

#REZ-2023-0045

BILL NO. Z-23-09-12

ZONING MAP ORDINANCE NO. Z- 42-23

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O-11 (Sec. 13 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 a R1 (Single
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

Weisser Park Add Lot 198 Ex N 19' of W 66.5' & Ex S 20' of W 50'

and the symbols of the City of Fort Wayne Zoning Map No. O-11 (Sec. 13 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.

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

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City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2023-0045
Bill Number: Z-23-09-12
Council District: 6-Sharon Tucker

Introduction Date: September 12, 2023
Plan Commission
Public Hearing Date: September 11, 2023 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

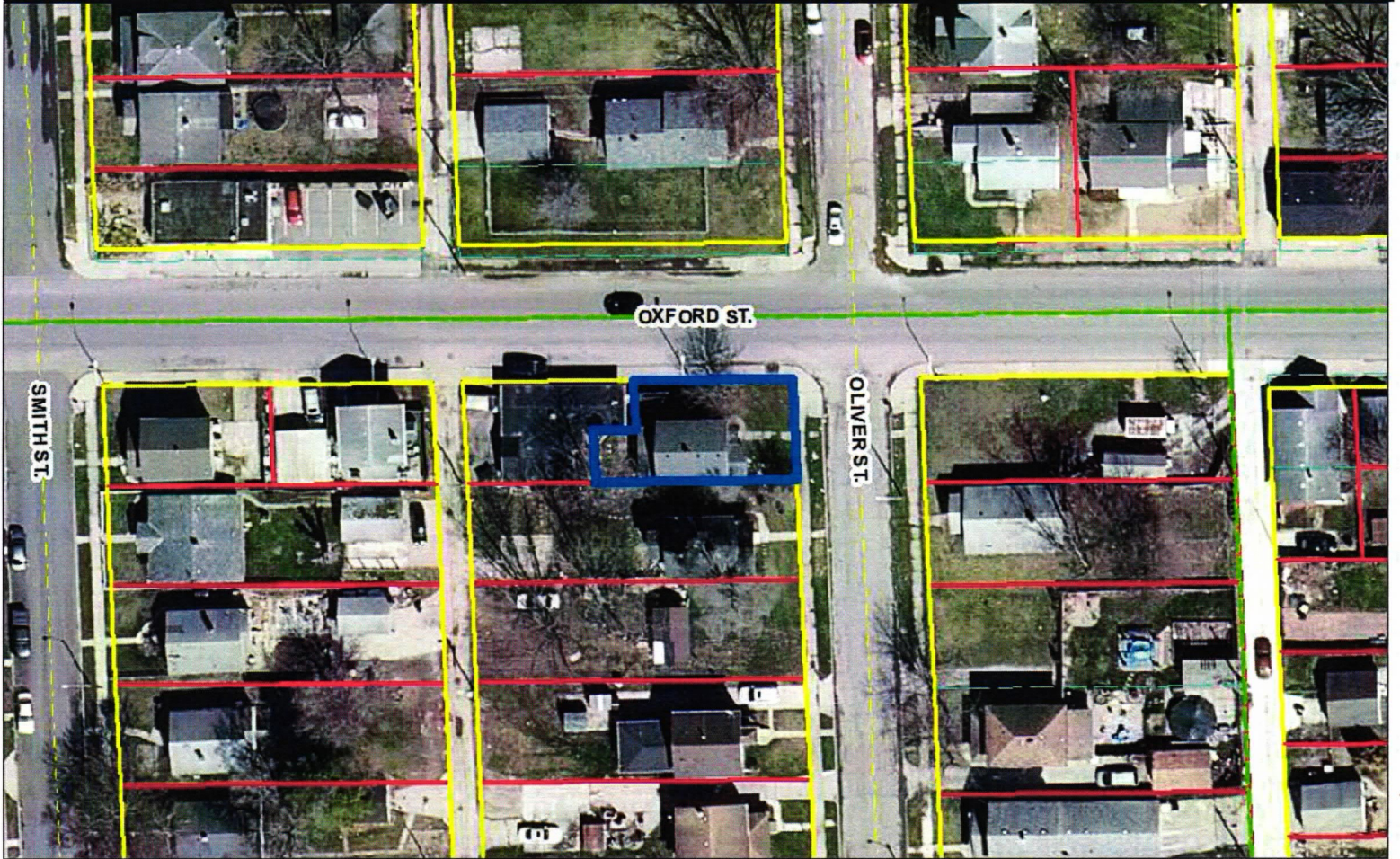
Synopsis of Ordinance: To rezone 0.06 acres from C2/Limited Commercial to R1/Single Family Residential.
Location: 3502 Oliver Street
Reason for Request: To permit existing residential use.
Applicant: Ram Ma Zan Be
Property Owner: Ram Ma Zan Be

Related Petitions: None

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district, which supports single family development.
Effect of Non-Passage: The property will remain zoned C2/Limited Commercial, which supports moderate intensity business, community, office, personal service and limited retail uses, along with certain residential facilities.

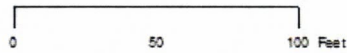


Rezoning Petition REZ-2023-0045 - 3502 Oliver Street



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

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 8/10/2023



1 inch = 50 feet

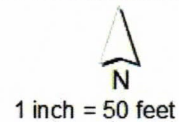
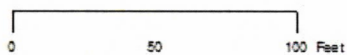


Rezoning Petition REZ-2023-0045 - 3502 Olver Street



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 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 8/10/2023



**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Ram Ma Zan Be
 Address 4510 Standish dr
 City Fort Wayne State Indiana Zip 46806
 Telephone _____ E-mail _____

Property Ownership
 Property Owner _____
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

Contact Person
 Contact Person Ma Ra Ya Be
 Address 4034 3/4 wayne trace
 City Fort Wayne State Indiana Zip 46806
 Telephone 402-913-8485 E-mail marayabe.137@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 3502 Oliver st Township and Section Wayne, 13
 Present Zoning CL Proposed Zoning R1 Acreage to be rezoned .06
 Purpose of rezoning (attach additional page if necessary) To have the house match the zoning
 Sewer provider _____ Water provider _____

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

Ram Ma Zan Be (printed name of applicant) [Signature] (signature of applicant) 8-1-23 (date)
Ram Ma Zan Be (printed name of property owner) [Signature] (signature of property owner) 8-1-23 (date)



Received	Receipt No.	Hearing Date	Petition No.
8-1-23	143782	9-11-23	2023-0045

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



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;

Infill development

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

conditions won't be change

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

It was build as a house. Hard to add a parking lot because it small space.

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

No changes effected

- (5) Responsible development and growth.

Utilities are ~~not~~ available.
not suitable for commercial

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*





DocId:8925130
Tx:4589917

2022057442

RECORDED: 10/24/2022 03:42:34 PM

ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

QUIT CLAIM DEED

This Indenture Witnesseth, That MAT RA FI
of Allen County, in the State of Indiana Release and Quit-Claim to
RAM MAZAN BE of Allen County, in the
State of Indiana for and in consideration of 65,000 Dollars,
and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following
described Real Estate in Allen County in the State of Indiana to wit

TAX Bill Address
granted Property and
address
M13502 Oliver St
Fort Wayne Indiana 46806

Tax No - 02-12-13-402-012-000-074
MAT RA FI

Lot number one hundred ninety eight (198) Except North 19
feet of West 66.5 feet and except South 20 feet of the West 50 feet in the amended
Plat of weisser Park addition to the city of Fort Wayne Allen county Indiana

In Witness Whereof, The said

has hereunto set hand and seal, this 24th day of October, 2022
MAT RA FI Seal
MAT RA FI Seal
MAT RA FI Seal

State of Indiana, County of Allen, ss
Before me, a Notary Public in and for said County and State, personally appeared MAT RA FI
and _____ who acknowledged the execution of the
foregoing Quit Claim Deed.

Witness my hand and Notarial Seal this date October 24, 2022
CARRIE L. PFLUEGER, Notary Public
My Commission expires _____
Allen County, State of Indiana Signature Carrie L Pflueger Notary Public
My Commission Expires June 29, 2024 County _____ (Printed)

I affirm, under penalty of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless
required by law. Indiana Code §36-2-11-15(a) and
This instrument prepared by: mohamed scpt Resident of Allen County

Form # 163
Consult a lawyer if you doubt this form's fitness for your purposes and use. Jurisprudence Forms, 2932 Highway Ave., Highland, In 46322
or implied, with respect to the merchantability or fitness of this form for an intended use or purpose.

AUDITORS OFFICE
Duly ordered for location. Subject
to final acceptance for transfer

OCT 24 2022

AUDITOR OF ALLEN COUNTY

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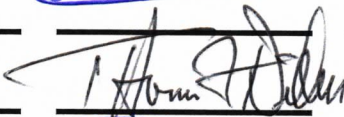


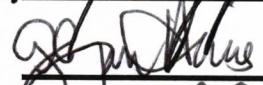
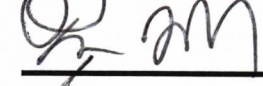


BILL NO. Z-23-09-12

REPORT OF COMMITTEE ON REGULATIONS
September 26, 2023

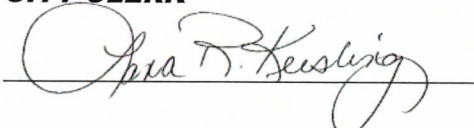
Sharon Tucker Chair
Tom Freistroffer Co-Chair
All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. O-11 (Sec. 13 of Wayne Township)

To rezone 0.06 acres from C2/Limited Commercial to R1/Single Family Residential at 3502 Oliver Street

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

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: September 26, 2023



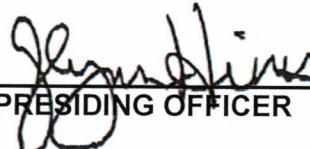
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. Z-23-09-12 on the 26th day of September, 2023

ATTEST:



 LANA R. KEESLING
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th of September 2023, at the hour of 9:15 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28TH day of SEPTEMBER 2023, at the hour of 12:00 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

