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#REZ-2023-0032

BILL NO. Z-23-06-34

ZONING MAP ORDINANCE NO. Z-30-23

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. N-03 (Sec. 12 of Wayne Township)**

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

SECTION 1. That the area described as follows is hereby designated an R2 (Two Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

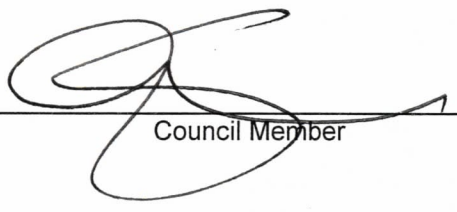
Lot 39 and Lot 40 excepting the north 51 feet of the east 60 feet in Lasselleville (Original Town), as recorded in Deed Book 38, page 485 in the Office of the Recorder of Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. N-03 (Sec. 12 of Wayne Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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

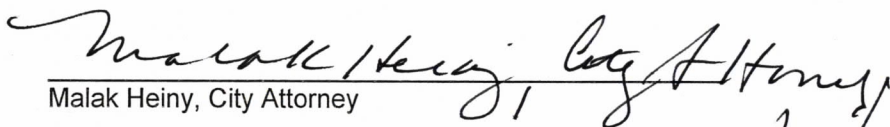
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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.




Council Member

APPROVED AS TO FORM AND LEGALITY:



Malak Heiny, City Attorney



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0032
Bill Number: Z-23-06-34
Council District: 6-Sharon Tucker

Introduction Date: June 27, 2023
Plan Commission
Public Hearing Date: July 10, 2023 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 0.34 acres from C3/General Commercial to R2/Two Family Residential
Location: 2007 Lafayette Street
Reason for Request: To allow the rebuilding of a residential structure.
Applicant: Graylin Howard
Property Owner: Graylin Howard

Related Petitions: none

Effect of Passage: Property will be rezoned to the R2/Two Family Residential zoning district, which permits single and two family housing.
Effect of Non-Passage: The property will remain zoned C3/General Commercial which does not permit a new single or two family home.



Rezoning Petition REZ-2023-0032 - 2007 Lafayette Street



Although some accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of files or information contained here in 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: 6/22/2023

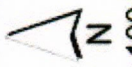
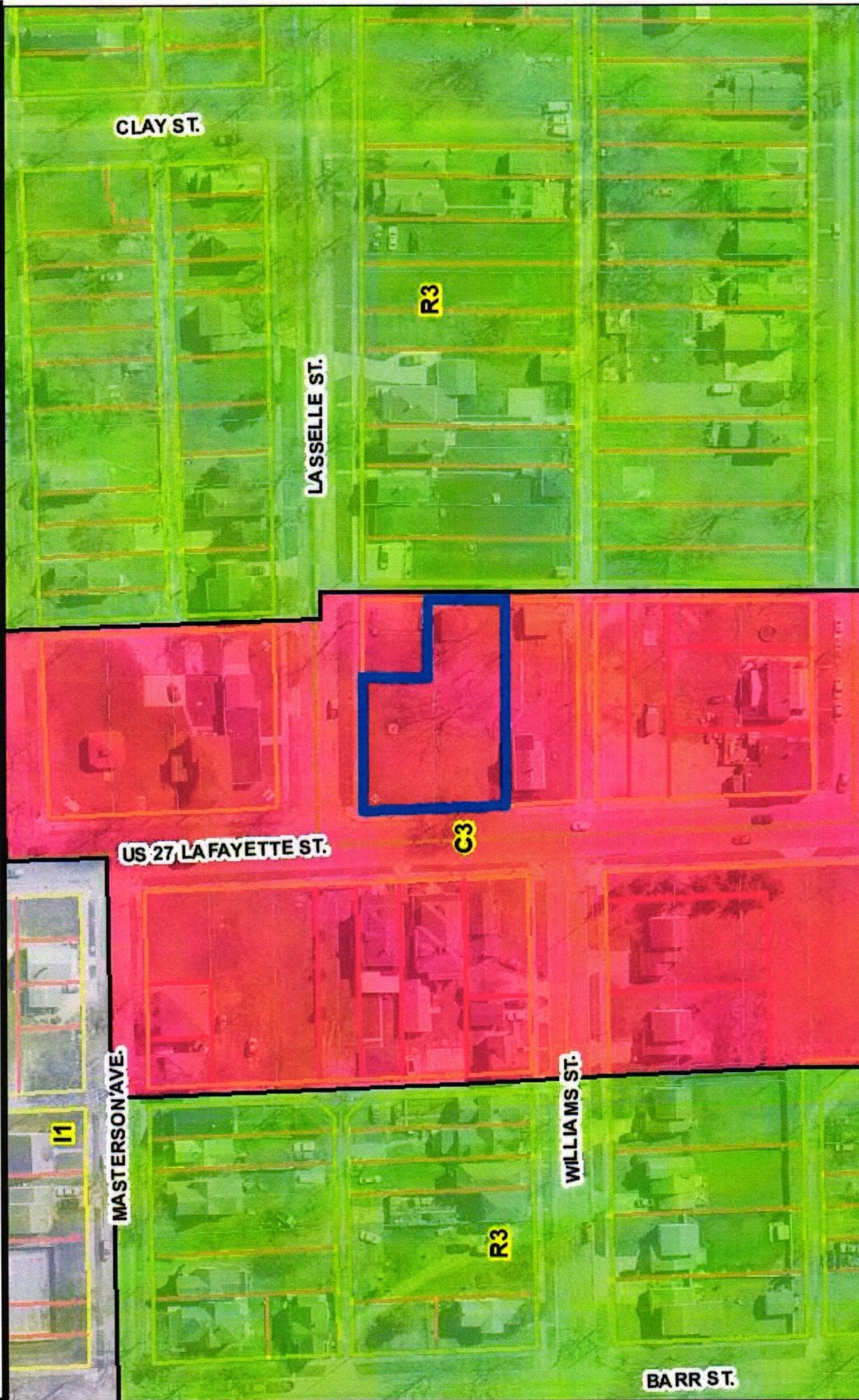


1 inch = 100 feet





Rezoning Petition REZ-2023-0032 - 2007 Lafayette Street



1 inch = 100 feet



© 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: 02/22/2023

Although some accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained hereon and disclaims any and all liability resulting from any error or omission in this map.

**Department of Planning Services
Rezoning Petition Application**

Applicant &

Applicant Graylin Howard
 Address 403 Lasselle st.
 City Ft Wayne State IN. Zip _____
 Telephone 260-710-3743 E-mail graylin98viper@gmail.com

Property Ownership

Property Owner Graylin Howard
 Address 2007 Lafayette street
 City Ft. Wayne State IN. Zip 46803
 Telephone 260-710-3743 E-mail graylin98viper@gmail.com

Contact Person

Contact Person Graylin Howard
 Address 403 Lasselle Street
 City Ft. Wayne State IN. Zip 46803
 Telephone 260-710-3743 E-mail graylin98viper@gmail.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 2007 Lafayette st. Township and Section _____
 Present Zoning _____ Proposed Zoning R2 Acreage to be rezoned _____
 Purpose of rezoning (attach additional page if necessary) My previous house burned down in 2001. Want to rebuild my retirement home.
 Sewer provider City Water provider City

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.

- Filing fee \$1000.00
- Surveys showing area to be rezoned
- Legal Description of parcel to be rezoned
- Rezoning Criteria (see attached checklist)

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 Fort Wayne and Allen County Plan Commissions as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that

Graylin Howard
 (printed name of applicant)

Graylin Howard
 (signature of applicant)

5-20-2023
 (date)

(printed name of property owner)

(signature of property owner)

(date)



Received	Receipt No.	Hearing Date	Petition No.
6-5-23	143359	7-10-23	REZ2023-1032

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
 Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



LAREZ NEIGHBORHOOD ASSOCIATION

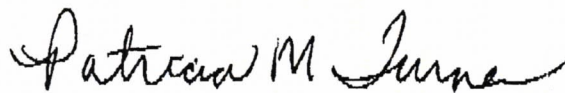
December 13, 2004

Board of Zoning
One Main St.
Fort Wayne, IN 46802

Dear Sir or Madam:

This letter is in support of Graylin Howard having his property rezoned in order to rebuild his home that was destroyed by fire on S. Lafayette St. If you need additional information from our Neighborhood Association, please feel free to contact me at 744-7511.

Sincerely,



Patricia M. Turner, President
Larez Neighborhood Association

Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

(1) The Comprehensive Plan;

LUD - #2 Promot complete neighborhood Throug
Sustainable development.

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

Vacant lots permission to rebuild.

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

Promote complete neighborhood through sustianabe development
preservation and growth.

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

N/A

(5) Responsible development and growth.

Promote complete neighborhood through Encouraging mix
neighborhood areas.

COMPLETE FILING TO INCLUDE:

- Filing Fee
- Complete application signed by property owner*
- Legal description (in Word document format)*
- Boundary/Utility Survey*
- Rezoning Criteria *
- Written Commitment (if applicable)*

**All documents may be digital*





May 22, 2023

Dear Board of Zoning. The Larez Neighborhood Association is in agreement with the zoning changes that will enable Mr. Graylin Howard to build his home. Please contact me at 260-466-1123 if you have any questions.

A handwritten signature in cursive script that reads "Pat Turner".

Patricia Turner, President
Larez Neighborhood Association.

FACT SHEET

Case #REZ-2023-0032	Bill # Z-23-06-34	Project Start: June 2023
APPLICANT:	Graylin Howard	
REQUEST:	Rezone property from C3/General Commercial to R2/Two Family Residential to allow a duplex.	
LOCATION:	2007 Lafayette Street, southeast corner of its intersection with Laselle Street (Section 12 of Wayne Township)	
PRESENT ZONING:	R2/Two Family Residential	
PROPOSED ZONING:	UC/Urban Corridor	
COUNCIL DISTRICT:	6 – Sharon Tucker	
SPONSOR:	Fort Wayne Plan Commission	

July 10, 2023 Public Hearing

- No one spoke in support or opposition.
- Two letter in support were submitted.
- Tom Freistroffer, Ryan Neumeister, and Paul Sauerteig were absent.

July 17, 2023 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Tom Freistroffer and seconded by Paul Sauerteig to return the Ordinance with a Do Pass recommendation to Common Council for their final decision.

7-0 MOTION PASSED

- Ryan Neumeister and Patrick Zaharako were absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
August 10, 2023

PROJECT SUMMARY

- The site was platted in the mid 1800's as Lasselleville.
- A structure was on the site but was demolished between 1999 and 2003.

The applicant is petitioning to rezone the site from C3/General Commercial to R2/Two-Family Residential so the applicant can invest in a duplex post-retirement. The owner owned a house that burned down on the site in the early 2000's. Now that he is approaching retirement, he would like to reinvest in the site as a two-family home. Lafayette Street is the principal northbound street into town from southern towns and counties into downtown Fort Wayne. Most of the zoning along the street is C3/General Commercial, but the development pattern is historically residential and many exclusive residential blocks remain along the corridor. While this zoning would be the only residential zoning on Lafayette Street until Creighton Avenue (four blocks south), the proposed use would mix well with existing residences across the street and to the west along Lasselle Street, helping to stabilize the residential stock in the neighborhood.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Priority Investment Area.

- The following Goals and Strategies would be applicable:
 - LUD1** - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.
 - LUD 1.3** - Encourage compatible higher density residential and mixed-use development in infill areas that are near public transit routes, employment centers, institutions, and other amenities

Overall Land Use Policies

The following Land Use Policies would be applicable and supportive of this request:

- **LUD Policy 1** - Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

Generalized Future Land Use Map

The project site is located within a Neighborhood Commercial area in the Comprehensive Plan.

Land Use Related Action Steps

Staff determined the following Action Step would be applicable and supportive of this proposal:

- **HN.1.1.4** - Promote residential development with compact block structure, a mix of uses and housing types, and active transportation access to nearby jobs, recreation, fresh and nutritious food, and schools as well as connections to nearby neighborhoods.

Compatibility Matrix

- This rezoning proposal from C3 to R2 is compatible in a Neighborhood Commercial classification.

Other applicable plans: Southeast Strategy (2020)

- Provide incentives and tools to encourage residential and neighborhood investment (p 53)
- Support efforts to renovate, repair, and maintain existing housing... (p 53)

Staff received no remonstrance against the proposal.

The applicant submitted the following information related to the rezoning criteria set forth in state code:

1. The Comprehensive Plan: *LUD # 2 – Promote complete neighborhood through sustainable development.*
2. Current conditions and the character of current structures and uses in the district: *Vacant lots permission to rebuild.*
3. The most desirable use for which the land in the district is adapted: *Promote complete neighborhood through sustainable development, preservation, and growth.*
4. The conservation of property values throughout the jurisdiction: *N/A*
5. Responsible development and growth: *Promote complete neighborhood through encouraging mix neighborhood areas.*

PUBLIC HEARING SUMMARY:

Presenter: The property owner Graylin Howard presented the request as outlined above.

Public Comments:

No one spoke in support or opposition.

Two letters of support received from Larez Neighborhood Association: One dated December 13, 2004 and another dated May 22, 2023.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

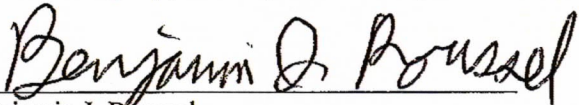
Rezoning Petition REZ-2023-0032

APPLICANT: Graylin Howard
REQUEST: Rezone property from C3/General Commercial to R2/Two Family Residential to allow a duplex.
LOCATION: 2007 Lafayette Street, southeast corner of its intersection with Lasselle Street (Section 12 of Wayne Township)
LAND AREA: 0.1 acre
PRESENT ZONING: C3/General Commercial
PROPOSED ZONING: R2/Two Family Reside

The Plan Commission recommends that Rezoning Petition REZ-2023-0032 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 request allows a longtime resident to rebuild his home in conformance with the ordinance. The rezoning proposal demonstrates compatibility to both the Comprehensive Plan and the Southeast Strategy.
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. The home sets a residential precedence along Lasselle Street and compliments residential uses around the site along Lafayette Street.
3. Approval is consistent with the preservation of property values in the area. The site will continue residential uses along the Lasselle Corridor, and the use of a two-family building can provide less abrupt of a transition between commercial uses and local residential street.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Applicable development will require permits with applicable reviewing agencies. Department of Planning Services will review a two-family residence permit and associated accessory structures. Corner setbacks will mitigate visibility issues.

These findings approved by the Fort Wayne Plan Commission on July 17, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



May 22, 2023

Dear Board of Zoning. The Larez Neighborhood Association is in agreement with the zoning changes that will enable Mr. Graylin Howard to build his home. Please contact me at 260-466-1123 if you have any questions.

A handwritten signature in cursive script that reads "Pat Turner".

Patricia Turner, President
Larez Neighborhood Association.

LAREZ NEIGHBORHOOD ASSOCIATION

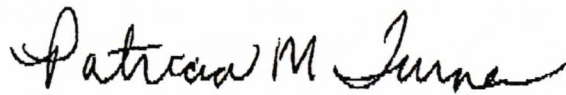
December 13, 2004

Board of Zoning
One Main St.
Fort Wayne, IN 46802

Dear Sir or Madam:

This letter is in support of Graylin Howard having his property rezoned in order to rebuild his home that was destroyed by fire on S. Lafayette St. If you need additional information from our Neighborhood Association, please feel free to contact me at 744-7511.

Sincerely,



Patricia M. Turner, President
Larez Neighborhood Association

NICHOLAS D. JORDAN



ALLEN COUNTY AUDITOR

AUTHORIZATION OF COMBINATION

Per I.C. 6-1.1-5-16

I, Graylin Howard, authorize the Auditor of Allen County to combine the following:

List the addresses or parcel numbers below:

02-12-12-301-001, 000-074

002,

003,

004.

Owner Signature: Graylin Howard Title: _____

Phone: 260-716-3743 Date: 6-5-2023

Please return to: Allen County Auditor, 1 East Main Street, Suite 102, Fort Wayne, IN 46802

ASSESSOR OFFICE USE ONLY

Reason for Combination: Improvement falls across property line 1% Cap Eligibility

Other _____

Property Owner has been notified of combination, if not signed above

Assessor Signature: _____

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

JUN 05 2023

[Signature]
AUDITOR OF ALLEN COUNTY

AUDITOR OFFICE USE ONLY

I have verified the following:

Initials: clp

- All taxes are current on all properties to be combined.
- All properties are titled the same.
- All properties are in the same state taxing district.
- All properties are adjacent (touching).

Payable Year: 24/25

New Acreage: _____

New Legal Description: _____

ROUSSEAU CENTRE • 1 EAST MAIN STREET • SUITE 102

FORT WAYNE, INDIANA 46802-1887

PHONE: 260.449.7241 • FAX: 260.449.7679 • WWW.ALLENCOUNTYAUDITOR.US

BILL NO. Z-23-06-34


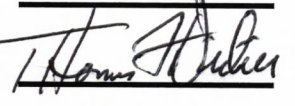


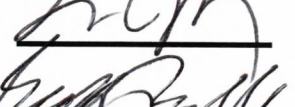


**REPORT OF COMMITTEE ON REGULATIONS
August 15, 2023**

**Sharon Tucker Chair
Tom Freistroffer Co-Chair
All Council Members**

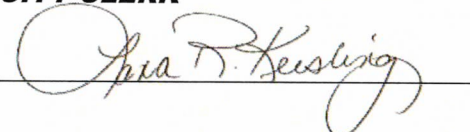
An Ordinance amending the City of Fort Wayne Zoning Map No. N-03 (Sec. 12 of Wayne Township)

To rezone approximately 0.34 acres from C3/General Commercial to R2/Two Family Residential at 2007 Lafayette Street to allow the rebuilding of a residential structure.

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

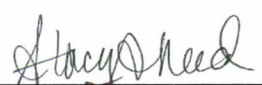
Read the first time in full and on motion by Councilperson Tucker.

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

Read the third time in full and on motion by Councilperson Tucker, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

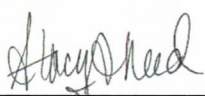
DATED: August 22, 2023



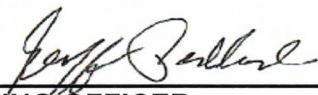
STACY REED, DEPUTY CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. Z-23-06-34 on the 22nd day of August, 2023

ATTEST:

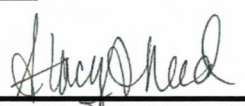


STACY REED
DEPUTY CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd of August 2023, at the hour of 9:35 o'clock A.M. E.S.T.



STACY REED, DEPUTY CITY CLERK

Approved and signed by me this 25TH day of August 2023, at the hour of 11:30 o'clock AM E.S.T.


THOMAS C. HENRY, MAYOR