WHEREAS, GRD intends to make improvements and develop the Real Estate as outlined generally in the Primary Development Plan attached hereto as Exhibit A, and in pursuit thereof has made certain applications to the Department of Planning Services under the City of Fort Wayne's Planning Jurisdiction (the "**Project**") (the term the Project as contemplated in this MOU is limited to the improvements contemplated by the Exhibit A and does not include the improvements to the "Future Developed Tract" as depicted therein);

WHEREAS, SMD in support of the Project intends to convey Tract 1 to GRD;

WHEREAS, each of the Parties intend to share in certain costs associated with the Project;

WHEREAS, upon the substantial completion of the foregoing, the Parties desire to enter into an Ingress/Egress Easement and Maintenance Agreement (the "**Agreement**") for the express and sole purpose of providing for the maintenance obligations of a private drive and to grant certain ingress and egress rights over and across the private drive improvements; and

WHEREAS, based on the information currently known by the Parties, and upon the actions contemplated to be taken by the Parties herein, it is proposed that the Agreement include the following terms and conditions, and that the parties undertake the actions, as hereinafter set forth.

## MEMORANDUM OF UNDERSTANDING

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which the Parties hereby acknowledge, the Parties hereby covenant and agree as follows:

### AGREEMENT

- BINDING PROVISIONS.** Unless otherwise indicated, the terms and conditions of this MOU are the legally binding and enforceable agreements of the Parties and constitute a binding agreement among and between the Parties.
- CONVEYANCE OF TRACT 1.** SMD and its successors and assigns, by its execution of this MOU, agrees to transfer and convey by warranty deed to GRD, or its successors and assigns, fee simple ownership of the Tract 1 real estate.
- REZONING/PRIMARY PLAN PETITION.** GRD and its successors and assigns, by execution of this MOU covenant and agrees to exercise its reasonable diligence in the pursuing Rezoning Petition REZ-2018-0044 and Primary Development Plan Petition PDP-2018-0036, at GRD's sole expense; and SMD and its successors and assigns, by execution of this MOU covenant and agrees to join in any documentation as may be reasonably required including the execution of written commitment to restrict the use of the Real Estate as may be reasonably required by the Fort Wayne Planning Commission for rezoning approval.
- COST SHARING OF THE PROJECT.** Each Party, through execution of this MOU agrees to share equally the following costs and expenses related to the Project, including by way of illustration and limitation: a) demolishing the current structure located on the Real Estate b) clearing the Real Estate in an amount not to exceed Three Thousand Dollars (\$3,000.00), and 3) designing, engineering, permitting, and constructing the road identified as the private drive in Exhibit A, including appropriate drainage for such private drive as may be required by local authorities.
- FUTURE BUILDING DEVELOPMENT.** GRD and its successors and assigns, by execution of this MOU covenant and agrees to a side yard setback of thirty-five (35) feet for any primary building constructed upon the Real Estate. SMD acknowledges however, the setbacks of any other improvements to the Real Estate will be restricted only by the development standards then applicable to the Real Estate.
- IMPROVEMENTS TO ULLYOT DRIVE.** SMD, by its execution of this MOU, agrees to via written notice and installation of signage, at SMD's sole cost or other agreement with local authorities, direct its lessees, and their respective sublessees, visitors, contractors, guests, permittees, invitees, agents, successors, and assigns to use the private drive as depicted in Exhibit A in all cases except for right hand turns into and out of Ullyot Drive. Furthermore, SMD will coordinate with the City of Fort Wayne's Transportation Engineering Services to install an acceptable "porkchop" or right-turn slip lane which will restrict traffic to and from Ullyot Drive to right hand turns only, at SMD's sole cost or other agreement with local authorities.

"Painted"  
PB

## MEMORANDUM OF UNDERSTANDING

7. **INGRESS/EGRESS EASEMENT AND MAINTENANCE AGREEMENT.** Each Party, through execution of this MOU, agrees to enter into the Agreement to grant certain ingress and egress rights over and across the private drive improvements to be constructed and depicted in Exhibit A, which shall grant non-exclusive use by, and for the benefit of, generally, the development owned by SMD, more commonly known as Poplar Ridge, its lessees, and their respective sublessees, visitors, contractors, guests, permittees, invitees, agents, successors, and assigns. The terms of such agreement will include principally the shared maintenance (snow removal and general maintenance and upkeep) of the private drive improvements to be constructed and depicted in Exhibit A. At such time as GRD may grant certain ingress and egress rights to an abutting land owner then SMD's maintenance expenses shall be reduced to an amount not to exceed one-third (1/3) of such total expenses. The grant of certain ingress and egress rights over and across the private drive improvements to be constructed and depicted in Exhibit A by GRD to SMD shall also include the right to place within \_\_\_\_ ( \_\_ ) feet on the north boundary of said private drive not more than \_\_\_\_ ( \_\_ ) signs, at SMD's sole initial cost and ongoing maintenance cost, in conformance with § 157.409 of the Fort Wayne Zoning Ordinance.
8. **LEGAL EXPENSES.** Each Party will be responsible and bear all of its own legal costs and legal expenses incurred at any time in connection with pursuing the Agreement. In the event legal action is instituted by any Party to enforce the terms of this MOU or which arises out of the execution of this MOU, the prevailing Party in such legal action will be entitled to receive from the other Party the prevailing Party's reasonable attorneys' fees and court costs, including the costs of appeal as may be determined by the court in which the action is brought.
9. **ENTIRE AGREEMENT.** The terms herein constitute the entire agreement between the Parties, and supersede all prior oral or written agreements, understanding, representations and warranties, and courses of conduct and dealing between the Parties on the subject matter hereof. Except as otherwise provided herein, this MOU may only be amended or modified by a writing executed by all of the Parties.
10. **GOVERNING LAW.** This MOU will be governed by and construed under the laws of the State of Indiana without regard to its conflicts of law provision.
11. **JURISDICTION AND SERVICE OF PROCESS.** Any action or proceeding seeking to enforce any provision of, or based on any right arising out of, this MOU may be brought against any of the Parties in the courts of the State of Indiana, County of Allen, or, if it has or can acquire jurisdiction, in the United States District Court for the Northern District of Indiana and each of the Parties consents to the jurisdiction of such courts (and of the appropriate appellate courts) in any such action or proceeding and waives any objection to venue laid therein. Process in any action or proceeding referred to in the preceding sentence may be served on any Party anywhere in the world.
12. **COUNTERPARTS.** This MOU may be executed in one or more counterparts, each of which will be deemed to be an original copy of this MOU and all of which, when taken together, will be deemed to constitute one and the same agreement.
13. **TERMINATION.** Unless extended by written agreement of the parties, this MOU shall terminate upon the occurrence of any of the following events: (i) cancellation of the Project by the


**MEMORANDUM OF UNDERSTANDING**

GRD; (ii) failure of the Real Estate to receive C-2 Zoning; (iii) failure of the Real Estate to receive access to the traffic light controlled intersection of Getz and Constitution Dr., or (iv) execution of a separate agreement, executed by the Parties.

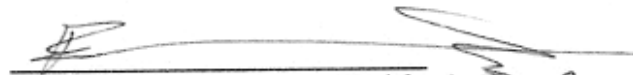
*[Remainder of this page intentionally left blank; Signatures on the following page]*

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

**GETZ ROAD DEVELOPMENT, LLC**

  
By: Robert  
Title: Managing Member

**SIX @ MAIN DEVELOPMENT, LLC**

  
By: THOMAS C. ATRONIET  
Title: MEMBER

	<b>PROPOSED FOR:</b> Bobeck Road Estate 1907 Getz Road Fort Wayne, IN 46804 (317) 432-0000	<b>PROJECT:</b> PRIMARY DEVELOPMENT PLAN Site Development Fort Wayne, IN 46804	<b>C1.0</b>
	<b>DESIGNED BY:</b> M.S. Engineering 10000 N. Meridian Road Fort Wayne, IN 46825	<b>DATE:</b> 10/15/2024	<b>SCALE:</b> AS SHOWN



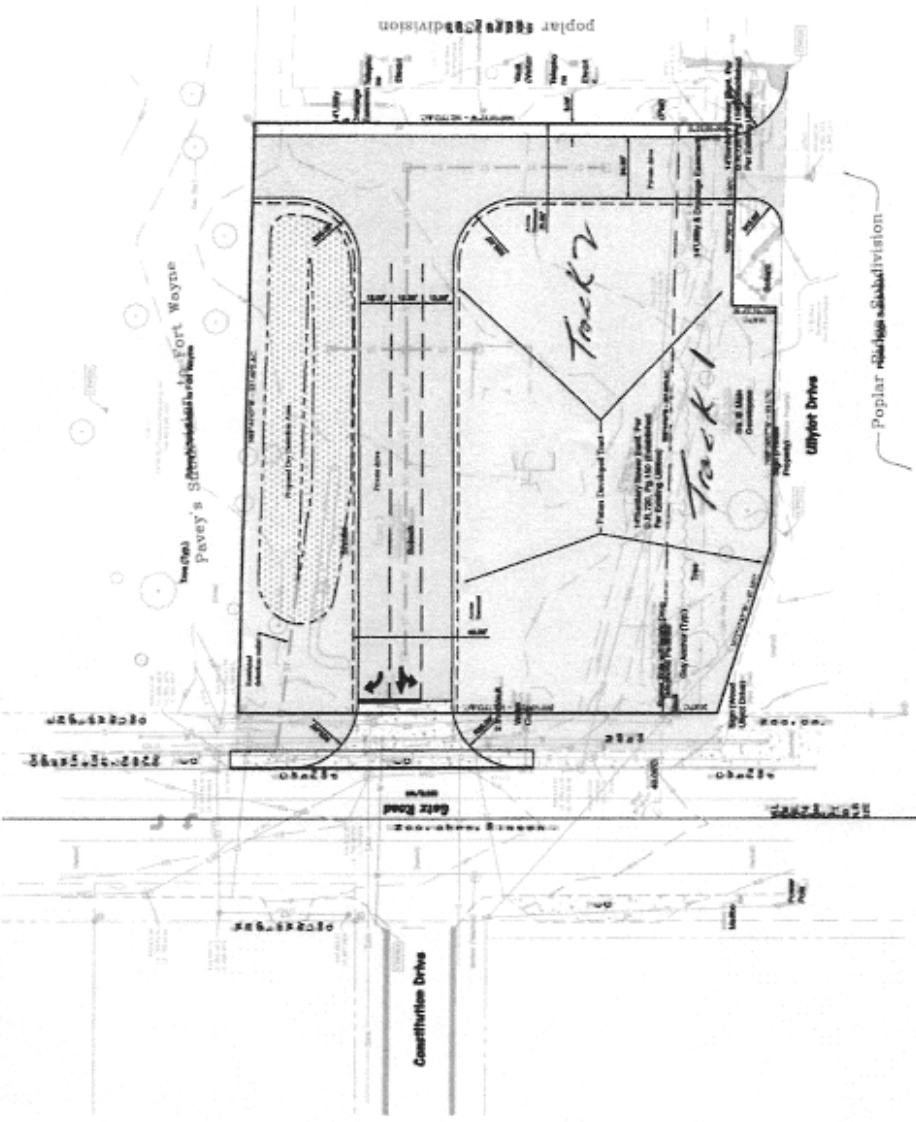
**TABLE 1. RECORD INFORMATION - DATE 08/21/2024**

THIS PLAN IS THE PROPERTY OF M.S. ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF M.S. ENGINEERING IS STRICTLY PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION PROVIDED HEREIN. M.S. ENGINEERING MAKES NO WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THE INFORMATION PROVIDED HEREIN. THE USER SHALL INDEMNIFY AND HOLD M.S. ENGINEERING HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS PLAN.

**SITE DATA**

10.15.2024  
 10:15 AM

# EXHIBIT A



**PROPOSED SYMBOLS AND LINE WEIGHTS**

	Proposed Street Line
	Proposed 10'-0" x 10'-0" Asphalt Paving
	Proposed Concrete Retention
	Proposed Stone Area

**NOTES**

1. All work shall be in accordance with the City of Fort Wayne Engineering Department Standard Specifications for Streets and Utilities.

**EXISTING SYMBOLS AND LINE WEIGHTS**

	Existing Street Line
	Existing 10'-0" x 10'-0" Asphalt Paving
	Existing Concrete Retention
	Existing Stone Area



**M/S Engineering**  
Engineering Your Tomorrow, Today  
1313 W. Hamilton Rd.  
Fort Wayne, IN 46804  
Phone: (317) 482-3000

PROJECT NO.	
DATE	
BY	
CHECKED BY	
DATE	

Peter Bobeck  
1907 Getz Road  
Fort Wayne, IN 46804  
TOPOGRAPHIC SURVEY  
SECONDARY DEVELOPMENT PLAN

**C1.0**  
Scale: As Shown  
Date: 11/15/2023  
Sheet No. 1 of 1

**SURVEY COMPLETED BY:**  
Miller Land Surveying, Inc. **MLS**  
1801 N. State St., Suite 200  
Fort Wayne, IN 46804  
Phone: (317) 482-3000

**STATE OF INDIANA**  
Department of Natural Resources  
Division of Geomatics  
100 N. Senate Ave., Room 300  
Indianapolis, IN 46204  
Phone: (317) 497-1000

**GENERAL NOTES:**  
1. This plan was prepared by Miller Land Surveying, Inc. (MLS) under the supervision of Peter Bobeck, a Professional Engineer in the State of Indiana. It is intended to be used in conjunction with the plat of subdivision and the plat of survey for the same. It is not to be used for any other purpose without the written consent of MLS.  
2. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Indiana.  
3. The survey was conducted using a total station and a GPS receiver. The accuracy of the survey is stated on the plat of survey.  
4. The survey was conducted on a clear day with good visibility. The ground was dry and the weather was calm.  
5. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Indiana.  
6. The survey was conducted using a total station and a GPS receiver. The accuracy of the survey is stated on the plat of survey.  
7. The survey was conducted on a clear day with good visibility. The ground was dry and the weather was calm.  
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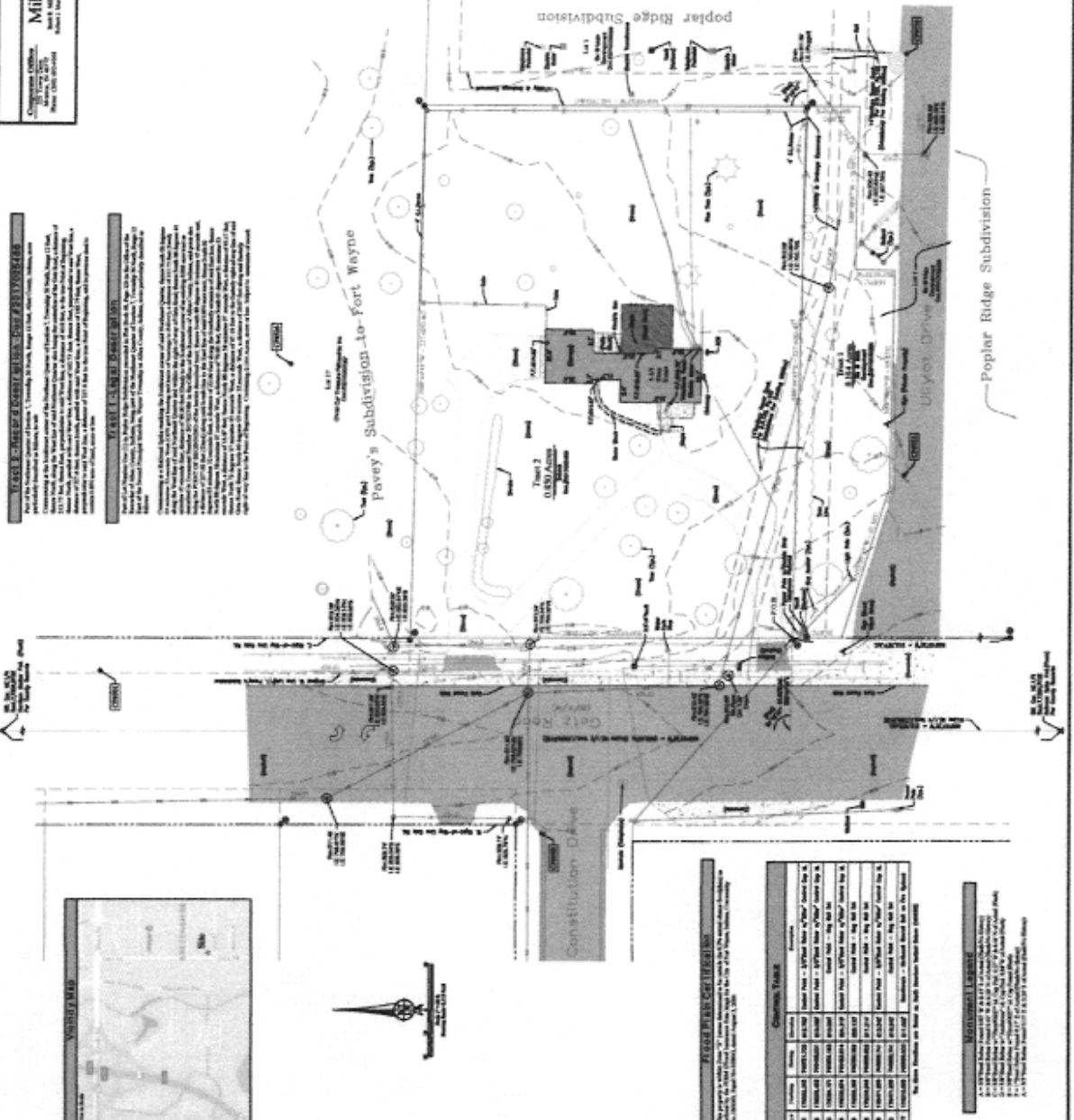
**PROPERTY INFORMATION:**  
1. The property is located in the City of Fort Wayne, Indiana.  
2. The property is bounded by the following:  
North: [Address]  
South: [Address]  
East: [Address]  
West: [Address]

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North: [Address]  
South: [Address]  
East: [Address]  
West: [Address]

**PROPERTY INFORMATION:**

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YD.)
1	Lot 1	10,000	0.23
2	Lot 2	10,000	0.23
3	Lot 3	10,000	0.23
4	Lot 4	10,000	0.23
5	Lot 5	10,000	0.23
6	Lot 6	10,000	0.23
7	Lot 7	10,000	0.23
8	Lot 8	10,000	0.23
9	Lot 9	10,000	0.23
10	Lot 10	10,000	0.23

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10	Lot 10	10,000	0.23

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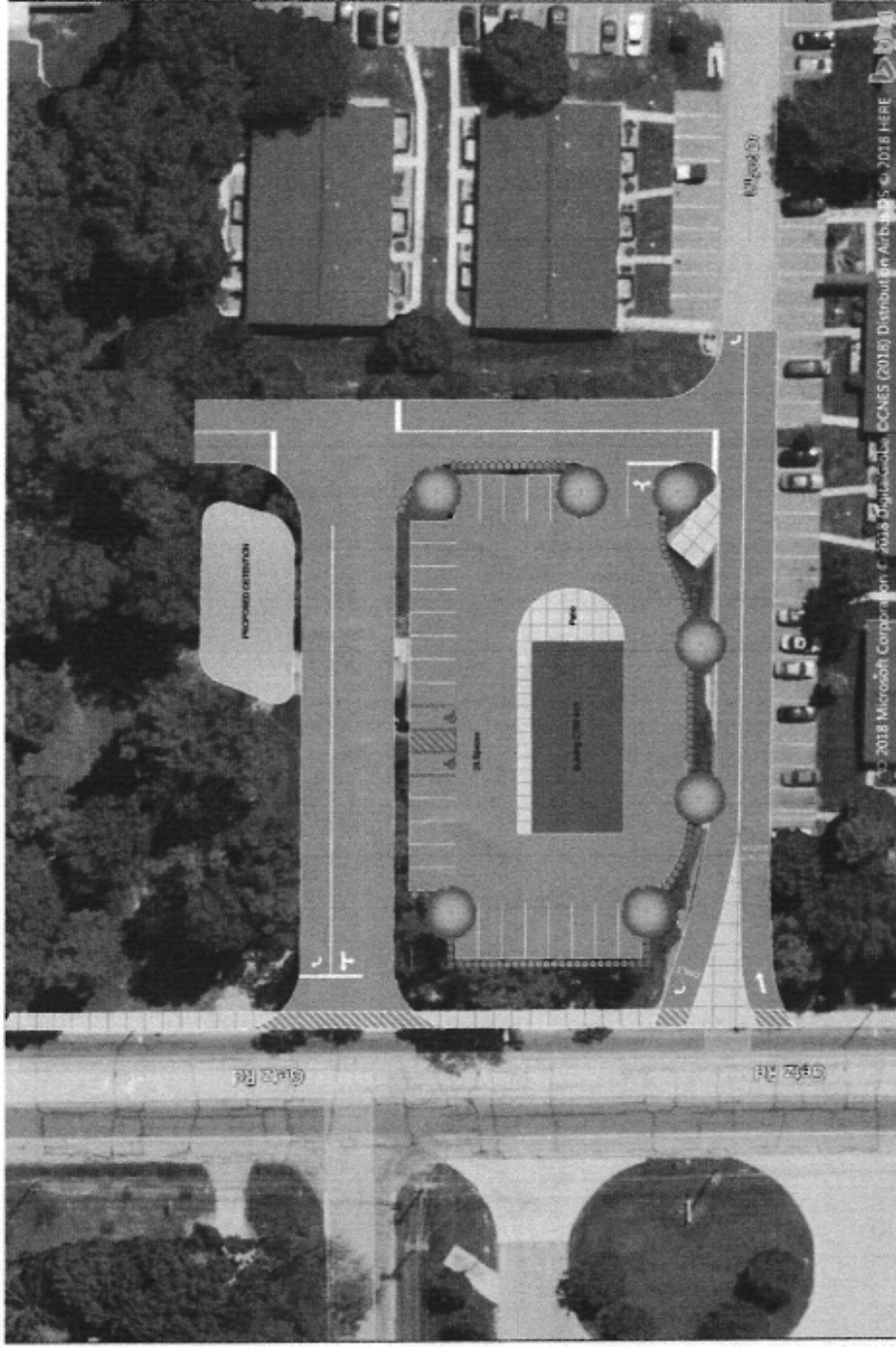
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North: [Address]  
South: [Address]  
East: [Address]  
West: [Address]

A Project for:  
**Bobek Real Estate**

**Site Plan**



11-2017

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

---

**Department of Planning Services**

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2018-0044  
Bill Number: Z-18-08-28  
Council District: 4-Jason Arp

---

Introduction Date: August 28, 2018

Plan Commission  
Public Hearing Date: September 10, 2018 (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 acre of property from R1-Single Family  
Residential to C2-Limited Commercial

Location: 1907 Getz Road

Reason for Request: To rezone property to allow for a 2,700 square foot retail building.

Applicant: Peter Bobeck

Property Owner: Peter Bobeck

---

Related Petitions: Primary Development Plan, Getz Road Development (2018)

---

Effect of Passage: Property will be rezoned to the C2-Limited Commercial district which  
will allow a variety of retail uses.

Effect of Non-Passage: The site will remain zoned R1-Single Family Residential and may redevelop  
with residential uses.

**BILL NO. Z-18-08-28**

**REPORT OF COMMITTEE ON REGULATIONS**

**October 9, 2018**

***Paul Ensley Chair***

***Thomas Didier Co-Chair***

***All Council Members***

An Ordinance amending the City of Fort Wayne Zoning Map No. E-03 (Sec. 7 of Wayne Township)

*1907 Getz Rd – Peter Bobeck*



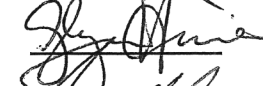


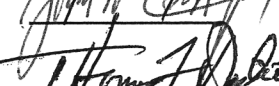
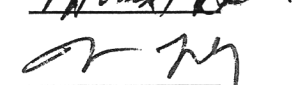


**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

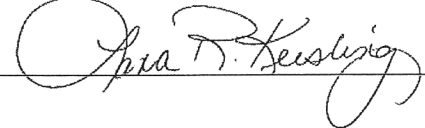
DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: 09/10/18

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

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

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

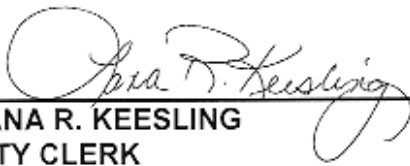
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>

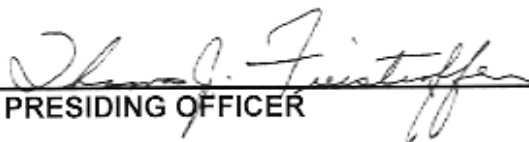
DATED: October 9, 2018

  
LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-18-08-28 on the 9th day of October, 2018

  
LANA R. KEESLING  
CITY CLERK


  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th of October 2018, at the hour of 9:55 o'clock A.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10<sup>TH</sup> day of OCTOBER

2018, at the hour of 3:00 O'clock PM E.S.T.

  
THOMAS C. HENRY, MAYOR

