

1 #REZ-2020-0007

2 BILL NO. Z-20-02-10

3  
4 ZONING MAP ORDINANCE NO. Z- 14-20

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map Nos. J-34 and K-34 (Sec. 22 of Washington 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 C3 (General  
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
11 Wayne, Indiana:

12 Lots Number 6 and 7 in Cross Creek Commons, Section I, Phase III, as recorded in Plat  
13 Cabinet "E", page 16, in the Office of the Recorder of Allen County, Indiana.

14 Together with:

15 Part of Lot Numbered 8 in Cross Creek Commons, Section I, Phase III, as recorded in Plat  
16 Cabinet "E", page 16, and Document #990004841, in the Office of the Recorder of Allen  
County, Indiana, more particularly described as follows:

17 *Beginning* at a 5/8-inch rebar with a "Strong" identification cap monumenting the southeast  
18 corner of Lot Numbered 8 in said Cross Creek Commons, Section I, Phase III; thence North  
19 00 degrees 50 minutes 55 seconds West on the east line of said Lot Numbered 8, a distance  
20 of 61.00 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON  
21 FIRM #29A"; thence South 89 degrees 09 minutes 05 seconds West, a distance of 248.09  
22 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM  
23 #29A"; thence South 64 degrees 16 minutes 48 seconds West, a distance of 97.38 feet to the  
24 westerly line of said Lot Numbered 8; thence South 27 degrees 18 minutes 19 seconds East  
on said westerly line, a distance of 22.39 feet to the southwest corner of said Lot Numbered  
25 8; thence North 89 degrees 09 minutes 05 seconds East (platted bearing and is the basis of  
26 bearings this description) on the south line of said Lot Numbered 8, a distance of 326.46 feet  
27 to the Point of Beginning, *containing 0.427 acres of land, more or less*, subject to all legal  
rights-of-way, easements, restrictions, and rights affecting the above-described parcel.

28 and the symbols of the City of Fort Wayne Zoning Map Nos. J-34 and K-34 (Sec. 22 of  
29 Washington Township), as established by Section 157.082 of Title XV of the Code of the  
30 City of Fort Wayne, Indiana is hereby changed accordingly.


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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:

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

**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Reginald Vorderman (VMW Properties LLC)  
 Address 5811 Cross Creek Blvd.  
 City Fort Wayne State IN Zip 46818  
 Telephone 260-433-9300 E-mail Reg.vorderman@gmail.com

**Contact Person**  
 Contact Person Mark Reinhard (Engineering Resources, Inc.)  
 Address 11020 Diebold Rd.  
 City Fort Wayne State IN Zip 46845  
 Telephone 260-451-9740 E-mail mark@eri.consulting

*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 5811 Cross Creek Blvd. (Parcels 02-07-22-127-002.001-073 & 003.000-073)  
 Present Zoning I-1 Proposed Zoning C-3 Acreage to be rezoned 4.007 ac  
 Proposed density 2 units per acre  
 Township name Washington Township section # 22  
 Purpose of rezoning (attach additional page if necessary) Parcel was previously developed as a auto dealership lot prior to, or allowed when developed in the I-1 zoning. Auto dealerships and dealer utilized car washes are not permitted in the current zoning.  
 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.*

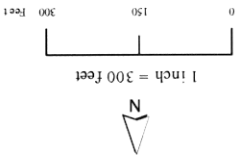
- Applicable filing fee
- Applicable number of surveys showing area to be rezoned (plans must be folded)
- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only

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.

<u>Mark</u> (printed name of applicant)	<u>R VORDERMAN</u> (signature of applicant)	<u>1-31-20</u> (date)
<u>Mark</u> (printed name of property owner)	<u>R VORDERMAN</u> (signature of property owner)	<u>1-31-20</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

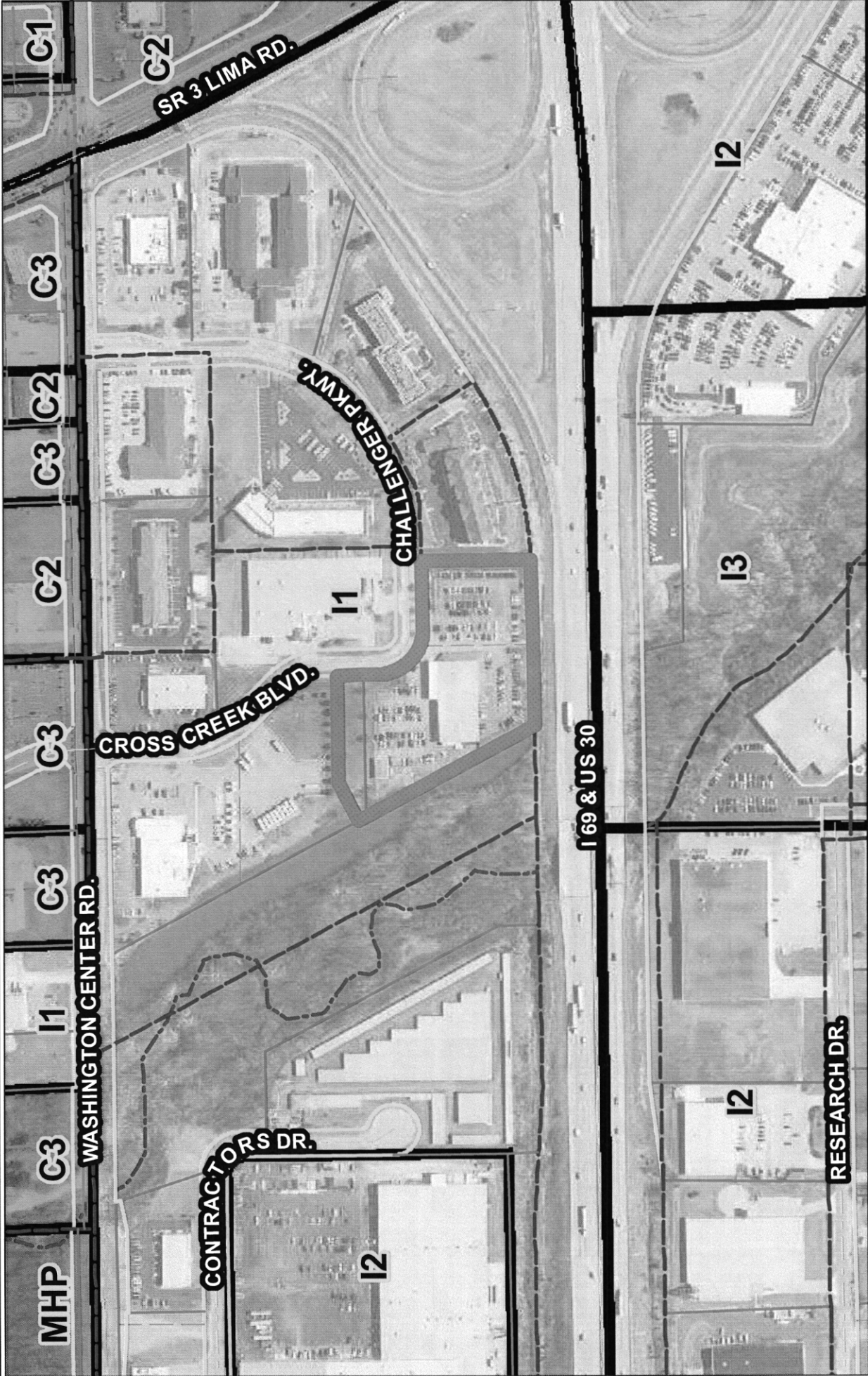
Received <u>2-4-2020</u>	Receipt No. <u>133219</u>	Hearing Date <u>3-9-2020</u>	Petition No. <u>REZ-2020-0007</u>
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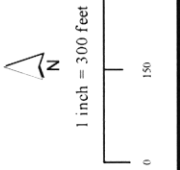


Rezoning Petition REZ-2020-0007 and Primary Development Plan PDP-2020-0006 - Vorderman Auto Car Wash



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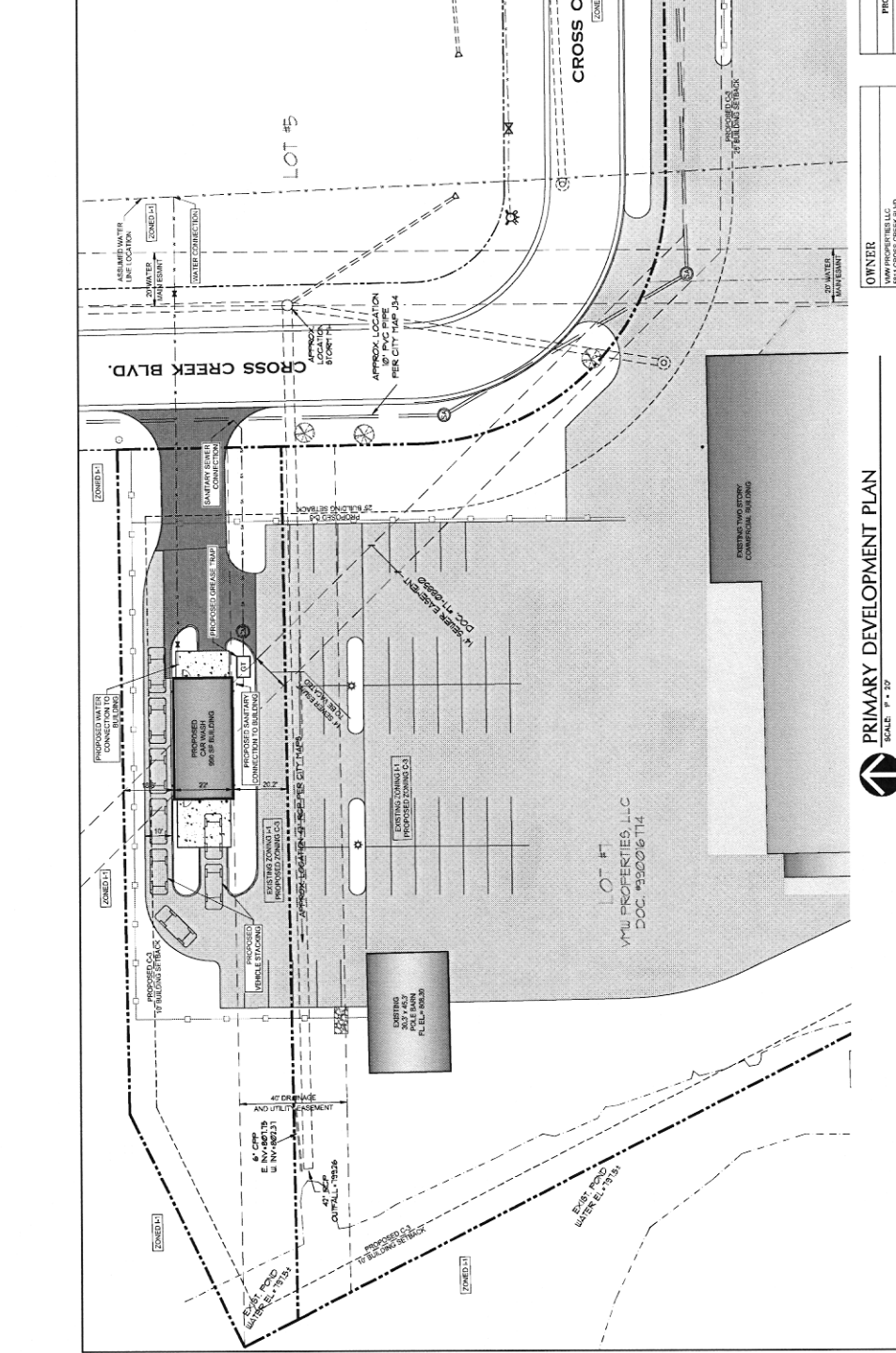


ENGINEERING  
RESOURCES, INC.  
11020 Diehard Road, Fort Wayne, IN 46845  
PH: (219) 853-1225 FAX: (219) 853-1252  
WWW.ERCONSULTING.COM



Vorderman Auto Car Wash  
5811 Cross Creek Blvd.  
Fort Wayne, IN 46818

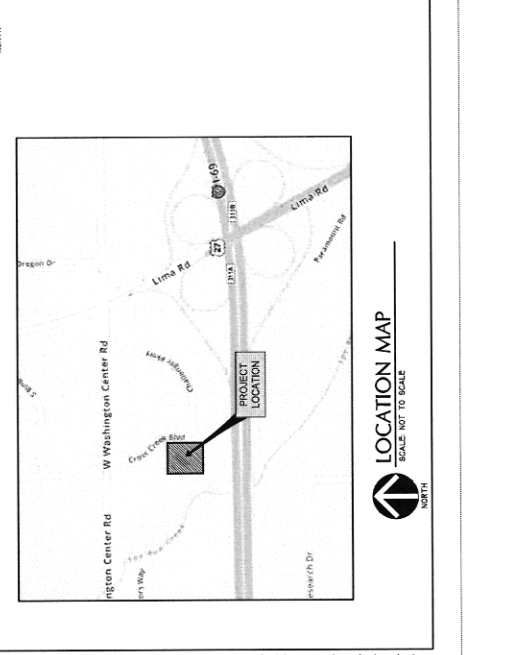
<b>OWNER</b> VW PROPERTIES, LLC 5811 CROSS CREEK BLVD. FORT WAYNE, IN 46818 PH: (219) 843-8000 CONTACT: MARY STREIB EMAIL: mary.streib@vwproperties.com		<b>BUILDING INFORMATION</b> PROPOSED BUILDING S.F. 900 SF PROPOSED BUILDING HEIGHT 18 FT.																			
<b>CONTRACTOR</b> STREIB CONSTRUCTION 500 W. JEFFERSON BLVD. FORT WAYNE, IN 46802 PH: (219) 843-8000 CONTACT: MARY STREIB EMAIL: mary.streib@streibconstruction.com		<b>LOT INFORMATION</b> CURRENT ZONING L-1 CURRENT USE CAR WASHING / ON AUTO DEALERSHIP PROPOSED ZONING C-3 PROPOSED USE CAR WASH HAND-PARKING FOR DEALERSHIP USE ONLY																			
<b>ENGINEER</b> ENGINEERING RESOURCES, INC. 11020 DIEHARD ROAD FORT WAYNE, IN 46845 PH: (219) 853-1225 CONTACT: MARY STREIB EMAIL: mary.streib@erconsulting.com		<b>FLOOD INSURANCE RATE MAP (FIRM):</b> ALLEN COUNTY, INDIANA AND INCORPORATED AREAS FIRM MAP NUMBER: 18002G1105 PANELS 170 OF 485 DATED AUGUST 3, 2009 FLOODWAY AREAS IN ZONE AE AND OTHER AREAS LOMAR: 46-03348P FIRM: (219) 843-8000 DATED MARCH 10, 2017																			
<b>SURVEYOR</b> ANDREWS SURVEYING, INC. 1000 W. JEFFERSON BLVD. FORT WAYNE, IN 46802 PH: (219) 843-8000 CONTACT: MARY STREIB EMAIL: mary.streib@andrewssurveying.com		<b>STACKING SUMMARY</b>																			
<table border="1"> <tr> <th>PER MANUAL REQUIREMENTS</th> <th>EXISTING STAGING</th> <th>PROPOSED STAGING</th> </tr> <tr> <td>1 PERMANENT WASHING BAY</td> <td>0 SPACES</td> <td>0 SPACES</td> </tr> <tr> <td>1 AUTOMATIC BAY</td> <td>0 VEHICLES</td> <td>0 SPACES</td> </tr> </table>		PER MANUAL REQUIREMENTS	EXISTING STAGING	PROPOSED STAGING	1 PERMANENT WASHING BAY	0 SPACES	0 SPACES	1 AUTOMATIC BAY	0 VEHICLES	0 SPACES	<table border="1"> <tr> <th>PERMANENT WASHING BAY</th> <th>EXISTING STAGING</th> <th>PROPOSED STAGING</th> </tr> <tr> <td>0</td> <td>0 SPACES</td> <td>0 SPACES</td> </tr> <tr> <td>0</td> <td>0 VEHICLES</td> <td>0 SPACES</td> </tr> </table>		PERMANENT WASHING BAY	EXISTING STAGING	PROPOSED STAGING	0	0 SPACES	0 SPACES	0	0 VEHICLES	0 SPACES
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**PRIMARY DEVELOPMENT PLAN**  
SCALE: 1" = 32'  
NORTH

**LAYOUT LEGEND:**

**PROPOSED LEGEND:**



## FACT SHEET

Case #REZ-2020-0007      Bill # Z-20-02-10      Project Start: March 2020

APPLICANT:	VMW Properties, LLC – Reginald Vorderman
REQUEST:	To rezone property from I1/Limited Industrial to C3/General Commercial; and approve a primary development plan for addition of a new automotive wash.
LOCATION:	The address of the subject property is 5811 Cross Creek Boulevard (Section 22 of Washington Township).
LAND AREA:	Approximately 4 acres for rezoning
PRESENT ZONING:	I1/Limited Industrial
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	3- Tom Didier
ASSOCIATED PROJECT:	Primary Development Plan, Vorderman Auto Car Wash
SPONSOR:	City of Fort Wayne Plan Commission

### March 9, 2020 Public Hearing

- No one spoke at the hearing in support or opposition.
- Patrick Zaharako was absent.

### March 16, 2020 – Business Meeting

#### Plan Commission Recommendation: DO PASS

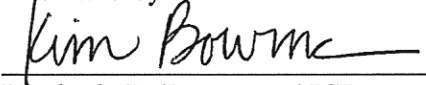
A motion was made by Judi Wire and seconded by Rachel Tobin-Smith to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 6-0 MOTION PASSED

- Tom Freistroffer and Ryan Neumeister were absent.
- Paul Sauerteig abstained.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
May 21, 2020

Reviewed by:

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

## PROJECT SUMMARY

- The portion of the site to be developed is currently paved parking and adjacent to the existing Vorderman Dealership. The rezoning request includes the entire Vorderman property.
- The Vorderman dealership was developed in 1998.

The petitioner requests a rezoning from I1/Limited Industrial to C3/General Commercial to allow for an accessory carwash to the Vorderman Dealership within the Cross Creek development. The carwash will be built on the northernmost parcel that is currently paved. When the dealership was built in 1998, the I1/Limited Industrial district permitted a car dealership, as well as the other types of commercial development located in the Cross Creek development, such as food service supplies, restaurants, hotels, and furniture sales. In 2014, the amendment to the Zoning Ordinance removed car dealership and carwash from the I1/Limited Industrial district. With the addition of the carwash, staff recommended bringing the entire property into compliance. The property is adjacent to commercial development on the north and east, and bounded by the interstate to the south and the Spy Run Creek to the west. There is no residential development near the property. Having the appropriate zoning affect the appraisal of a property and affect future development and/or refinancing. The proposal could be supported by the following goals and polices of the Comprehensive Plan:

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

**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.

The proposed site plan includes one new 990 square foot carwash building and stacking for 8 vehicles. There will be access from the existing curb cut onto Cross Creek Boulevard and through the existing parking lot. The site will be secured by existing ornamental metal fencing. No waivers of development plan standards are requested.

### **PUBLIC HEARING SUMMARY:**

Presenter: Mark Reinhard, with Engineering Resources, presented the proposal. He stated that the car wash will be used by employees to keep inventory clean.

### Public Comments:

none

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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### Rezoning Petition REZ-2020-0007

APPLICANT: VMW Properties, LLC – Reginald Vorderman  
REQUEST: To rezone property from I1/Limited Industrial to C3/General Commercial for a new automotive wash.  
LOCATION: The address of the subject property is 5811 Cross Creek Boulevard (Section 22 of Washington Township).  
LAND AREA: Approximately 4 acres for rezoning  
PRESENT ZONING: I1/Limited Industrial  
PROPOSED ZONING: C3/General Commercial

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**The Plan Commission recommends that Rezoning Petition REZ-2020-0007 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 site is near similar commercial development and the proposal will allow the existing business to expand and provide additional services to its customers. This proposal will provide infill development using existing infrastructure.
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 will ensure a compatible development that complements the neighborhood.
3. Approval is consistent with the preservation of property values in the area. This proposal will bring an existing use into compliance with the zoning ordinance, increasing the viability of investment into the area.
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 March 16, 2020.



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



Rezoning Petition REZ-2020-0007 and Primary Development Plan PDP-2020-0006 - Vorderman Auto Car Wash



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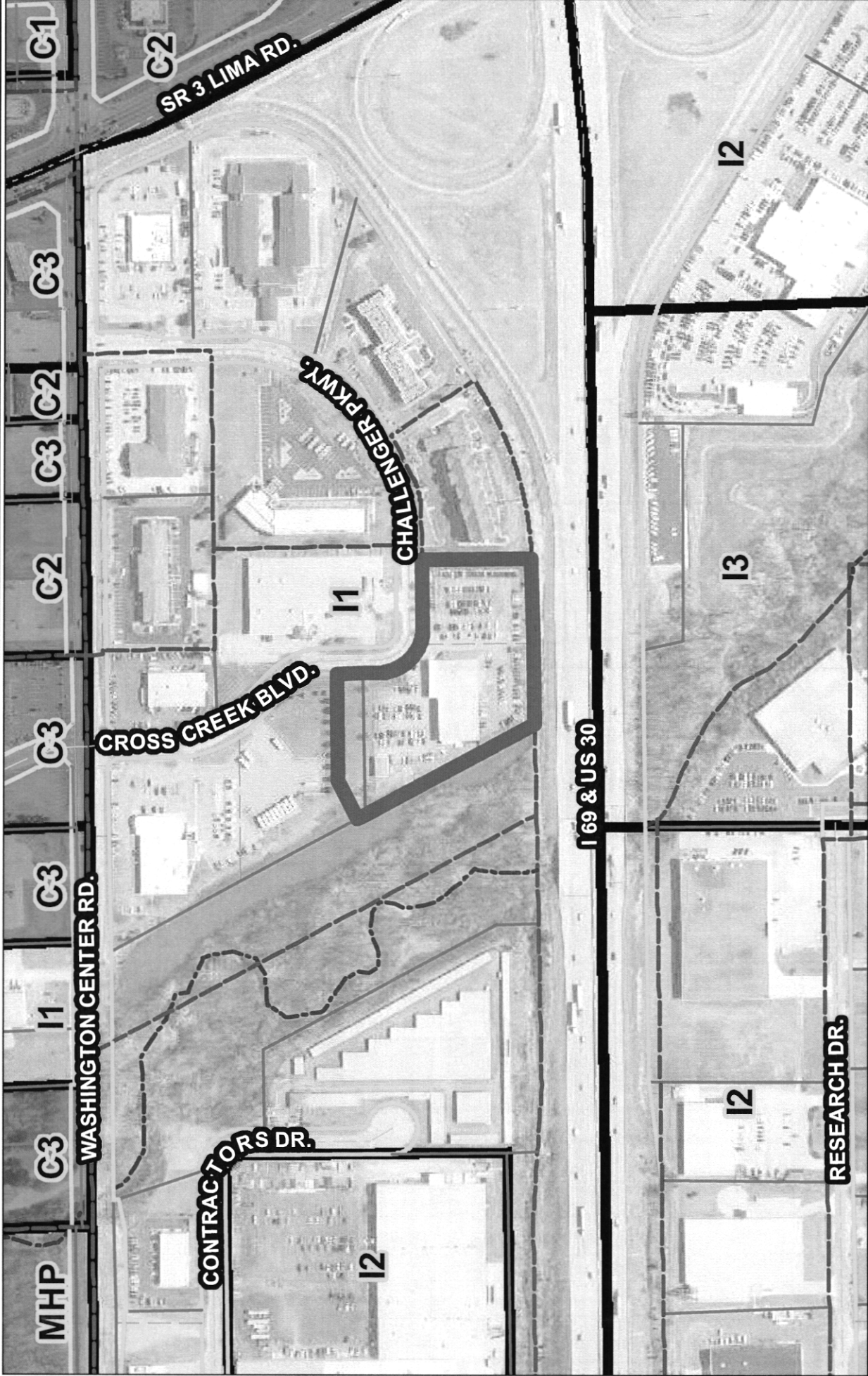


1 inch = 300 feet





Rezoning Petition REZ-2020-0007 and Primary Development Plan PDP-2020-0006 - Vorderman Auto Car Wash



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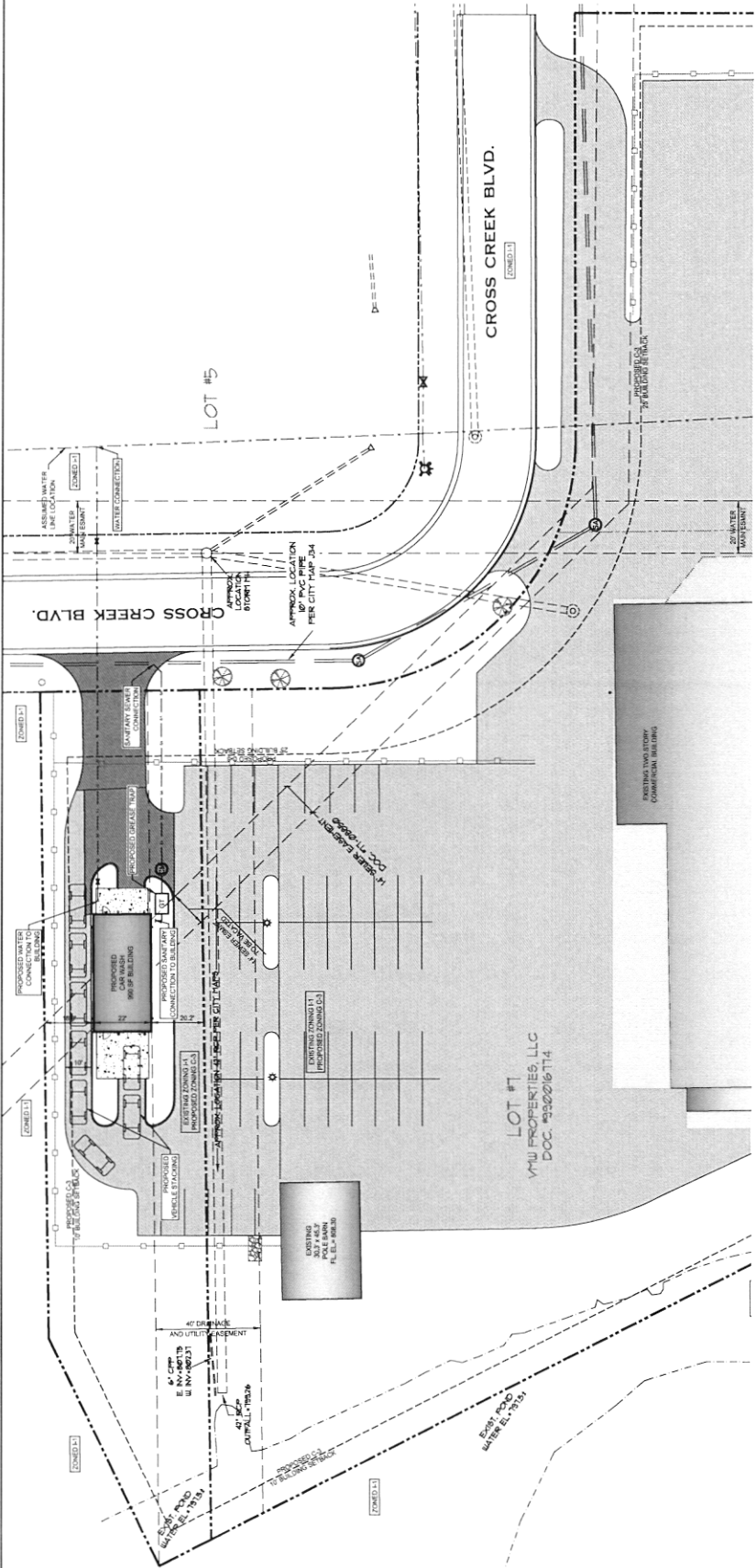




**Matthew D. Dru**  
 LICENSED PROFESSIONAL ENGINEER  
 No. 181179  
 State of Indiana

Vorderman Auto Car Wash  
 5811 Cross Creek Blvd.  
 Fort Wayne, IN 46818

DATE	REVISION	DESCRIPTION
02/04/2018	1	ISSUE FOR PERMITS
01/20/18	1	REVISED



**BUILDING INFORMATION**

PROPOSED BUILDING S.F.	966 SF
PROPOSED BUILDING HEIGHT	18 FT.

**LOT INFORMATION**

CURRENT ZONING	S1
CURRENT USE	CAR PARKING / CAR AUTO DEALERSHIP
PROPOSED ZONING	C-3
PROPOSED USE	CAR WASH AND PARKING FOR DEALERSHIP USE ONLY

**FLOOD INSURANCE RATE MAP (FIRM):**  
 FIRM MAP NUMBER: 18000D1705  
 DATED: AUGUST 13, 2009  
 FLOODWAY AREAS IN ZONE A1 AND X-OTHER AREAS  
 LOCAL MAP NUMBER: 18000D1705  
 DATED: MARCH 10, 2017

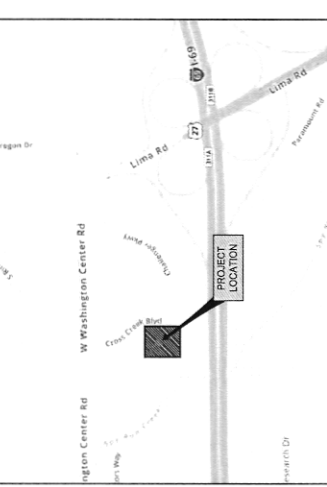
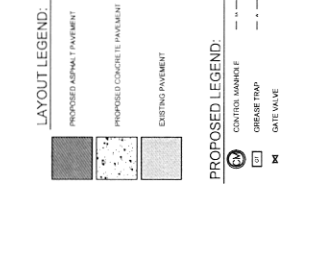
**OWNER**  
 MVM PROPERTIES, LLC  
 1001 W. WASHINGTON CENTER RD.  
 FORT WAYNE, IN 46818  
 PH: (765) 433-6500  
 CONTACT: MARK WILSON  
 EMAIL: mwilson@mvmproperties.com

**CONTRACTOR**  
 STRONG CONSTRUCTION  
 200 W. JEFFERSON BLVD.  
 FORT WAYNE, IN 46818  
 PH: (765) 424-8371  
 CONTACT: RANDY STRONG  
 EMAIL: randy.strong@strongconstruction.com

**ENGINEER**  
 ENGINEERING RESOURCES, INC.  
 11000 DREXEL ROAD  
 FORT WAYNE, IN 46845  
 PH: (765) 490-1025  
 CONTACT: MATTHEW DRU  
 EMAIL: mdr@eri.com

**SURVEYOR**  
 MCM SURVEYING, INC.  
 1001 W. WASHINGTON CENTER RD.  
 FORT WAYNE, IN 46818  
 PH: (765) 490-5665  
 CONTACT: MICHAEL C. VOORAK

**PRIMARY DEVELOPMENT PLAN**  
 SCALE: 1" = 20'



**STACKING SUMMARY**

1 PER MANUAL CAR WASH STACKING (USED BY DEALERSHIP FREQUENTLY ONLY)	1 AUTOMATIC BAY
TOTAL STACKING SPACES	2 SPACES
EXISTING STACKING SPACES	0 SPACES
PROPOSED STACKING SPACES	2 SPACES

**PRIMARY DEVELOPMENT PLAN**  
 SCALE: 1" = 20'

**LOCATION MAP**  
 SCALE: 1" = 1 MILE

PD10

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-2020-0007  
Bill Number: Z-20-02-10  
Council District: 3-Tom Didier

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Introduction Date: February 25, 2020  
Plan Commission  
Public Hearing Date: March 9, 2020 (not heard by Council)  
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: To rezone approximately 4.01 acres from I1/Limited Industrial to C3/General Commercial.  
Location: 5811 Cross Creek Boulevard  
Reason for Request: To allow the addition of a car wash for Vorderman Auto, and to bring the entire site into zoning compliance.  
Applicant: Reginald Vorderman (VMW Properties, LLC)  
Property Owner: Reginald Vorderman (VMW Properties, LLC)

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Related Petitions: Primary Development Plan, PDP-2020-0006 – Vorderman Auto Car Wash

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Effect of Passage: Property will be rezoned to the C3/General Commercial district which will allow the desired car wash and bring the remaining Vorderman Auto sales property into compliance with the current ordinance.  
Effect of Non-Passage: The property will remain zoned I1/Limited Industrial which would not allow the development of the car wash and will leave the existing auto sales business as a non-conforming use in the I1 district.

**REPORT OF COMMITTEE ON REGULATIONS**  
**May 26, 2020**

**Tom Freistroffer Chair**

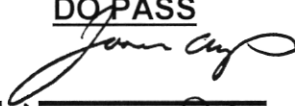
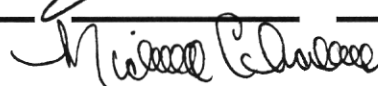
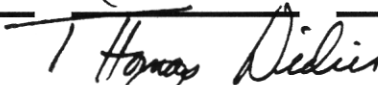
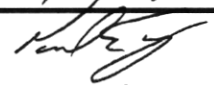
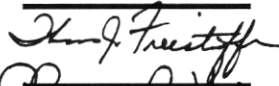
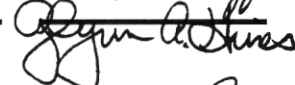

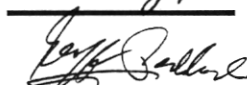
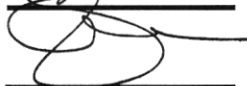
**Glynn Hines Co-Chair**

**All Council Members**

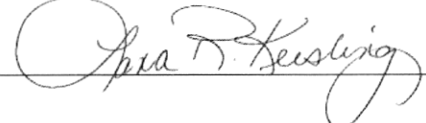
An Ordinance amending the City of Fort Wayne Zoning Map Nos. J-34 and K-34  
(Sec. 22 of Washington Township)

*To rezone approximately 4.01 acres from I1/Limited Industrial to C3/General  
Commercial at 5811 Cross Creek Boulevard*

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING**  
**CITY CLERK**



Public Hearing Date: N/A

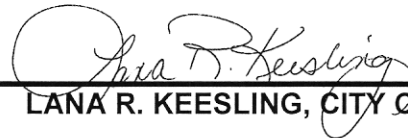
Read the first time in full and on motion by Councilperson Freistroffer.

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

Read the third time in full and on motion by Councilperson Freistroffer, 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"/>
CHAMBERS	<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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: May 26, 2020

  
LANA R. KEESLING, CITY CLERK

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

Zoning No. Z-20-02-10 on the 26th day of May, 2020

ATTEST:

  
LANA R. KEESLING  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27<sup>th</sup> day of May 2020, at the hour of 10:35 AM o'clock E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 27<sup>th</sup> day of MAY

2020, at the hour of 11:26 o'clock AM E.S.T.

  
THOMAS C. HENRY, MAYOR

