

#REZ-2024-0033

BILL NO. Z-24-08-12

ZONING MAP ORDINANCE NO. Z-22-24

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. N-19 (Sec. 24 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 C2 (Limited  
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
Wayne, Indiana:

<b>Subdivision Name</b>	<b>Legal Description</b>	<b>Parcel Number</b>
Southwood Heights Addition	Lot 31 Ex St and Lot 32	02-12-24-304-001.000-074
Wayne Twp	Southwest corner of the East ½ of the Southwest ¼ of Section 24, btw Decatur, Hanna and E. Paulding	02-12-24-380-001.000-074
South View Addition	Lots 114 & 115	02-12-24-357-018.000-074
South View Addition	Lots 116 & 117	02-12-24-357-020.000-074
Wayne Twp	West 0.55 acres of the South 178 feet of the Southeast 1/4 of the Southwest 1/4 of Sec 24 lying East of Decatur Rd Ex St	02-12-24-381-011.000-074
South View Addition	Lots 23 & 24	02-12-24-351-021.000-074
Griffiths Acre Addition	South 110 feet of the East 140 feet of Lot 14 (see map)	02-12-24-351-006.000-074
Southwood Heights Addition	Lots 36 through 38 & the South 39 feet of Lot 39 and the vacated Lenox St	02-12-24-304-005.000-074
Southwood Heights Addition	Lots 1 & 2 Ex R/W	02-12-24-301-001.000-074
South View Addition	Lot 113	02-12-24-357-017.000-074
South View Addition	Lot 118	02-12-24-357-021.000-074
Southwood Heights Addition	Lots 33 and 34	02-12-24-304-002.000-074

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<b>Subdivision Name</b>	<b>Legal Description</b>	<b>Parcel Number</b>
South View Addition	Lots 108, 109 and 110	02-12-24-356-009.000-074
Wayne Twp	West 60 feet of the East 787 feet of the South 178 feet and the West 204 feet of the East 991 feet of the South 178 feet of the Southeast ¼ of the Southwest ¼ of Section 24, Ex St	02-12-24-381-015.000-074
South View Addition	Lot 77	02-12-24-357-016.000-074
South View Addition	West 67 feet of Lots 75 & 76	02-12-24-357-014.000-074
South View Addition	Lots 122, 123 and 124 and vacated Monroe Street	02-12-24-357-025.000-074
South View Addition	Lot 125	02-12-24-357-026.000-074
South View Addition	Lot 75 and 76 Ex West 67 feet	02-12-24-357-015.000-074
South View Addition	Lot 74 and South ½ of Lot 73	02-12-24-355-020.000-074
Philleys Homestead	Lot 29 and a 0.35 acre tract adjacent on South	02-12-24-381-003.000-074
Hirons Addition	Lots 74, 78 and 79 and the South 17.5 feet of Lots 73 and 77 and the vacated alley adjacent	02-12-24-302-011.001-074
South View Addition	Lot 126	02-12-24-357-027.000-074
South View Addition	Lot 127	02-12-24-357-028.000-074
Wayne Twp	Northwest 0.54 acres of the 5.51 acre tract of the Southwest ¼ of Section 24 lying North of intersection of Decatur Rd and Hanna St	02-12-24-306-002.000-074
Griffiths Acre	3.16 acre irregular tract in parts of Lots 3 through 7	02-12-24-305-003.000-074
South View Addition	Lots 111 and 112	02-12-24-356-011.000-074
South View Addition	Lot 119	02-12-24-357-022.000-074
South View Addition	Lots 120 and 121	02-12-24-357-023.000-074
Wayne Twp	West 60 feet of the East 727 feet of the South 178 feet of the Southeast ¼ of the Southwest ¼ of Section 24, Ex St	02-12-24-381-016.000-074

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<b>Subdivision Name</b>	<b>Legal Description</b>	<b>Parcel Number</b>
Griffiths Acre	East 318 feet of Lot 14 Ex the South 110 feet of the East 140 feet	02-12-24-351-005.000-074
South View Addition	Lots 25 and 26	02-12-24-355-016.000-074
Philleys Homestead	Lots 1, 2 and 3	02-12-24-353-002.000-074
Hirons Addition	Lots 47 through 49 and Lots 52 through 57 and the West ½ of the vacated alley adjacent	02-12-24-306-001.000-074
Southwood Heights Addition	North 2.2 feet of East 79.06 feet of Lot 3	02-12-24-301-002.000-074
Wayne Twp	South 155.1 feet of the North 266 feet of the West 250 feet of a 5.51 acre tract North of the intersection of Decatur and Hanna and South of Hirons Addition in the Southwest ¼ of Section 24	02-12-24-352-001.000-074
Southwood Heights Addition	Lot 40 and the North 40 feet of Lot 39 Ex St	02-12-24-304-004.000-074
Hirons Addition	Lot 80 and 81 and ½ the vacated alley	02-12-24-302-012.000-074
South View Addition	98 Through 107 Ex St	02-12-24-356-008.000-074
Wayne Twp	East 0.37 acres of the West 0.92 acres of the South 178 feet in the Southeast ¼ of the Southwest ¼ of Section 24 lying East of Decatur Rd Ex St	02-12-24-381-012.000-074
South View Addition	Lot 72 and the North ½ of Lot 73	02-12-24-355-019.000-074
Griffiths Acre	East 131 feet of Lot 5 and the North 22.55 feet of the East 154.25 feet of Lot 6	02-12-24-305-004.000-074
Hirons Addition	Lots 72 and 76 and the North 22.5 feet of Lots 73 and 77 and the vacated alley adjacent	02-12-24-302-011.000-074
South View Addition	Lots 128 through 132	02-12-24-357-028.001-074

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and the symbols of the City of Fort Wayne Zoning Map No. N-19 (Sec. 24 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

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-2024-0033  
Bill Number: Z-24-08-12  
Council District: 6 – Rohli Booker

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Introduction Date: August 27, 2024

Plan Commission  
Public Hearing Date: September 9, 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 19.21 acres from I1/Limited Industrial, C4/Intensive Commercial and C3/General Commercial to C2/Limited Commercial

Location: Includes areas of East Petit between Lafayette and Hanna, areas of Decatur Road between Lafayette and Paulding, and areas of Paulding Road west of Lafayette and the north side of the Hanna-Decatur intersection.

Reason for Request: Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Southeast Strategy amendment to the Comprehensive Plan.

Applicant: Proactive Rezoning Work Group

Property Owners: Various – See File

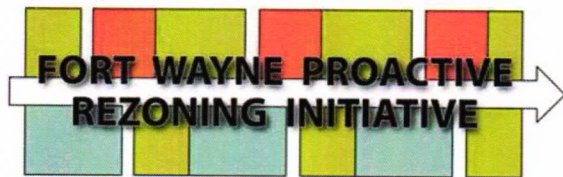
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Related Petitions: REZ-2024-0032, REZ-2024-0034, REZ-2024-0035 and REZ-2024-0036

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Effect of Passage: Properties will be rezoned to the C2/Limited Commercial zoning district, either bringing the existing use into compliance with the zoning ordinance or enhancing compatibility with surrounding uses. The proactive rezoning fulfills recommendation of the Southeast Strategy to enhance and preserve existing neighborhood character, and encourage new urban scaled, pedestrian oriented land uses.

Effect of Non-Passage: Properties will remain zoned I1, C3 or C4, zoning districts found to be ill-matched to the existing land use and/or incompatible with surrounding uses and the character of the corridor.



## MEMO

**To:** Fort Wayne Plan Commission  
**From:** Proactive Rezoning Work Group, City-CD, DPS  
**Date:** 8/06/24  
**RE:** Decatur Road Area Rezoning – Plan Commission Filing

**CC:**  
Paul Spoelhof, Director of Planning & Policy  
Michelle Wood, Senior Planner, Department of Planning Services

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On July 15, 2024, the Fort Wayne Plan Commission initiated rezoning multiple parcels in the Decatur Road Area- bounded by Pettit Avenue, Paulding Road, Hanna Street, and South Calhoun. Based upon that action, the Proactive Rezoning Work Group is submitting the following five (5) rezoning applications for the September 9<sup>th</sup> Plan Commission Public Hearing.

The Decatur Road rezoning is a recommendation from the Southeast Strategy Update Plan, adopted in 2021 by Fort Wayne Common Council. The plan recommends rezoning portions of this area to a more appropriate zoning district for the actual land uses and to encourage more compatible land uses and development patterns for the surrounding area.

The request is to rezone portions of this area to RP /Planned Residential, C2 / Limited Commercial, C3 / General Commercial, NC / Neighborhood Center, and SC / Shopping Center. The current zoning for this area includes I1/Limited Industrial, C4 / Intensive Commercial, C3/General Commercial, C2/Limited Commercial.

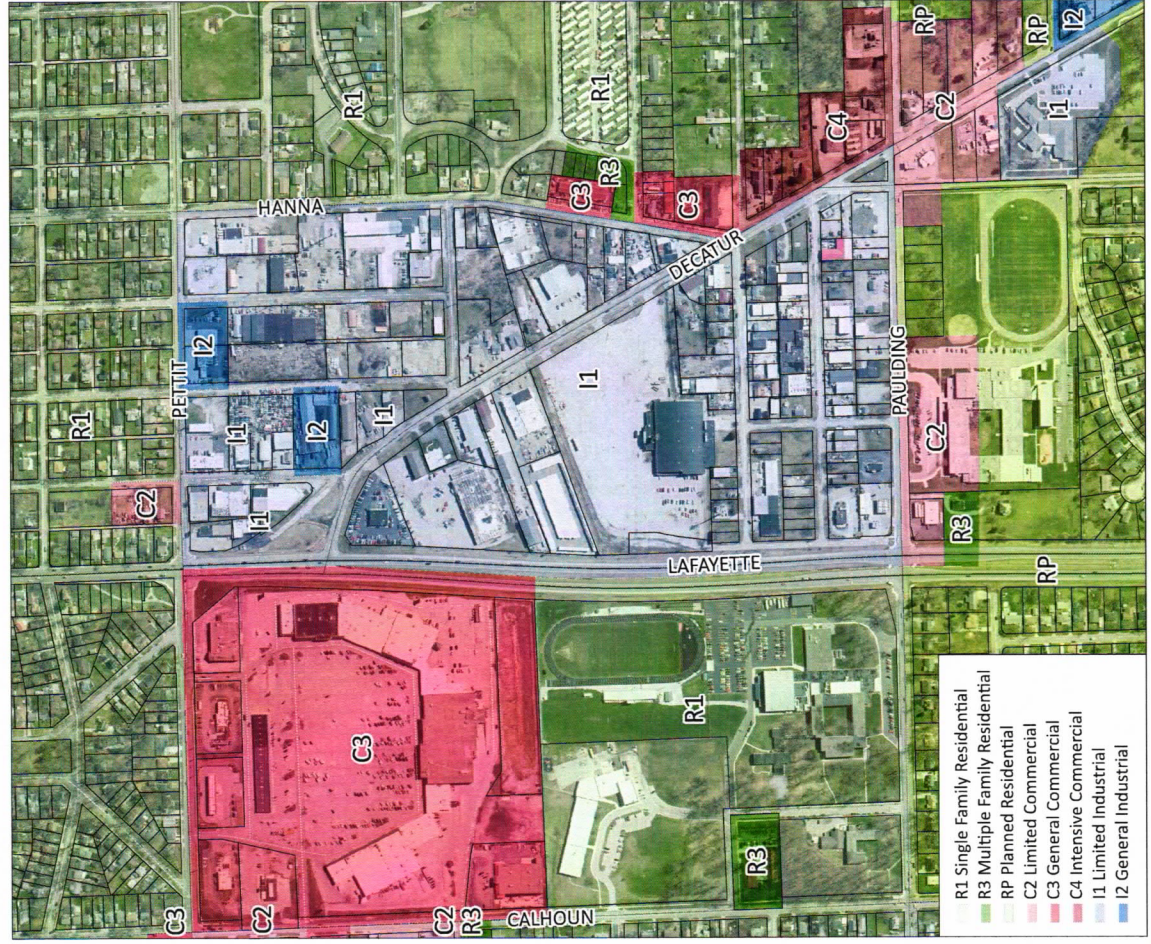
A staff person from the Proactive Rezoning Work Group will attend the September 9th Plan Commission meeting to present and answer questions regarding this rezoning.

A map of the rezoning area and the rezoning applications are attached.

*\*The Proactive Rezoning Work Group is a collaboration between the City of Fort Wayne Planning and Policy Department and the Allen County Department of Planning Services to actively rezone corridors and other areas identified as part of neighborhood and other community-based plans.*

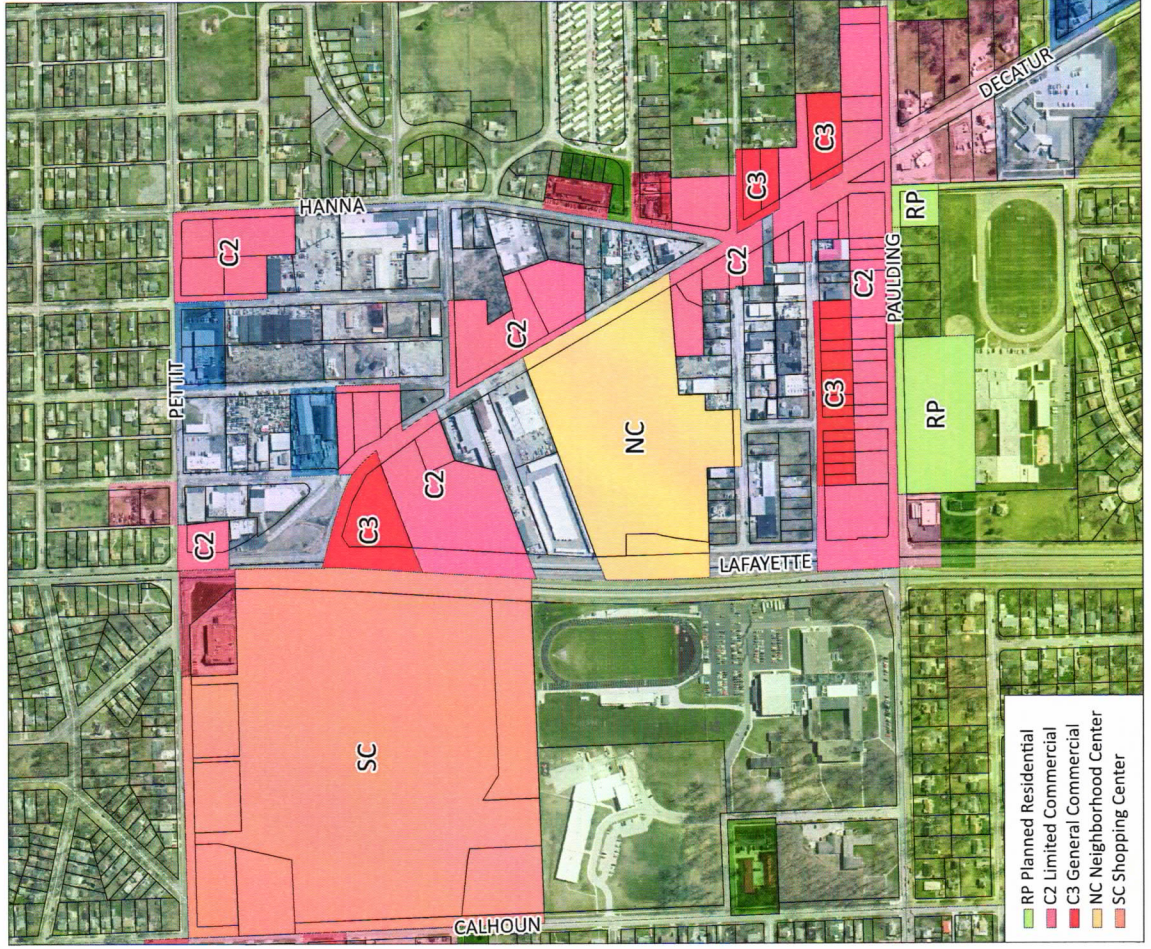
# Proactive Rezoning Initiative: Southeast Strategy

Current Zoning



# DRAFT 06/03/2024 Decatur Road

Proposed Zoning



**Department of Planning Services  
Rezoning Petition Application**

**Applicant**  
 Applicant Proactive Rezoning Work Group  
 Address 200 E. Berry St.  
 City Fort Wayne State IN Zip 46802  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person Russell Garriott  
 Address 200 E. Berry St. Suite 320  
 City Fort Wayne State IN Zip 46802  
 Telephone 260-427-2138 E-mail russell.garriott@cityoffortwayne.org

*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 Various Locations - see attached list and map  
 Present Zoning I1, C4, C3 Proposed Zoning C2 Acreage to be rezoned 19.20837 acres  
 Proposed density \_\_\_\_\_ units per acre  
 Township name Wayne Township section # 24  
 Purpose of rezoning (attach additional page if necessary) See attached  
 \_\_\_\_\_  
 Sewer provider City Utilities Water provider City Utilities

**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>Russell A. Garriott</u> (printed name of applicant)	<u>Russell Garriott</u> (signature of applicant)	<u>8/06/24</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <b>8-5-24</b>	Receipt No.	Hearing Date <b>9-9-24</b>	Petition No. <b>REF-2024-0033</b>
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## **Decatur Road Area Rezoning**

### **Parcels Proposed to Rezoned to C2**

4901 S Lafayette St, 4919 S Monroe St, 612 E Pettit Ave, 4914 S Hanna St, 5010 Decatur Rd, 5902 Wayne Trce, 5027 Decatur Rd, 5015 Decatur Rd, 5011 Decatur Rd, 5211 Decatur Rd, 5223 Decatur Rd, 5307 Decatur Rd, 5420 Decatur Rd, 5506 Decatur Rd, 5520 Decatur Rd, 5515 S Hanna St, 5602 Decatur Rd, 5610 Decatur Rd, 5616 Decatur Rd, 5621 Decatur Rd, BEH 5706 DECATUR RD, 5706 Decatur Rd, 5710 Decatur Rd, 629 E PAULDING RD, 5700 Decatur Rd (blk Of), 5707 Decatur Rd, 707 E Paulding Rd, 727 E Paulding Rd, 805 E Paulding Rd, 411 E Paulding Rd, 425 E Paulding Rd, 400 BLK E PAULDING RD, 501 E Paulding Rd, 507 E Paulding Rd, 513 E Paulding Rd, 515 E Paulding Rd, 515 E Paulding Rd (e Of), 523 E Paulding Rd, 607 E Paulding Rd, 600 BLK E PAULDING RD, W OF 629 E PAULDING RD, 627 E PAULDING RD

**BILL NO. Z-24-08-12**

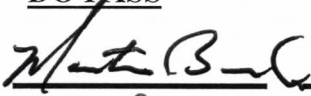


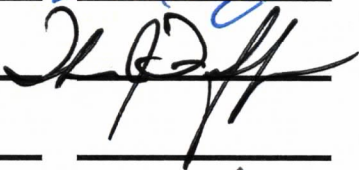
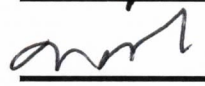
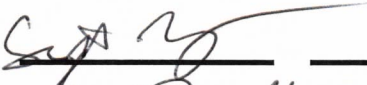
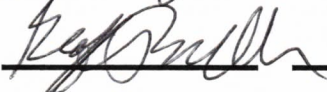
**REPORT OF COMMITTEE ON REGULATIONS  
October 1, 2024**

**Scott Myers Chair  
Michelle Chambers Co-Chair  
All Council Members**

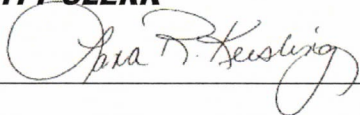
An Ordinance amending the City of Fort Wayne Zoning Map No. N-19 (Sec. 24 of Wayne Township)

*For Proactive downzoning of parcels to align zoning with existing uses and to implement recommendations of the Southeast Strategy amendment to the Comprehensive Plan*

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

**LANA R. KEESLING  
CITY CLERK**

  
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Public Hearing Date: N/A

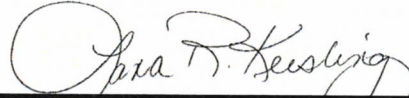
Read the first time in full and on motion by Councilperson Myers.

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"/>
BOOKER	<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"/>
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"/>

DATED: October 8, 2024

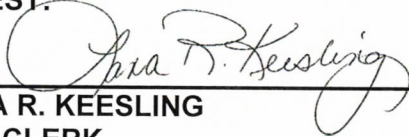


LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-24-08-12 on the 8th day of October, 2024

ATTEST:



LANA R. KEESLING  
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th of October 2024, at the hour of 9:20 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 9th day of October 2024, at the hour of 10:59 o'clock A.M. E.S.T.



SHARON TUCKER, MAYOR

