

1 #REZ-2023-0061

2 BILL NO. Z-24-01-03

3 ZONING MAP ORDINANCE NO. Z- 5-24

4 AN ORDINANCE amending the City of Fort Wayne  
5 Zoning Map No. S-54 (Sec. 5 of Saint Joseph Township)

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

7 SECTION 1. That the area described as follows is hereby designated a C/2 (Limited Commercial)

8 District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

9  
10 A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31  
11 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:  
12 Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North  
13 Clinton) and the Centerline of Diebold Road, also being the Southeast corner of the  
14 Sauder property recorded in Deed Recorded 629 at page 540 in the Office of the  
15 Recorder of said Allen County; thence North 18 degrees 15 minutes 00 seconds West,  
16 along the Centerline of Diebold Road, a distance of 454.30 feet to the Northeast corner  
17 of said Sauder property; thence South 71 degrees 45 minutes 00 seconds West, along  
18 the Northerly line of said Sauder property, a distance of 97.52 feet to a "Fansler" #5  
19 rebar at the POINT OF BEGINNING at the Northwest corner of said Sauder property;  
20 thence continuing South 71 degrees 45 minutes 00 seconds West, a distance of 55.00  
21 feet to a "Fansler" #5 rebar; thence South 10 degrees 18 minutes 45 seconds East, a  
22 distance of 507.53 feet to the said Centerline of Leo Road; thence North 59 degrees 29  
23 minutes 30 seconds East, along said Centerline of Leo Road, a distance of 128.00 feet;  
24 thence North 18 degrees 15 minutes 00 seconds West parallel to the said Centerline of  
25 Diebold Road, a distance of 475.49 feet to the point of beginning, containing 1.0000  
26 acres.

27 TOGETHER WITH:

28 A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31  
29 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:  
30 Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North  
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the point of beginning at the Northwest corner of said Sauder property; thence South 18  
degrees 15 minutes 00 seconds East, parallel to the said Centerline of Diebold Road, a  
distance of 475.49 feet to the said Centerline of Leo Road; thence North 59 degrees 29  
minutes 30 seconds East, along said Centerline of Leo Road, a distance of 7.68 feet;  
thence North 19 degrees 09 minutes 25 seconds West, a distance of 473.92 feet to the  
point of beginning, containing 0.0410 acres.

TOGETHER WITH:

A part of Bouries Reserve West of the St. Joseph River, in Section 5, Township 31  
North, Range 13 East, described as follows:

Commencing at the intersection of the centerline of the Leo Road with the centerline of

1 the Diebold Road, said Diebold Road running Northwesterly from the Leo Road on the  
2 line dividing the lands former owned by C. F. Pichon and A. Swift and said line being the  
3 dividing line between the East and West 1/2 of Bourie's Reserve, West of the St. Joseph  
4 River; thence North 18 degrees and the 15 minutes West along the centerline of the said  
5 Diebold Road, 454.3 feet to an iron stake corner; thence South 71 degrees and 45  
6 minutes West, 94.52 feet to an iron pin corner; thence South 18 degrees and 15 minutes  
7 East, 477.62 feet to the centerline of the Leo Road; thence North 57 degrees and 7  
8 minutes East along said centerline of the Leo Road, 92.12 feet to the point of beginning,  
9 the area of said described tract, containing 0.9998 acres more or less.

10 and the symbols of the City of Fort Wayne Zoning Map No. S-54 (Sec. 5 of Saint Joseph Township), as  
11 established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby  
12 changed accordingly.

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

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

19   
20 \_\_\_\_\_  
21 Council Member

22 APPROVED AS TO FORM AND LEGALITY:

23   
24 \_\_\_\_\_  
25 Malak Heiny, City Attorney

26  
27  
28  
29  
30

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-2023-0061  
Bill Number: Z-24-01-03  
Council District: 2-Russ Jehl

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Introduction Date: January 9, 2024

Plan Commission  
Public Hearing Date: January 8, 2024 (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 property from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial

Location: 9389 N Clinton Street, northwest corner of its intersection with Diebold Road

Reason for Request: To permit a floor covering store expansion

Applicant: Coleman's Flooring & Blinds

Property Owner: Coleman Properties LLC

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Related Petitions: PDP-2023-0050 – Coleman Flooring and Blind Expansion

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Effect of Passage: Property will be rezoned to C2/Limited Commercial zoning district, which will permit existing and future a floor covering store expansions.

Effect of Non-Passage: The property will remain zoned C4/Intensive Commercial and AR/Low Intensity Residential, which supports intense commercial and some residential and agricultural uses.

# Department of Planning Services Rezoning Petition Application

Applicant

Applicant Coleman's Flooring & Blnds (Zac Coleman)  
 Address 9389 N. Clinton Street  
 City Fort Wayne State IN Zip 46825  
 Telephone (260) 267-7490 E-mail zac@colemansfw.com

Property Ownership

Property Owner Coleman Properties LLC (Zac Coleman)  
 Address 9389 N. Clinton Street  
 City Fort Wayne State IN Zip 46825  
 Telephone (260) 267-7490 E-mail zac@colemansfw.com

Contact Person

Contact Person Derek Simon, PE (MLS Engineering, LLC)  
 Address 10060 Bent Creek Blvd  
 City Fort Wayne State IN Zip 46825  
 Telephone 260-489-8571 x2 E-mail derek@mlswebsite.us

*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 9389 & 9301 N. Clinton Street Township and Section St. Joseph / Sec. 5  
 Present Zoning C4 & AR Proposed Zoning C2 Acreage to be rezoned 2.02 AC  
 Purpose of rezoning (attach additional page if necessary)  
Rezone AR to C2 to align with proposed commercial use (Floor Covering Store).  
Down-zone C4 to C2 to clean up zoning.  
 Sewer provider City of Fort Wayne Water provider City of Fort Wayne

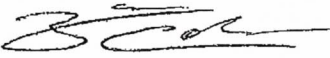
Filing Checklist

*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)

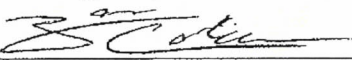
I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures 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

Coleman's Flooring & Blnds (Zac Coleman)  
 (printed name of applicant)

  
 (signature of applicant)

11/30/23  
 (date)

Coleman Properties LLC (Zac Coleman)  
 (printed name of property owner)

  
 (signature of property owner)

11/30/23  
 (date)



Received	Receipt No.	Hearing Date	Petition No.
12-1-23	144536	1-8-23	RET 2023

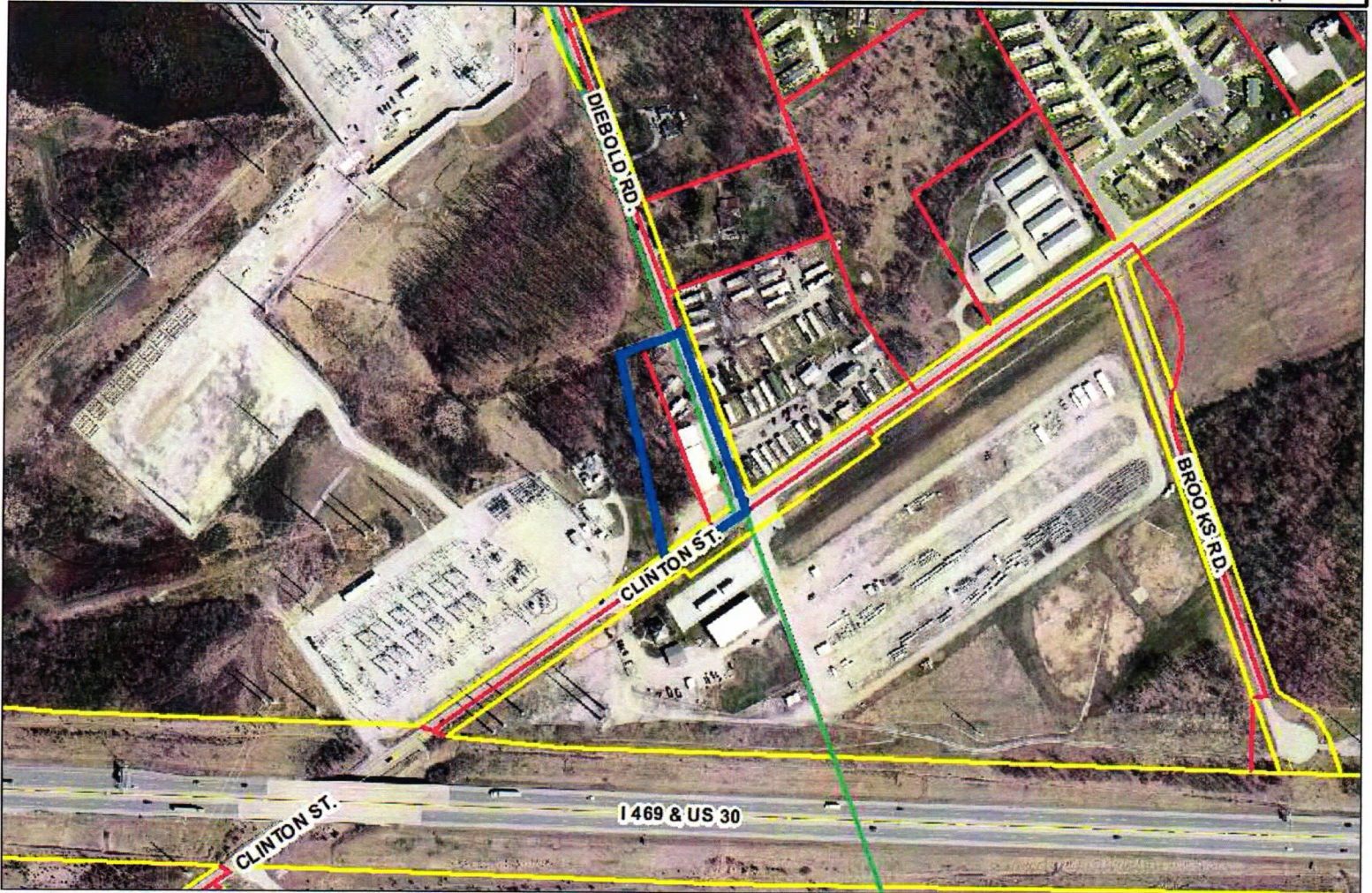
Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802  
 Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us](http://www.allencounty.us) • [www.cityoffortwayne.org](http://www.cityoffortwayne.org)



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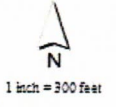


REZ-2023-0061 and PDP-2023-0050 - Coleman Flooring and Blind Expansion



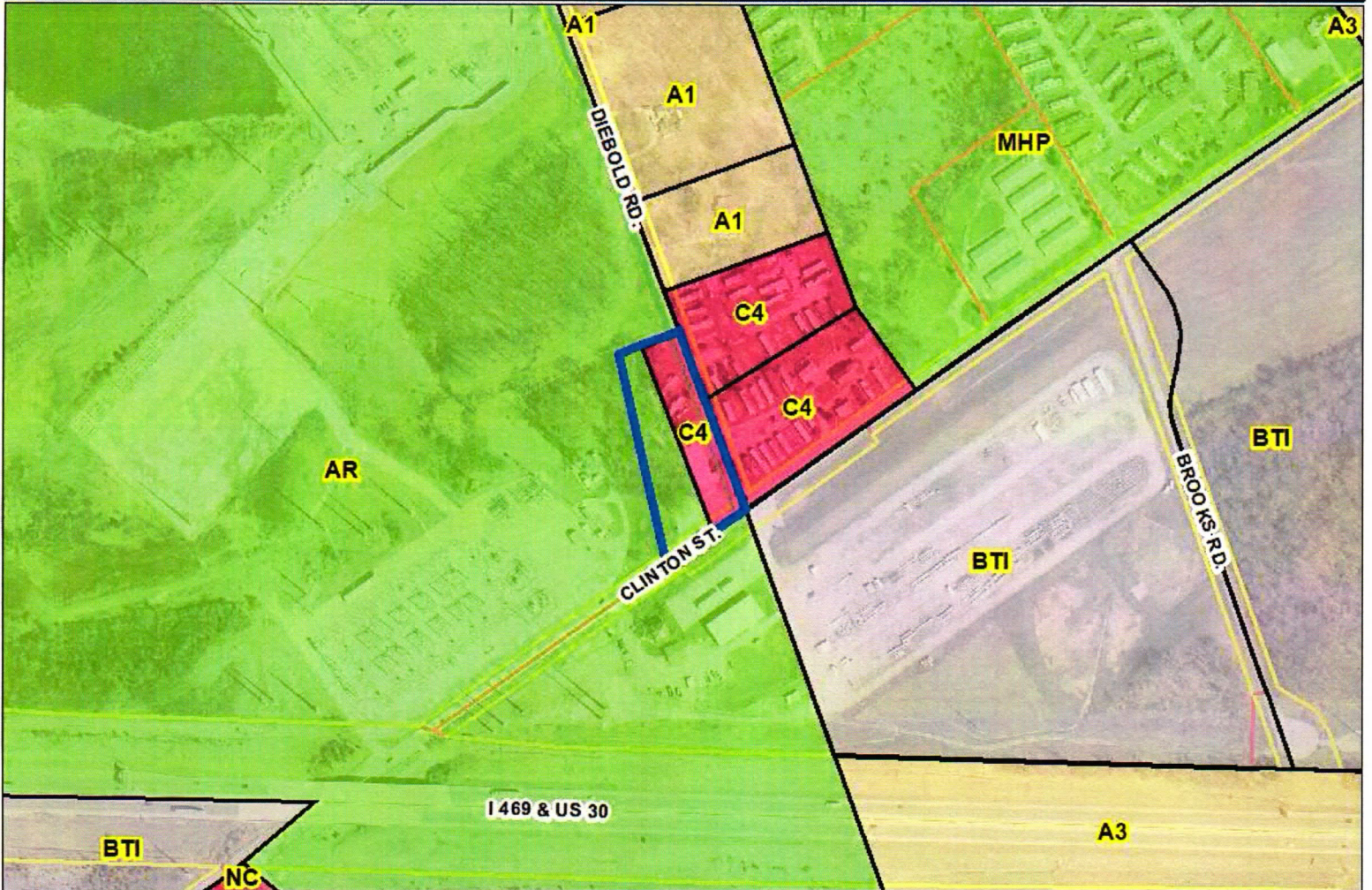
Although most accuracy standards have been employed in the preparation of this map, Alton County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting therefrom. No other assurances in this map.

© 2008 David M. C. Williams, a member of the County of Alton, North American Branch 1985  
 State Plane, Central North System, Indiana East  
 datum and projection, Spring 2009  
 Date: 12-18-2023



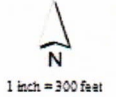


REZ-2023-0061 and PDP-2023-0050 - Coleman Flooring and Blind Expansion

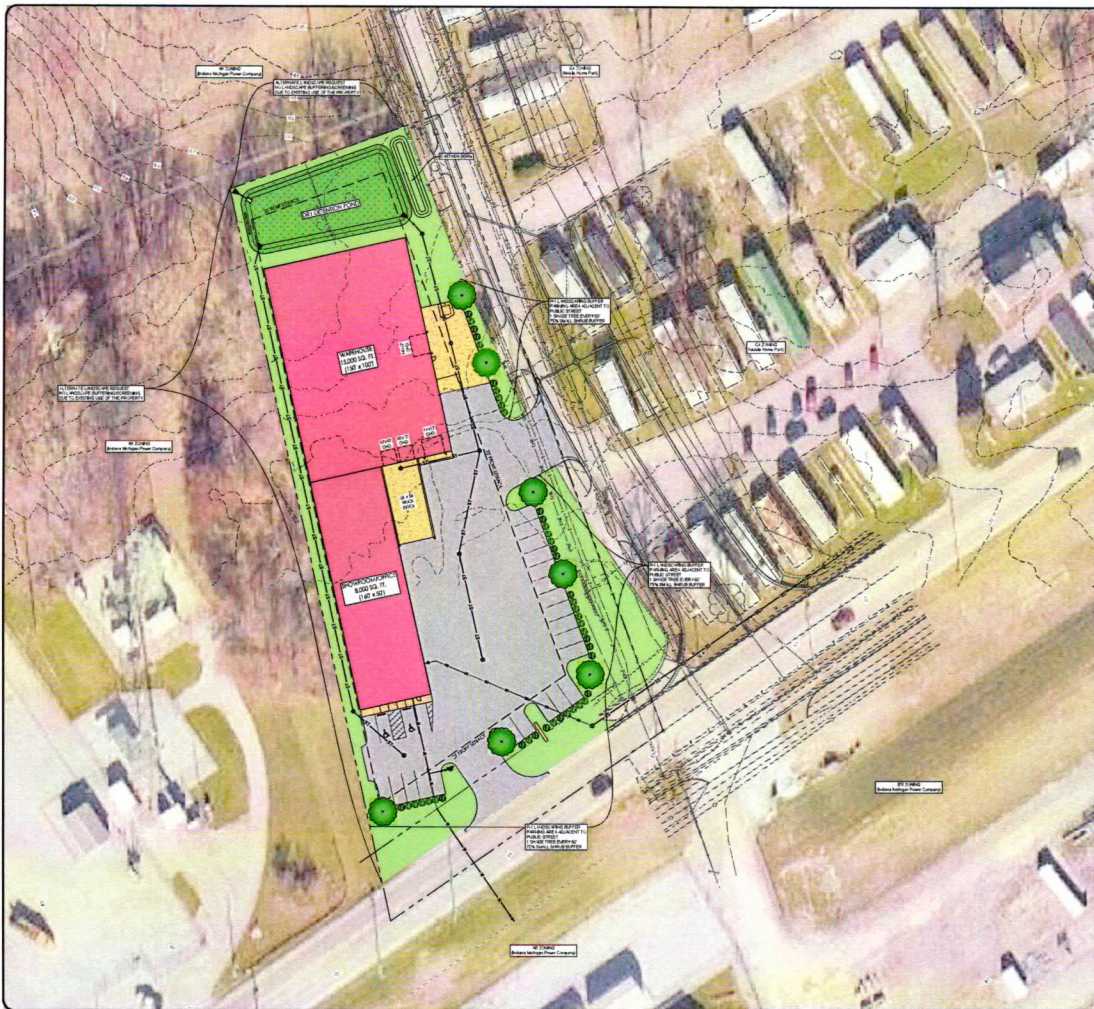


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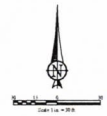
© 2019 Based on CC maps prepared by the County of Allen, North American Datum 1983. State Plane Coordinate System, NAD83 East. North and Contours: Spring 2019. Date: 12-18-2023







- PROPOSED FEATURES LEGEND**
- \* BUILDING FOOTPRINT
  - \* ASPHALT PAVEMENT
  - \* CONCRETE SIDEWALK / PATIO
  - \* GRASS / TURF
  - \* GRAVEL
  - \* UTILITY (BY A-C LINE)
  - \* MATURE TREE
  - \* SMALL TREE



**MSE Engineering**  
 12345 Main Street  
 Fort Wayne, IN 46825  
 Phone: (317) 123-4567  
 www.mse-engineering.com

PREPARED FOR:  
 Coleman Properties LLC  
 9389 N. Clinton Street  
 Fort Wayne, IN 46825  
 (317) 237-7490

REVISIONS

Coleman's Flooring & Blinds - New Facility  
 9301 & 9389 N. Clinton Street  
 Fort Wayne, IN 46825  
 Primary Development Plan  
 Landscape Plan

Date: 11-28-2023  
 Drawn By: JHM  
 Checked By: DJS  
 Project No.: 23057961

Sheet Number  
**PDP-2**

# PLAT OF SURVEY

**DONOVAN ENGINEERING, INC.**

3521 LAKE AVENUE, SUITE 2  
FORT WAYNE, INDIANA 46805  
260.424.7418

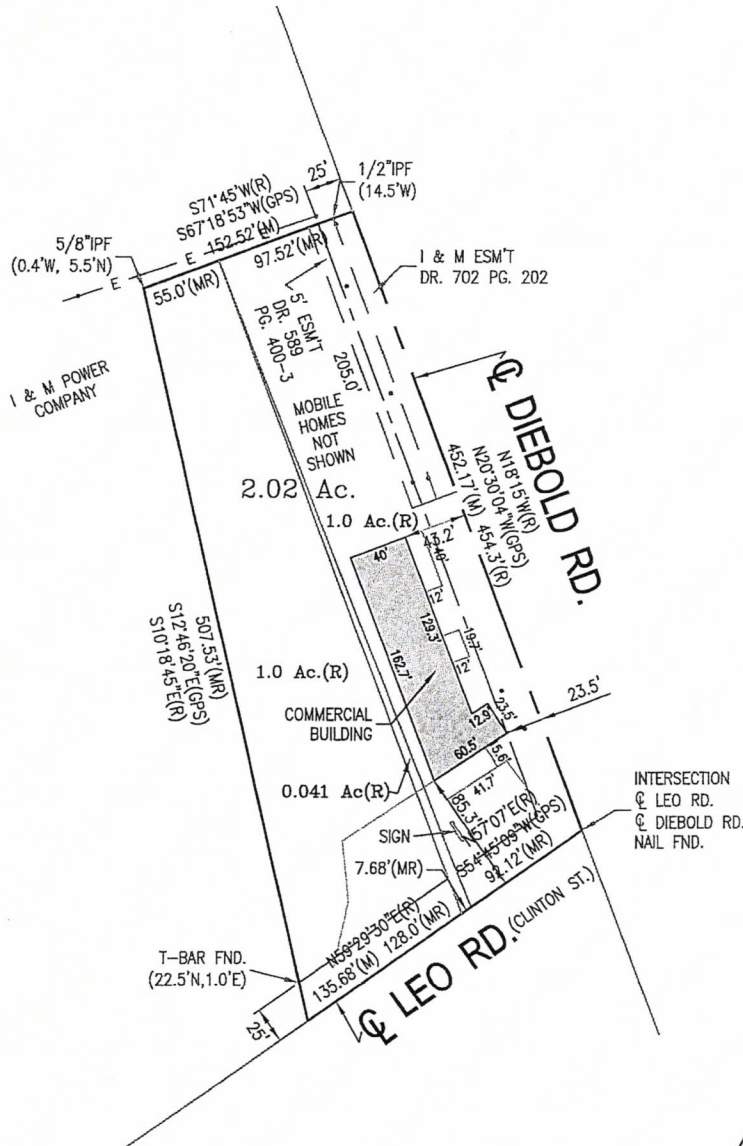
www.donovan-eng.com

GREGORY L. ROBERTS PLS S0548 IN

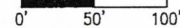
KENNETH W. HARRIS PLS 29500021 IN

MICHAEL W. HARRIS PLS 21100018 IN

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows: SEE ATTACHED SHEET!



1"=100'



Job No.:21-5073 Date:04/21/21  
Job for:BLACKBURN - COLEMAN PROP. LLC.

## LEGEND

IPF	Iron Pin (Rebar) Found		
PF	Pipe Found		
RRF	Railroad Spike Found		
PKF	P.K. Nail Found		
MNF	Mag Nail Found		
MNS	Mag Nail Set		
IPS	5/8" rebar set w/cap stamped "DEI FIRM #0027"		
(M)	Measured	(P)	Platted
(R)	Recorded	(C)	Calculated

All monuments are at grade except as noted.  
All Property line distances are recorded dimensions, except as noted. Monuments found have no documented history except as noted.

Date of latest field work: 04/17/21



I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.

L:\AutoCAD\Metas & Bounds\Sec 5-31-13, 9389-9511 N Clinton.dwg

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MNF Mag Nail Found  
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(M) Measured (P) Platted  
(R) Recorded (C) Calculated

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Date of latest field work: 04/17/21

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L:\AutoCAD\Mates & Bounds\Sec 5-31-13, 9389-9511 N Clinton.dwg



SHEET 2 OF 2

## FACT SHEET

Case #REZ-2023-0061

Bill # Z-24-01-03

Project Start: November 2023

APPLICANT:	Coleman's Flooring & Blinds
REQUEST:	To rezone property from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial for a floor covering store.
LOCATION:	9389 N Clinton Street, northwest corner of its intersection with Diebold Road (Section 5 of St. Joseph Township)
LAND AREA:	2.02 acres
PRESENT ZONING:	AR/Low Intensity Residential and C4/Intensive Commercial
PROPOSED ZONING:	C2/Limited Commercial
COUNCIL DISTRICT:	2-Russ Jehl
SPONSOR:	City of Fort Wayne Plan Commission

### **January 8, 2024 Public Hearing**

- No one from the public spoke at the hearing.
- Two vacant Plan Commission positions. All other members present.

### **January 22, 2024 Business Meeting**

#### **Plan Commission Recommendation: DO PASS**

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

#### **7-0 MOTION PASSED**

- Two vacant Plan Commission positions. All other members present.

Fact Sheet Prepared by:  
Karen Couture, Associate Land Use Planner  
January 24, 2024

## PROJECT SUMMARY

The applicant is requesting to rezone 2.02 acres from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial and to approve a primary development plan for a floor covering store. The application also included waivers to reduce side yard setback, parking, and a reduced landscape buffer.

The site is an unplatted metes and bounds parcel, located at the eastern line of the City of Fort Wayne and Allen County jurisdictions. It was originally occupied by a mobile home, and a sales and service building. Permits to remove the mobile home were issued in 2011. The parcel with the remaining structure was purchased in 2021 by the current owner and remodeled for a flooring company. The applicant has since purchased the adjacent parcel to the west with intentions to expand the business. The request is to rezone both the west parcel, currently zoned AR/Low Intensity Residential, and the east parcel, currently zoned C4/Intensive Commercial, to C2/Limited Commercial. The rezone of the west parcel will allow for the expansion of the floor covering business on that parcel, and rezoning of the east will align with the commercial use of the floor covering store. The site is surrounded by AR/Low Intensity Residential zoning to the north, south, and west and is located within the City of Fort Wayne jurisdiction. These parcels are owned and operated by Indiana and Michigan Power Company as an electrical substation and laydown yard. To the west is C4/Intensive Commercial zoning, and is within Allen County Jurisdiction. It has been a mobile home park since the late 60's according to historical IMAF imagery.

The proposed development plan includes a 15,000 square foot warehouse with three overhead doors and new dock entrances on the south side of the building, and an 8,000 square foot showroom and office. A dry detention basin is located behind the warehouse to the north. The development appears to meet all development standards, except for the side yard setback to the west, and the required number of parking spaces. The applicant has requested waivers to reduce the side yard setback on the west from 25 feet to 10 feet, and for a reduced number of parking spaces to allow for more usable space on the east side of the building and for more truck mobility. The applicant has also requested a waiver for a reduced landscape buffer and no screening to the adjacent parcels to the north and west, as this would also result in more usable space on the property. These adjacent parcels to the west are a private utility and not residential in nature.

The Plan Commission will determine the validity of waiver requests by considering the following three criteria:

- (a) The waiver or modification is in conformance with the purposes and intent of this ordinance along with the objectives and policies of the Comprehensive Plan;
- (b) The applicant has submitted adequate evidence to demonstrate that the requested waiver or modification will not have a significant impact on contiguous residential properties; and
- (c) The failure to grant the requested waiver would result in practical difficulties in the use of the property for the proposed development.

The applicant responded to the waiver criteria with the following:

- (a) *The proposed development plan would support surrounding commercial uses. The Future Land Use Map in the comprehensive plan marks this area as Community Commercial. The Comprehensive Plan encourages infill development through expedited development review, reduced parking requirements, and revising regulations to encourage adaptive reuse.*
- (b) *There are no contiguous residential properties. As such, the granting of these waivers would not have any significant impact on contiguous residential properties.*
- (c) *Strict application of the zoning ordinance will result in practical difficulties by reducing necessary space for truck maneuverability on a corner lot. Also, requiring unnecessary plantings to screen the proposed commercial development from an existing "industrial" development further limits the amount of usable space on the property.*

**COMPREHENSIVE PLAN REVIEW:**

**Future Growth and Development Map, Goals, and Strategies**

- The project site is located within the Urban Infill Area.  
The following Goal would be applicable:  
**LUD 1** - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

**Overall Land Use Policies**

- Staff determined the following Land Use Policy would be applicable and supportive of this request:  
**LUD 4** - Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses.

**Generalized Future Land Use Map**

- The project site is located within the Community Commercial land use category. The C2 zoning district is considered compatible with the comprehensive plan with additional mitigation or considerations. Adjacent properties are a mixture of Utility, Mixed Residential, and Community Commercial.

**Land Use Related Action Steps**

- There are no applicable land use related action steps associated with this site.

**Compatibility Matrix**

- This proposed use would fall into C2/Limited Commercial which is considered compatible with Community Commercial.

**Other applicable plans:** none

**PUBLIC HEARING SUMMARY:**

Presenter:

Todd Ramsey, representing the applicant, presented the request as outlined above.

Public Comments:

None

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

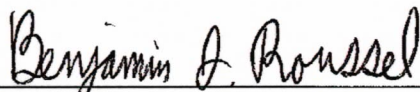
### Rezoning Petition REZ-2023-0061

APPLICANT: Coleman's Flooring & Blinds  
REQUEST: To rezone property from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial for a floor covering store expansion  
LOCATION: 9389 N Clinton Street, northwest corner of its intersection with Diebold Road (Section 5 of St. Joseph Township)  
LAND AREA: 2.02 acres  
PRESENT ZONING: AR/Low Intensity Residential and C4/Intensive Commercial  
PROPOSED ZONING: C2/Limited Commercial

**The Plan Commission recommends that Rezoning Petition REZ-2023-0061 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 district complies with the "Community Commercial" generalized land use category, which is compatible with the associated development.
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 proposed rezoning petition will "downzone" the existing C4 district to C2, which better aligns with the Planning Department's request for a development to have the lowest intensity zoning available for the permitted use.
3. Approval is consistent with the preservation of property values in the area. The expansion of an existing commercial business will further enhance the value of commercial property in this area, and will bring certainty of use to an undeveloped and unproductive parcel of land.
4. Approval is consistent with responsible development and growth principles based on existing uses in the area. Extensive consideration has been given to traffic patterns in this Project Site including on-site truck maneuverability and expanded customer parking, in coordination with forthcoming improvements to public road and infrastructure in the immediate area.

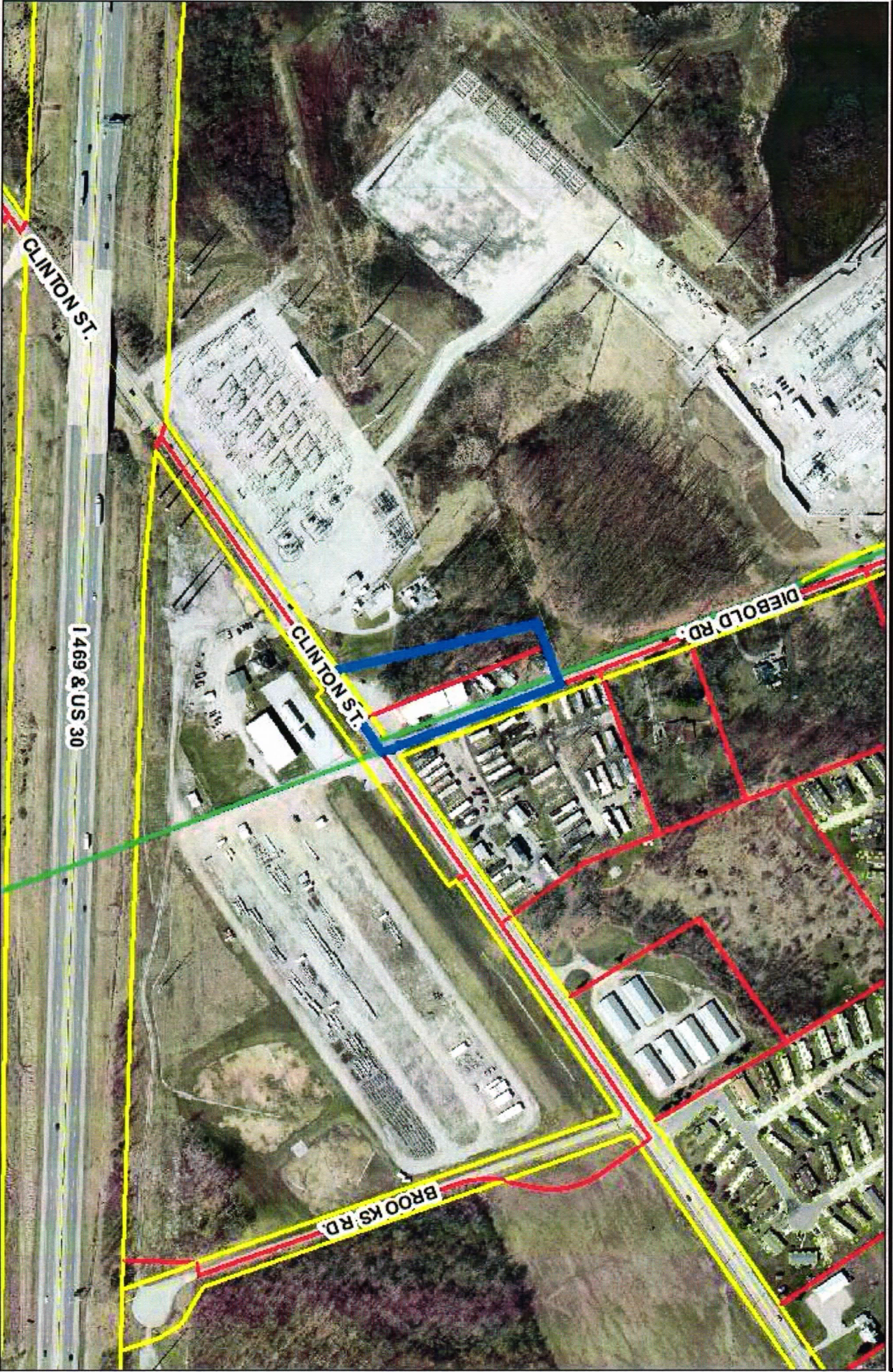
These findings approved by the Fort Wayne Plan Commission on January 22, 2024.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission



REZ-2023-0061 and PDP-2023-0050 - Coleman Flooring and Blind Expansion



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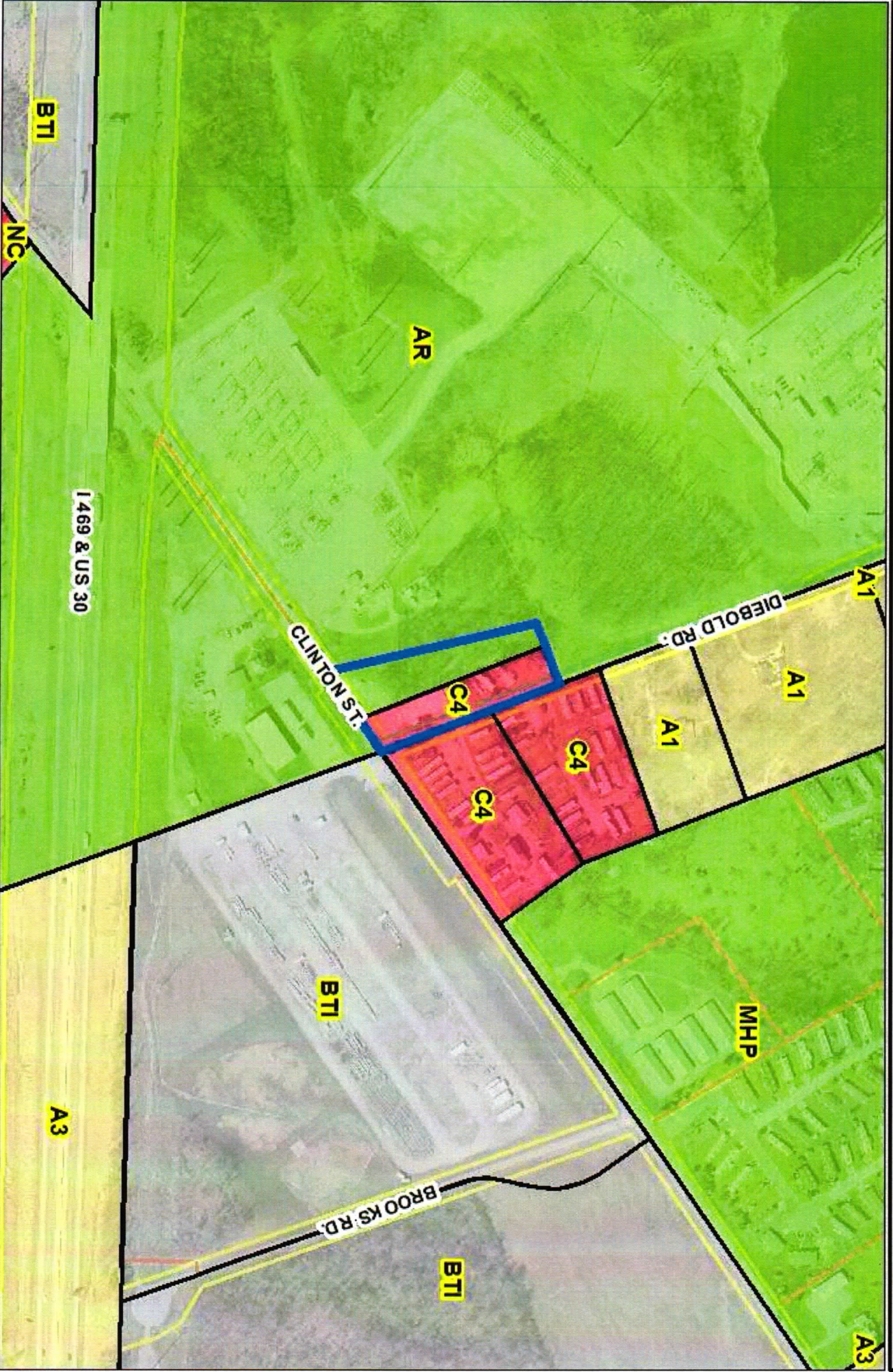
© 2004 Adams County, Ohio, the County of Adams

Scale: 7 1/2" = 1" (Horizontal Scale: 1:3000 Feet)

Phone: 614.292.3000

Date: 12/18/2023





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State Plane Coordinate System 1983  
North and Central Zone, NAD 83  
Datum and Contour: Spheroid 2011

Date: 12/18/2023







# PLAT OF SURVEY

**DONOVAN ENGINEERING, INC.**

3521 LAKE AVENUE, SUITE 2  
FORT WAYNE, INDIANA 46805  
260.424.7418

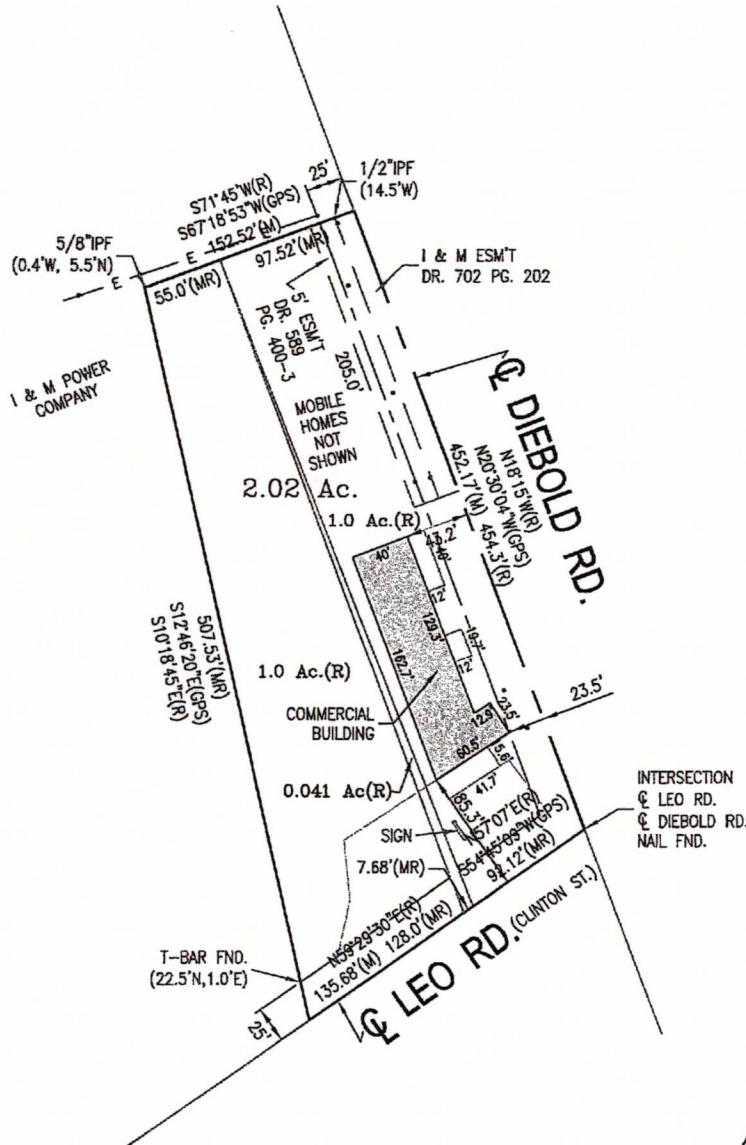
www.donovan-eng.com

GREGORY L. ROBERTS PLS S0548 IN

KENNETH W. HARRIS PLS 29500021 IN

MICHAEL W. HARRIS PLS 21100018 IN

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows: SEE ATTACHED SHEET!



Job No.:21-5073      Date:04/21/21  
Job for:BLACKBURN - COLEMAN PROP. LLC.

**LEGEND**

- IPF Iron Pin (Rebar) Found
- PF Pipe Found
- RRF Railroad Spike Found
- PKF P.K. Nail Found
- MNF Mag Nail Found
- MNS Mag Nail Set
- IPS 5/8" rebar set w/cap stamped "DEI FIRM #0027"
- (M) Measured      (P) Platted
- (R) Recorded      (C) Calculated

All monuments are at grade except as noted.  
All Property line distances are recorded dimensions, except as noted. Monuments found have no documented history except as noted.

Date of latest field work: 04/17/21



I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.

L:\AutoCAD\Notes & Boards\Sec 5-31-13, 9389-9511 N Clifton.dwg

# PLAT OF SURVEY

## DONOVAN ENGINEERING, INC.

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FORT WAYNE, INDIANA 46805  
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The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows:

A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:

Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North Clinton) and the Centerline of Diebold Road, also being the Southeast corner of the Sauder property recorded in Deed Record 629 at page 540 in the Office of the Recorder of said Allen County; thence North 18 degrees 15 minutes 00 seconds West, along the Centerline of Diebold Road, a distance of 454.30 feet to the Northeast corner of said Sauder property; thence South 71 degrees 45 minutes 00 seconds West, along the Northerly line of said Sauder property, a distance of 97.52 feet to a "Fansler" #5 rebar at the POINT OF BEGINNING at the Northwest corner of said Sauder property; thence continuing South 71 degrees 45 minutes 00 seconds West, a distance of 55.00 feet to a "Fansler" #5 rebar; thence South 10 degrees 18 minutes 45 seconds East, a distance of 507.53 feet to the said Centerline of Leo Road; thence North 59 degrees 29 minutes 30 seconds East, along said Centerline of Leo Road, a distance of 128.00 feet; thence North 18 degrees 15 minutes 00 seconds West parallel to the said Centerline of Diebold Road, a distance of 475.49 feet to the point of beginning, containing 1.0000 acres.

TOGETHER WITH:

A part of Bouries Reserve, West of the Saint Joseph River, in Section 5, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:

Commencing at a P-K nail at the intersection of the Centerline of Leo Road (North Clinton) and the Centerline of Diebold Road, also being the Southeast corner of the Sauder property recorded in Deed Record 629 at page 540 in the Office of the Recorder of said Allen County; thence North 18 degrees 15 minutes 00 seconds West, along the Centerline of Diebold Road, a distance of 454.30 feet to the Northeast corner of said Sauder property; thence South 71 degrees 45 minutes 00 seconds West, along the Northerly line of said Sauder property, a distance of 97.52 feet to a "Fansler" #5 rebar at the point of beginning at the Northwest corner of said Sauder property; thence South 18 degrees 15 minutes 00 seconds East, parallel to the said Centerline of Diebold Road, a distance of 475.49 feet to the said Centerline of Leo Road; thence North 59 degrees 29 minutes 30 seconds East, along said Centerline of Leo Road, a distance of 7.68 feet; thence North 19 degrees 09 minutes 25 seconds West, a distance of 473.92 feet to the point of beginning, containing 0.0410 acres.

TOGETHER WITH:

A part of Bouries Reserve West of the St. Joseph River, in Section 5, Township 31, Range 13 East, described as follows:

Commencing at the intersection of the centerline of the Leo Road with the centerline of the Diebold Road, said Diebold Road running Northwesterly from the Leo Road on the line dividing the lands former owned by C. F. Pichon and A. Swift and said line being the dividing line between the East and West  $\frac{1}{2}$  of Bourie's Reserve, West of the St. Joseph River; thence North 18 degrees and the 15 minutes West along the centerline of the said Diebold Road, 454.3 feet to an iron stake corner; thence South 71 degrees and 45 minutes West, 97.52 feet to an iron pin corner; thence South 18 degrees and 15 minutes East, 477.62 feet to the centerline of the Leo Road; thence North 57 degrees and 7 minutes East along said centerline of the Leo Road, 92.12 feet to the point of beginning, the area of said described tract, containing 0.9998 acres more or less.

Job No.:21-5073 Date:04/21/21  
Job for:BLACKBURN - COLEMAN PROP. LLC.

### LEGEND

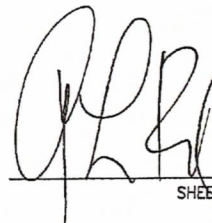
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dimensions, except as noted. Monuments found  
have no documented history except as noted.

Date of latest field work: 04/17/21

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in B65 IAC 1-12.

L:\AutoCAD\Meas & Bound\Sec 5-31-13, 9389-9511 N Clinton.dwg



SHEET 2 OF 2

**BILL NO. Z-24-01-03**

**REPORT OF COMMITTEE ON REGULATIONS  
February 13, 2024**

***Michelle Chambers Chair***





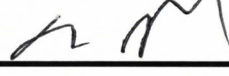


***Scott Myers Co-Chair***

***All Council Members***

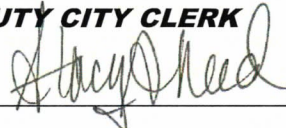
n Ordinance amending the City of Fort Wayne Zoning Map No. S-54 (Sec. 5 of Saint Joseph Township)

*To rezone property from C4/Intensive Commercial and AR/Low Intensity Residential to C2/Limited Commercial at 9389 N Clinton Street, northwest corner of its intersection with Diebold Road, to permit a floor covering store expansion*

**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>
<u>BENDER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

**STACY REED  
DEPUTY CITY CLERK**



Public Hearing Date: N/A

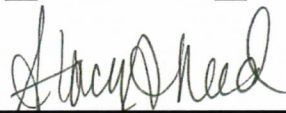
Read the first time in full and on motion by Councilperson Chambers.

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<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"/>
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"/>
HARTMAN	<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"/>
MYERS	<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: February 13, 2024

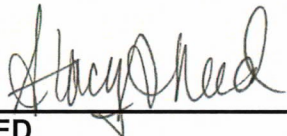


STACY REED, DEPUTY CITY CLERK

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

Resolution No. Z-24-01-03 on the 13th day of February, 2024

ATTEST:

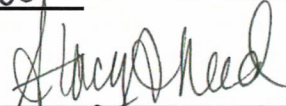


STACY REED  
DEPUTY CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of February 2024, at the hour of 9:00 o'clock A.M. E.S.T.



STACY REED, DEPUTY CITY CLERK

Approved and signed by me this 15<sup>TH</sup> day of FEBRUARY 2024, at the hour of 4:30 o'clock PM E.S.T.

  
THOMAS C. HENRY, MAYOR