

1 #REZ-2025-0008

2 BILL NO. Z-25-02-08

3 ZONING MAP ORDINANCE NO. Z- 10-25

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map No. V30 (Sec. 22 of St. Joseph Township)

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

8 SECTION 1. That the area described as follows is hereby designated a C3/General
9 Commercial District under the terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana:

11 **LEGAL DESCRIPTION**

12 Part of the Southwest Quarter of Section 22, Township 31 North, Range 13 East,
13 Allen County, Indiana, depicted on Wightman Surveying, Inc. survey #242696,
14 dated January 3, 2025, and being described as follows:


15 Commencing at a 3/4" bar held as the Southwest corner of the Southwest
16 Quarter of said Section 22; thence North 89 degrees 35 minutes 09 seconds East
17 (assumed deed bearing from the description of a 6.870-acre parcel described in
18 Document #2024030630 as found in the Office of the Recorder of Allen County,
19 Indiana), a distance of 1,320.65 feet to the Southeast corner of the West Half of
20 said Southwest Quarter; thence North 00 degrees 04 minutes 32 seconds West, on
21 the East line of the West Half said Southwest Quarter, said line being partially
22 defined by the West line of Maplewood Terrace, Section I, recorded in Plat
23 Book 27, pages 103-105, a distance of 283.29 feet to the **Point of Beginning** at the
24 Southeast corner of an 11.291-acre parcel described in Document #207020124;
25 thence along the Southerly line of said 11.291-acre parcel by the following 6
26 courses, the first course also being the Northerly line of a 0.43-acre parcel
27 described in Document #204089182: South 89 degrees 34 minutes 00 seconds
28 West, 138.08 feet; thence North 00 degrees 04 minutes 32 seconds West, 67.17
29 feet; thence South 89 degrees 34 minutes 00 seconds West, 264.04 feet to a point
30 on a curve to the left, having a radius of 138.50 feet and a chord of 61.12 feet
bearing South 76 degrees 49 minutes 09 seconds West; thence Southwesterly, on
said curve, an arc distance of 61.63 feet; thence South 64 degrees 04 minutes 17
seconds West, 48.49 feet to a point on a curve to the right, having a radius of
88.50 feet and a chord of 34.82 feet bearing South 75 degrees 25 minutes 03
seconds West; thence Southwesterly, on said curve, an arc distance of 35.05 feet
to the Southwesterly corner of said 11.291-acre parcel; thence North 15 degrees
10 minutes 22 seconds East, on the Westerly line of said 11.291-acre parcel,
333.61 feet to a 5/8" rebar capped "D&A FIRM" at a Southerly corner of the

1 aforementioned 6.870-acre parcel; thence continuing North 15 degrees 10
2 minutes 22 seconds East, on the boundary of said 6.870-acre parcel, 106.22 feet
3 to a 5/8" rebar capped "SAUER" at a Southerly corner of said 6.870-acre parcel;
4 thence North 89 degrees 36 minutes 00 seconds East, on the Southerly line of said
5 6.870-acre parcel, 423.31 feet to a 5/8" rebar capped "SAU ER" at the
6 Southeasterly corner thereof, being on the East line of the West Half of said
7 Southwest Quarter; thence South 00 degrees 04 minutes 32 seconds East, on said
8 East line, 447.67 feet to the Point of Beginning, **containing 4.421 acres**, more or
9 less, and subject to easements and rights-of-way of record.

10 and the symbols of the City of Fort Wayne Zoning Map No. V30 (Sec. 22 of St. Joseph
11 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
12 Wayne, Indiana is hereby changed accordingly.

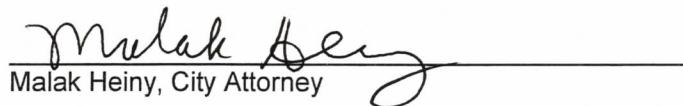
13 SECTION 2. If a written commitment is a condition of the Plan Commission's
14 recommendation for the adoption of the rezoning, or if a written commitment is modified and
15 approved by the Common Council as part of the zone map amendment, that written
16 commitment is hereby approved and is hereby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

17 SECTION 3. That this Ordinance shall be in full force and effect from and after its
18 passage and 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
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30

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2025-0008
Bill Number: Z-25-02-08
Council District: 1 – Paul Ensley

Introduction Date: February 25, 2025
Plan Commission
Public Hearing Date: March 10, 2025 (not heard by Council)
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone 4.421 acres from R1/Single Family Residential, R2/Two Family Residential, and R3/Multiple Family Residential to C3/General Commercial

Location: 6501 Stellhorn Road (Section 22 of St. Joseph Township)

Reason for Request: To permit a storage facility.

Applicant: Schmucker Building Services LLC

Property Owner: Mackids Inc

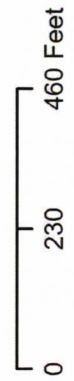
Related Petitions: Primary Development Plan – Stellhorn Toy Shed

Effect of Passage: Property will be rezoned to the C3/General Commercial zoning district, which would permit a storage facility.

Effect of Non-Passage: Property will remain zoned R1/Single Family Residential, R2/Two Family Residential, and R3/Multiple Family Residential, which does not permit a storage facility. The site may continue with existing uses, and may be redeveloped with single family residential, two family residential, multiple family residential, and similar uses.



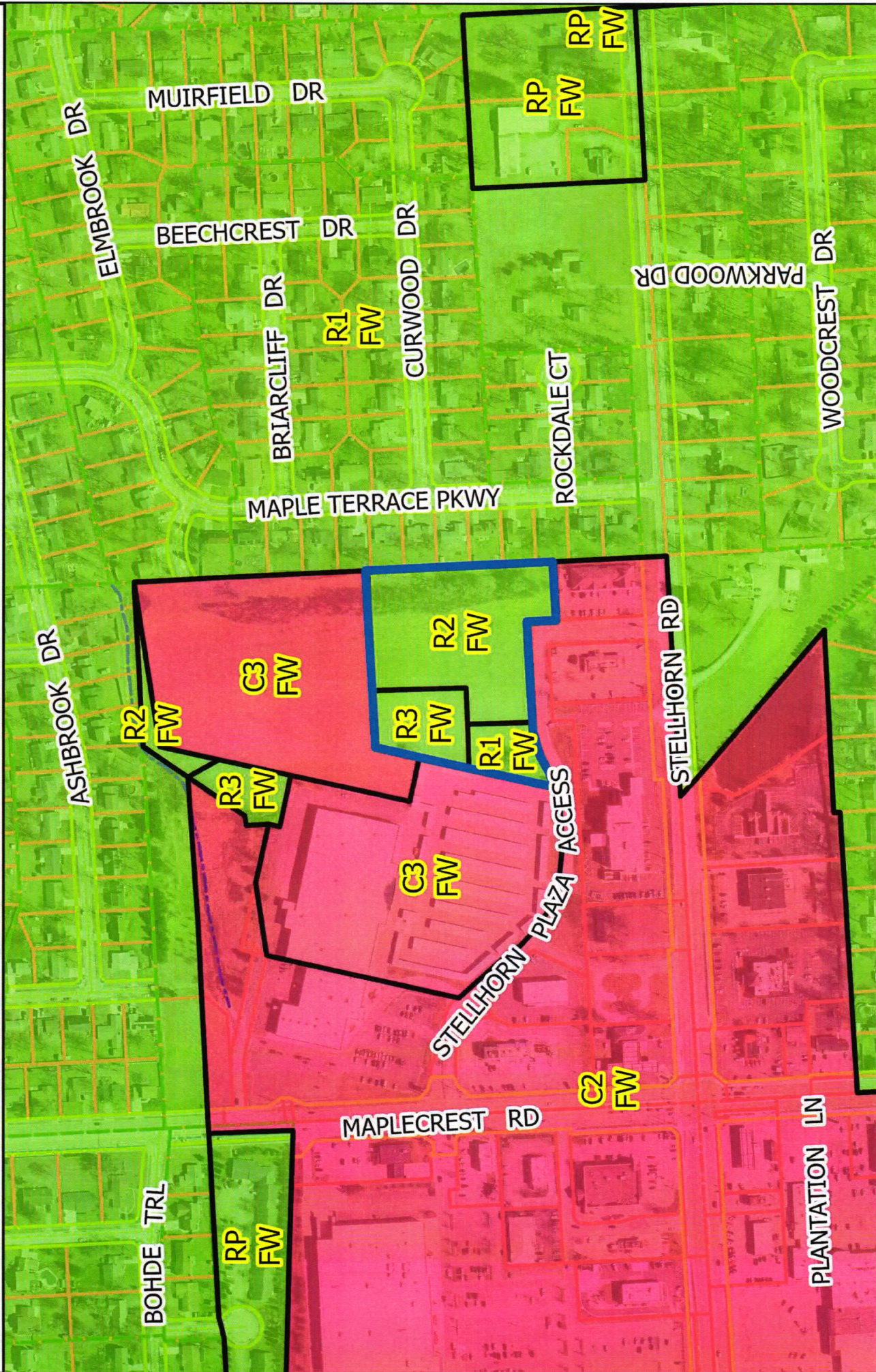
Rezoning Petition REZ-2025-0008 and Primary Development Plan PDP-2025-0007 - Stellhorn Toy Shed



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
Doc-2472028

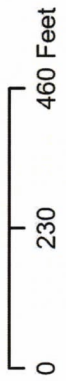


Rezoning Petition REZ-2025-0008 and Primary Development Plan PDP-2025-0007 - Stellhorn Toy Shed



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© 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: 2/17/2025



Department of Planning Services Rezoning Petition Application

Applicant
 Applicant Schmucker Building Services LLC
 Address 13314 Ehle Road
 City New Haven State IN Zip 46774
 Telephone 260-310-2211 E-mail jhs4416920@gmail.com

Property Ownership
 Property Owner MacKids, Inc.
 Address 1547 N. State St. PMB 199
 City Greenfield State IN Zip 46835
 Telephone 720.363.1657 E-mail mabrick@msn.com

Contact Person
 Contact Person Susan Trent, Rothberg Law Firm
 Address 505 E. Washington Blvd.
 City Fort Wayne State IN Zip 46802
 Telephone 260.422.9454 E-mail strent@rothberg.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 6501 Stellhorn Road Township and Section St. Joseph, 22
 Present Zoning R1, R2 and R3 Proposed Zoning C3 Acreage to be rezoned 4.421
 Purpose of rezoning (attach additional page if necessary) To build a condo-ized storage facility consisting of 6 separate buildings.

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 (please complete attached document)

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

JAMES SCHMUCKER (printed name of applicant) James Schmucker (signature of applicant) 1-31-25 (date)

 (printed name of property owner) (signature of property owner) (date)



Received 2-4-25	Receipt No. 147004	Hearing Date 3-10-25	Petition No. RE2-2025-0008
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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 Petition Application

Applicant
 Applicant Schmucker Building Services LLC
 Address 13314 Ehle Road
 City New Haven State IN Zip 46774
 Telephone 260-310-2211 E-mail jhs4416920@gmail.com

Property Ownership
 Property Owner MacKids, Inc.
 Address 1547 N. State St. PMB 199
 City Greenfield State IN Zip 46835
 Telephone 720.363.1657 E-mail mabrick@msn.com

Contact Person
 Contact Person Susan Trent, Rothberg Law Firm
 Address 505 E. Washington Blvd.
 City Fort Wayne State IN Zip 46802
 Telephone 260.422.9454 E-mail strent@rothberg.com

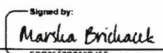
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 (printed name of applicant) Marsha Brichacek
 (signature of applicant) 
 (date) 2/3/2025

 (printed name of property owner) _____
 (signature of property owner) _____
 (date) _____



Received	Receipt No.	Hearing Date	Petition No.
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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;

See attached.

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

See attached.

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

See attached.

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

See attached.

- (5) Responsible development and growth.

See attached.

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*



1. Comprehensive Plan.

Approval of the rezoning request is in substantial compliance with the *All in Allen* Comprehensive Plan (the "Plan"), and does not establish an undesirable precedent in the area, for the following reasons:

First, the Plan defines generalized future land use and development using a total of twenty (20) generalized land use categories, one of which is "Community Commercial". According to the Generalized Future Land Use Map (NE quadrant), found on **page 68** of the Plan, the location of the proposed Project Site, 6501 Stellhorn Road (the "Project Site"), is categorized as "Community Commercial". The Land Use Compatibility Matrix, found on **page 213** of the Plan, indicates that a C3 zoning district is compatible with the "Community Commercial" land use category.

Second, the Future Growth and Development Map, found on **page 55** of the Plan, indicates that the Project Site is in an Urban Infill Area. **Page 54** of the Plan, observes that "development in Urban Infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure." The Project Site is located on vacant ground of approximately 4 acres in a commercial area already served by infrastructure.

- Goal 1 of the Plan encourages compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

The Plan notes that infill development is desirable because it leverages existing infrastructure. The Plan also observes that infill development is not as easy to accomplish as greenfield development. Constraints such as parcel size and location along with other site conditions can impact the ease of development and building in an active urban environment. In addition, the Plan notes that Development should be directed toward vacant and underutilized parcels within Fort Wayne.

In this case, the Project Site is contiguous with existing development and served by adequate utility and transportation infrastructure. Moreover, the Project Site is located on a vacant and underutilized, undersized parcel where size constraints are an issue limiting use. The Project Site balances commercial use with the sensitivities of the adjacent residential areas in ways such as limiting the use through a Written Commitment, landscaping, and maintenance of the existing berm as well as limited traffic, operational and security impacts. Thus, only one conclusion can be drawn: the Applicant's project is in substantial compliance with the Plan and does not establish an undesirable precedent in the area.

2. Current conditions and the character of current structures and uses in the district.

In addition to residential areas, the Project Site is surrounded by moderate to heavy commercial uses, including two (2) gas stations. The Project Site is also adjacent to the following zoning districts: C1, C2 and C3 as well as R1 and R2. In addition, there are numerous adjacent and existing commercial uses including but not limited to sit-down restaurants, fast food, shopping, auto uses, banks, small offices, Planet Fitness, etc. Additionally, immediately adjacent to the West of the Project Site is an existing commercial storage facility. The area, in general, is decidedly mixed-use/commercial with consistent traffic and signalized intersections. The Project Site is underutilized as vacant ground and unlikely to be suitable for residential use in light of the location and size of the parcel and character of development at the Maplecrest Rd./Stellhorn Rd. intersection (the "Intersection").

3. The most desirable use for which the land in the district is adapted.

The most desirable use for the Project Site is a general commercial use (as contemplated by the C3 zoning district) with a Written Commitment from the Applicant to substantially limit C3 use to balance residential concerns to the North and East of the Project Site. The C3 zoning district is sought because the Applicant's proposed use is permitted only under said classification. Given the proximity of the Project Site to the existing storage facility, other numerous commercial uses, and the Intersection generally, it is unlikely to be desirable for further residential development.

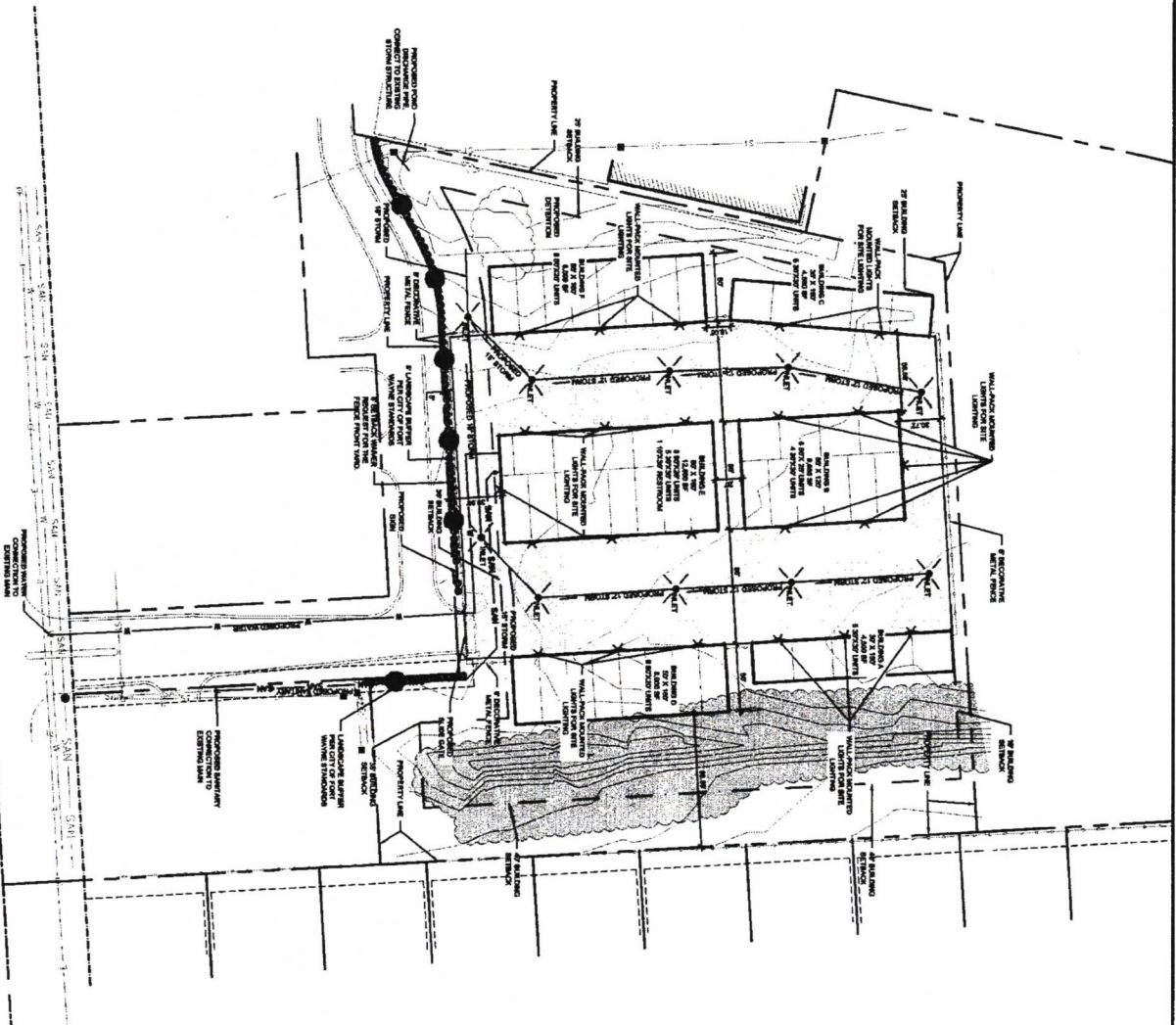
4. Conservation of property values throughout the jurisdiction.

Given the Project Site's proximity to existing and intense commercial uses including a large existing storage facility, the addition of an additional storage facility conserves the value of commercial property in this area and will bring certainty of limited commercial use to an undeveloped and unproductive small parcel of land sandwiched between residential and commercial uses. Moreover, despite the C3 zoning district requested, the use proposed by the Applicant is not intense.

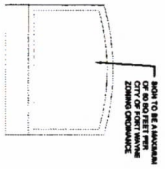
5. Responsible development and growth.

The proposed storage facility will not seek to impose a use that is immoral or otherwise offensive to the community as a whole, to customers of other local businesses near the Intersection, nor to the residents of the residential community to the North and East. Traffic associated with the Applicant's storage facility is not anticipated to be significant. The most desirable use for which the land in the district is adapted is very clearly the limited use proposed by the Applicant.

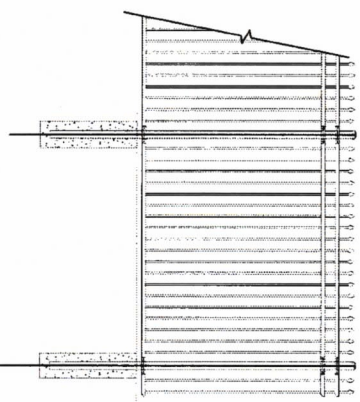
Primary Development Plan



1 Signage



2 6' Black Decorative Metal Fence



LANDSCAPE LEGEND:
 [Symbol] EXISTING LANDSCAPE/VEGETATION
 [Symbol] PROPOSED TREES
 [Symbol] PROPOSED SHRUBS

NOTE:
 ALL SITE LIGHTING TO BE FULL CUTOFF FIXTURES

WEDGE2 LED
 Architectural Wall Scape
 Visual Comfort Optic

For technical questions concerning the drawings or project, contact:
 Kary Schoepf
 MSKTD & Assoc.
 (280) 432-9337

C401

PROJECT TITLE:
 Primary Development Plan

PROJECT NUMBER:
 C401

A Project for:
Toy Shed Condos - Stellhorn Rd.

6501 Stellhorn Rd.
 Fort Wayne, IN 46815

Developer:
 Schmucker Building Service's LLC
 13314 Ehle Rd
 New Haven IN 46774



MSKTD & Associates

Architectural | Landscape | Interior Design
 1111 Sherman Ave., Suite 100
 Fort Wayne, IN 46804
 Phone: (280) 432-9337
 Fax: (280) 432-9338
 Website: www.msktd.com

LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 22, Township 31 North, Range 13 East, Allen County, Indiana, depicted on Wightman Surveying, Inc. survey #242936, dated January 3, 2025, and being described as follows:

Commencing at a 5' bar held at the Southeast corner of the Southwest Quarter of said Section 22; thence North 89 degrees 35 minutes 00 seconds East (assumed) and bearing from the description of a 0.870-acre parcel described in Document #202400030 as found in the Office of the Recorder of Allen County, Indiana, a distance of 1,200.05 feet to the Southwest corner of the West Half of said Southwest Quarter; thence North 00 degrees 04 minutes 32 seconds West, on the East line of the West Half of said Southwest Quarter, said line being partially defined by the West line of Maplecrest Terrace, Section 1, recorded in Plat Book 27, pages 103, 105, a distance of 283.29 feet to the Point of Beginning at the Southwest corner of an 11.291-acre parcel described in Document #202202124; thence along the Southern line of said parcel a distance of 800.00 feet South 89 degrees 34 minutes 00 seconds West, 138.00 feet; thence North 00 degrees 04 minutes 32 seconds West, 87.17 feet; thence South 89 degrees 34 minutes 00 seconds West, 264.04 feet to a point on a curve to the left, having a radius of 138.30 feet and a chord of 81.12 feet bearing South 75 degrees 16 minutes 00 seconds West; thence Southwesterly, on said curve, an arc distance of 81.03 feet; thence South 04 degrees 04 minutes 17 seconds West, 45.49 feet to a point on a curve to the right, having a radius of 88.50 feet and a chord of 34.82 feet bearing South 75 degrees 25 minutes 03 seconds West; thence Southwesterly, on said curve, an arc distance of 88.50 feet to the Southeasterly corner of said 11.291-acre parcel; thence North 15 degrees 10 minutes 22 seconds East, on the Westerly line of said 11.291-acre parcel, 338.31 feet to a 5' iron cap nail "34.8" deep at the Southeasterly corner of the aforementioned 0.870-acre parcel, thence containing North 15 degrees 10 minutes 22 seconds East, on the boundary of said 0.870-acre parcel, 108.22 feet to a 5' iron cap nail "34.8" deep; thence South 15 degrees 10 minutes 22 seconds East, on the boundary of said 0.870-acre parcel, 108.22 feet to a 5' iron cap nail "34.8" deep; thence South 15 degrees 10 minutes 22 seconds East, on the boundary of said 0.870-acre parcel, 108.22 feet to a 5' iron cap nail "34.8" deep; thence South 00 degrees 04 minutes 32 seconds East, on the Southerly line of said 0.870-acre parcel, 423.21 feet to a 5' iron cap nail "34.8" deep; thence Southwesterly corner thereof, being on the East line of the West Half of said Southwest Quarter, thence South 00 degrees 04 minutes 32 seconds East, on said East line, 447.87 feet to the Point of Beginning, containing 4.421 acres, more or less, and subject to assessments and rights-of-way of record.

BOUNDARY & TOPOGRAPHIC SURVEY

Part of the SW 1/4, Section 22, T31N, R13E
6501 Stellhorn Road, Fort Wayne, IN 46815



LEGEND table with symbols for MEASURED, ACCURATE, CALCULATED, PLAT, etc.

Flood Statement

AS SHOWN ON THE NFP FIRM MAP NUMBER 180903080 FOR ALLEN COUNTY, INDIANA, DATED AUGUST 13, 2006, THE REAL ESTATE DESCRIBED AND DESCRIBED HEREON APPEARS TO BE IN ZONE "X" (NOT A SPECIAL FLOOD HAZARD AREA).

Bearing Basis

BEARINGS SHOWN HEREON ARE BASED ON NORTH 89 DEGREES 35 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 22, T31N, R13E

SURVEYOR'S REPORT

WIGHTMAN SURVEYING, INC. DATE: JANUARY 3, 2025 JOB NO: 242936 FOR THE EXCLUSIVE USE OF: Mackos, Inc. This report and the accompanying survey plat have been prepared in accordance with the Surveying Law, Title 12, Sec 1-28, and all amendments thereto, which establish the minimum standards for the practice of land surveying. No work was done on-site during the survey. A site sketch would reveal assessments or rights of way not shown on the survey drawing. This report was not provided at time of survey. A site sketch would reveal assessments or rights of way not shown on the survey drawing.

THEORY OF LOCATION

The survey is a re-creation of the Southern 4.421-acre parcel from an 11.291-acre parcel parcel described in Document #202202124 as found in the Office of the Recorder of Allen County, Indiana after the Northern 6.870-acre parcel was split off according to Document #202400030. The basis for locating the subject survey was the assumed location of the said parcel described in Document #202202124. The survey was conducted on the ground by the Surveyor, Wightman Surveying, Inc. on January 3, 2025. The survey was conducted on the ground by the Surveyor, Wightman Surveying, Inc. on January 3, 2025. The survey was conducted on the ground by the Surveyor, Wightman Surveying, Inc. on January 3, 2025. The survey was conducted on the ground by the Surveyor, Wightman Surveying, Inc. on January 3, 2025.

THE UNCERTAINTY IN THE BOUNDS AND CORNERS FOUND BY THIS SURVEY ARE AS FOLLOWS:

- (A) Availability and condition of reference monuments: Reference monuments found on the subject property and on adjacent properties are shown on the survey drawing. Due to variations in the type of said reference monuments and/or variations existing on the survey drawing as "true" or "false" monuments, angular or distance measurements, uncertainty in said reference monuments is 1.1 feet.
(B) Occupation or possession lines: No occupation lines were created by utility occupation lines (ditches, hedge rows, etc.) that were evident at the time of the survey. There are existing fences running on and along the East line of the subject parcel (see survey drawing).
(C) Clarity or ambiguity of the record description and/or adjacent descriptions: No uncertainty was created by the above-referenced documents.
(D) The Relative Precision of this survey falls under the classification of a "best" survey. Random error is measured as 0.28 feet (79 millimeters) per 200 parts per million as specified in Section 7 of said Rule 12.

General Notes

- 1. THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES AT TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT ANY UNDERGROUND UTILITIES SHOWN COMPARE AS SUCH UTILITIES IN THE AREA, IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE USER CERTIFY THAT THEY ARE DEPICED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED UNDERGROUND UTILITIES.
2. ALL STATEMENTS WITHIN THE CERTIFICATE AND OTHER REFERENCES LOCATED SUBSEQUENT HEREON, RELATED TO UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PAVEMENT, FENCING, EASEMENTS, EMBANKMENTS, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UTILITIES AND OTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
3. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 7 OF THE 2021 ALA/ASPS SURVEY REQUIREMENTS.
4. THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO STELLHORN ROAD AND MAPLECREST ROAD, DEDICATED PUBLIC STREETS ON HIGHWAYS.
5. THERE IS NO VISIBLE EVIDENCE OF ENCROACHMENTS ON SUBJECT PROPERTY.
6. THERE IS NO OBSERVABLE EVIDENCE OF EARTHMOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
7. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
8. THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, SORES OR OVERLAPS UNLESS OTHERWISE SPECIFIED AND/OR DESCRIBED HEREON.
9. ZONING INFORMATION NOT PROVIDED TO THE SURVEYOR BY THE TITLE INSURER.
10. SIX CORNER ANGLES SHOWN HEREON ARE FOR THE FOOTPRINT OF THE BUILDING ONLY.
11. NO APPARENT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION, NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
12. NO WAYS WITHOUT THE SIGNATURE AND SEAL OF THE STATE OF INDIANA REGISTERED LAND SURVEYOR, ACCEPTIONS TO OR DELETION FROM THIS SURVEY DRAWING IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE REGISTERED LAND SURVEYOR.
13. NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES, UNLESS OTHERWISE NOTED.

The vertical datum for information shown hereon is NAVD 1988.

SURVEYOR'S CERTIFICATION

This survey was performed by, or under the responsible direction of the undersigned registered land surveyor and to the best of said registered land surveyor's knowledge and belief, said survey was executed according to the applicable survey requirements of 805 IAC-1-2.1 thru 29.

Field work for this survey was performed on January 3, 2025.

DATED THIS 7th DAY OF JANUARY, 2025

Timothy C. Gault, Registered Land Surveyor, State of Indiana, No. 2500017



BY ORDER OF THE BOARD OF SURVEYORS AND MAPPING ENGINEERS

STATE OF INDIANA

1 OF 1

BOUNDARY AND TOPOGRAPHIC SURVEY

REVISIONS table with columns for NO., DATE, and DESCRIPTION.

PROJECT NOTES: M. J. CARR, INC. 6415 HUNTERS LANE FORT WAYNE, IN 46815

DATE OF SURVEY: JAN 03 2025

PROJECT NO: 242936

CLIENT: MACKOS, INC.

PROJECT ADDRESS: 6501 STELLHORN ROAD FORT WAYNE, IN 46815

PROJECT OWNER: MACKOS, INC.

PROJECT CONTACT: MACKOS, INC.

PROJECT PHONE: 765.253.1111

PROJECT FAX: 765.253.1111

PROJECT EMAIL: MACKOS@MACKOS.COM

PROJECT WEBSITE: WWW.MACKOS.COM

PROJECT ADDRESS: 6501 STELLHORN ROAD FORT WAYNE, IN 46815

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PROJECT PHONE: 765.253.1111

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PROJECT WEBSITE: WWW.MACKOS.COM

FACT SHEET

Case #REZ-2025-0008 Bill # Z-25-02-08 Project Start: February 2025

PROPOSAL:	Rezoning Petition REZ-2025-0008 – Stellhorn Toy Shed
APPLICANT:	Schmucker Building Services LLC
REQUEST:	To rezone from R1/Single Family Residential, R2/Two Family Residential, and R3/Multiple Family Residential to C3/General Commercial to permit a storage facility.
LOCATION:	6501 Stellhorn Road (Section 22 of St. Joseph Township)
LAND AREA:	4.421 acres
PRESENT ZONING:	R1/Single Family Residential, R2/Two Family Residential, and R3/Multiple Family Residential
PROPOSED ZONING:	C3/General Commercial
COUNCIL DISTRICT:	1 – Paul Ensley
SPONSOR:	Fort Wayne Plan Commission

March 10, 2025 Public Hearing

- No one spoke in support.
- Two people spoke in opposition or with concerns.
- One petition and one letter were submitted with opposition
- Karen Richards and Paul Sauerteig were absent.

March 17, 2025 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Ryan Neumeister and seconded by Rick Briley to return the ordinance, with a Do Pass recommendation, to Common Council for their final decision.

7-0 MOTION PASSED

- Karen Richards and Paul Sauerteig were absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
March 24, 2025

PROJECT SUMMARY

The applicant is requesting to rezone parcels from R1, R2, and R3 zoning to C3/General Commercial to approve a primary development plan for a self-storage development. The site is located 300 feet north of the Stellhorn Plaza Access and Stellhorn Road intersection. The site today consists of an unimproved grass field with a mound and trees on the east side of the parcel. The site is surrounded by commercial zoning to the north (regional detention), south (restaurant), and west (self-storage). A residential subdivision zoned R1/Single Family Residential is adjacent to the east.

The proposed development plan shows six self-storage buildings of varying sizes. The smallest being 4,500 square feet and the largest being 12,800 square feet. One access point is shown on Stellhorn Plaza Access. The buildings are located on the center and west side of the site and leaving a 98-foot setback from the eastern property line. The applicant is requesting a waiver to reduce the front yard setback for a six-foot tall security fence. Typically, the zoning ordinance would require a 35-foot setback for fencing in the front yard. This type of request is common for self-storage requests as the site is secured through wrought iron style security fencing. The applicant included additional landscaping along the access road to soften the appearance of fencing in the front yard. Detention is not shown on the site, but staff understands regional detention was designed for the overall Stellhorn Plaza development.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure.
- The following Goal would be applicable and supportive of this request:
LUD1 – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request:
LUD Policy 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 generalized land use category.
- Adjacent properties are categorized as Community Commercial to the north, south, and west. The property to the east is Suburban Neighborhood.

Overall Land Use Related Action Steps

- **LUD Goal 1** Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Compatibility Matrix

- This proposed use is permitted in C3/General Commercial which is considered compatible with Community Commercial and potentially compatible with Suburban Neighborhood.

Other Applicable Plans: none

PUBLIC HEARING SUMMARY:

Presenter: Susan Trent, representing the applicant, presented the request as outlined above.

Public Comments:

Catherine Lawinger (2514 Berkley Ave): Concerns about fence; maintenance of property; condo vs rentals; property values.

Kip Sipe (4619 Maple Terrace Pkwy): Concerns with fence, drainage.

Rebuttal: Susan Trent stated there will be an HOA established for maintenance; landscaping will be to ordinance standards; condos may be owned or rented.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

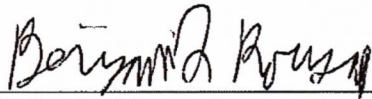
Rezoning Petition REZ-2025-0008 – Stellhorn Toy Shed

APPLICANT: Schmucker Building Services LLC
REQUEST: To rezone property from R1, R2, and R3 to C3/General Commercial for a self-storage development.
LOCATION: 6500 block of Stellhorn Road 300 feet north of the intersection of Stellhorn Road and Stellhorn Plaza Access. (Section 22 of St. Joseph Township)
LAND AREA: 4.42 acres
PRESENT ZONING: R1/Single Family Residential, R2/Two-Family Residential, and R3/Multiple Family Residential
PROPOSED ZONING: C3/General Commercial

The Plan Commission recommends that Rezoning Petition REZ-2025-0008 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 plan proposes to maintain the existing wooded area and maintain a 98-foot east side yard setback. The rezoning petition will provide an amenity that is close in proximity to residential areas, which is a land use goal in the All in Allen Comprehensive Plan.
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 applicant is proposing a robust landscape plan including a 98-foot setback from the residential subdivision to the east.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into the area and is adjacent to developed commercial property including a self storage development that is similar to what is being proposed. The new zoning gives the property owner flexibility to invest in the property commercially.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is served by adequate infrastructure and is a part of a developed shopping center. The site has never been developed. The development will be thoroughly reviewed by the appropriate agencies to ensure the development meets all applicable standards.

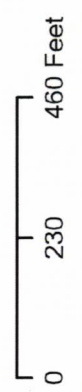
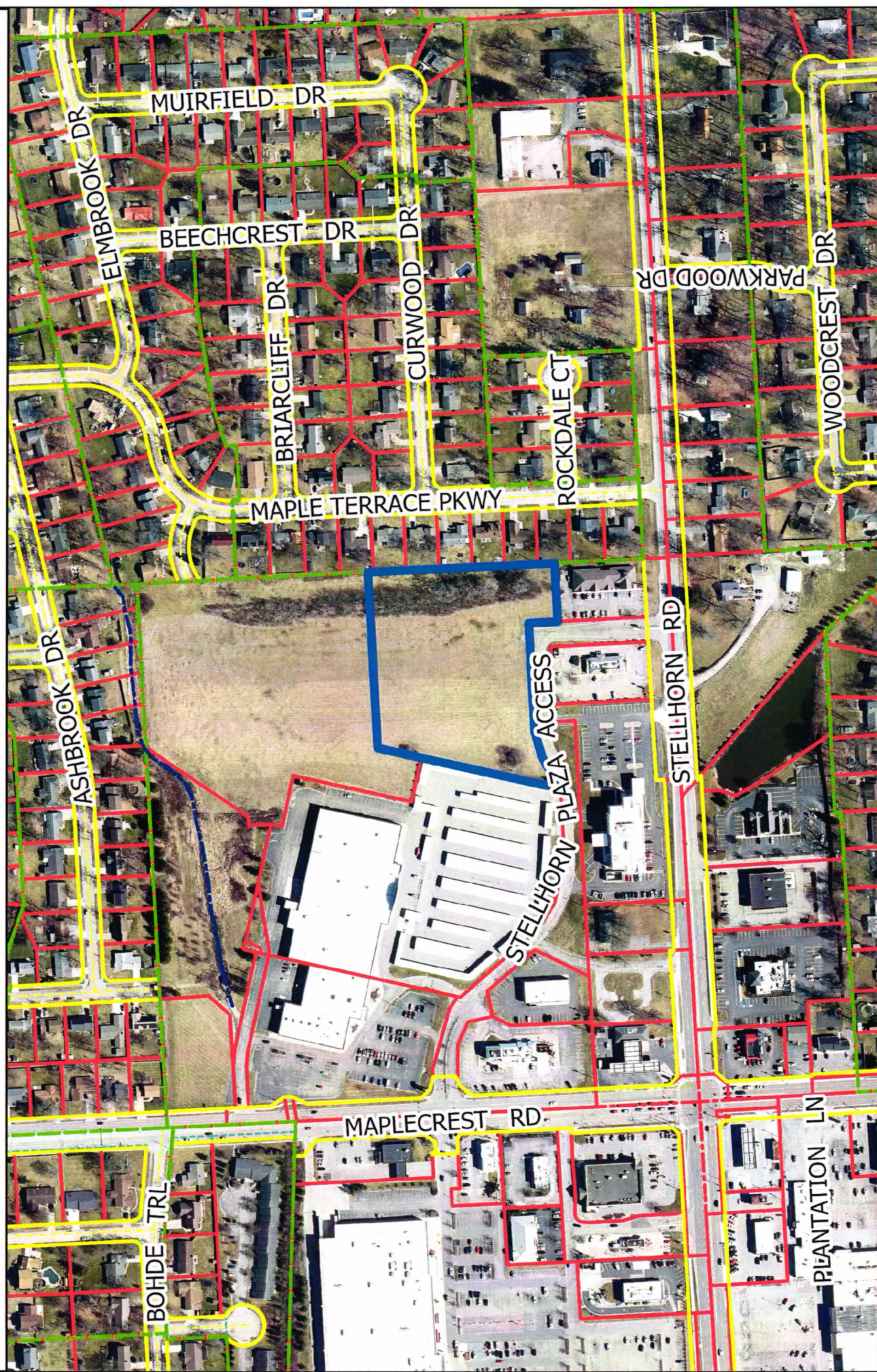
These findings approved by the Fort Wayne Plan Commission on March 17, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



Rezoning Petition REZ-2025-0008 and Primary Development Plan PDP-2025-0007 - Stellohorn Toy Shed

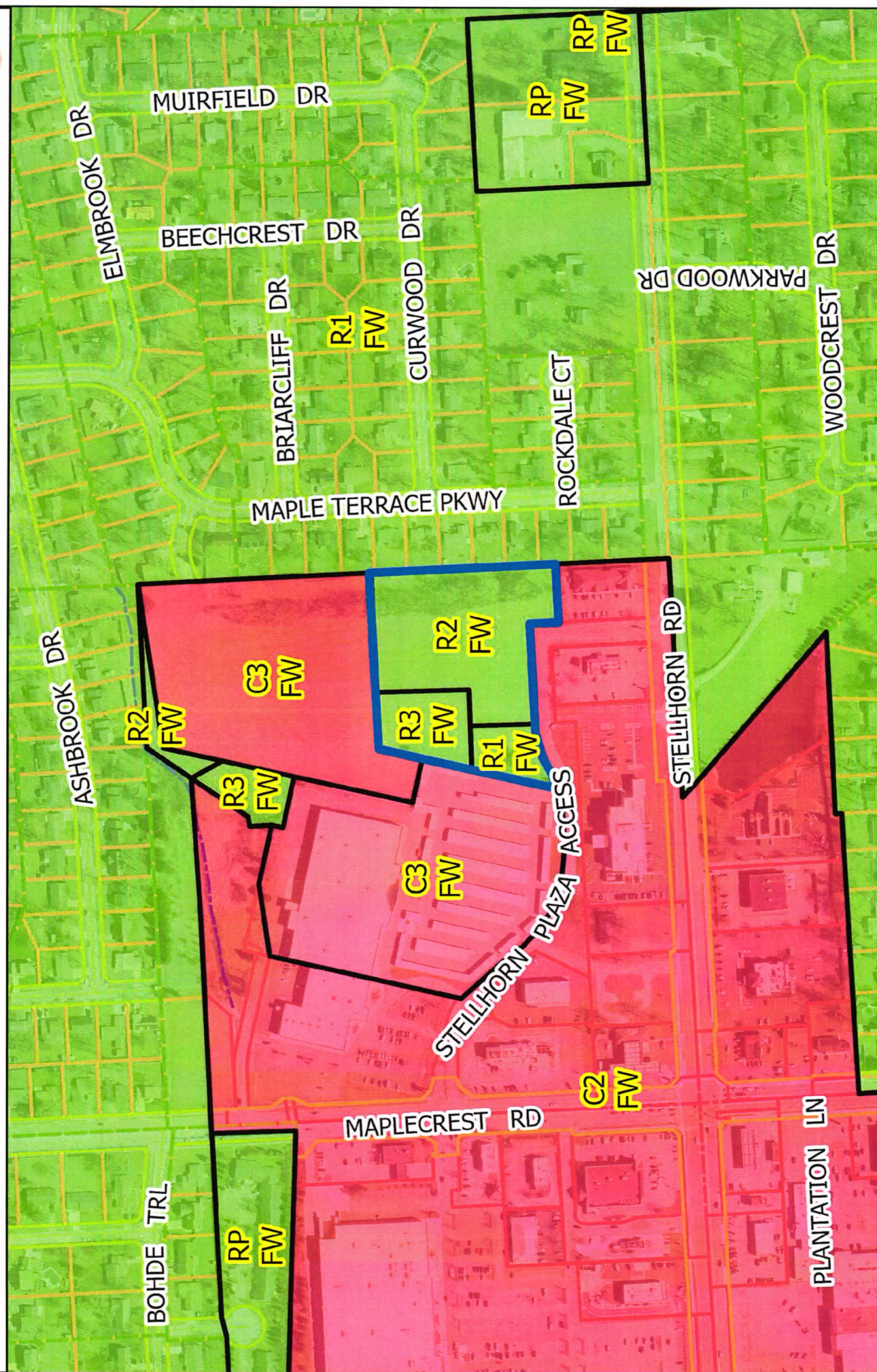


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 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 2/17/2025



Rezoning Petition REZ-2025-0008 and Primary Development Plan PDP-2025-0007 - Stellhorn Toy Shed



Although iMap's 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.

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 Photos and Contours: Spring 2009



March 10, 2025

Catherine Lawinger LLC
2514 Berkley Ave
Fort Wayne IN 46815

Regarding: My Questions for below stated public hearing

PROPOSAL: Rezoning of Petition REZ-2025-0008 and Primary Development Plan PDP-2025-007 – Stellhorn Toy Shed

APPLICANT: Schmucker Building Services LLC

REQUEST: To rezone property from R1, R2 and R3 to C3/General Commercial and to approve a primary development plan for self-storage development

LOCATION: 6500 block of Stellhorn Road 300 feet north of the intersection of Stellhorn Road and Stellhorn Plaza Access. (Section 22 of St. Joseph Township)

LAND AREA: 4.42 acres

PRESENT ZONING: R1/Single Family Residential, R2/ Two-Family Residential, and R3/Multi Family Residential

PROPOSED ZONING: C3/General Commercial

My Questions are:

1. Is the old decaying wooden fence on the east side of the property between the new C3 business Stellhorn Toy Shed and the residential community of Maplewood Terrace being replaced?

(According to a survey of my property 4505 Maple Terrace Pkwy by Anderson Surveying, Inc the wooden fence is on the developer's property and thus it would be the developer's responsibility to repair and/or replace the fence. Please see attached photos of the decaying said fence. Also, **FORT WAYNE ZONING ORDINANCE 157.216 C3 GENERAL COMMERCIAL (B)** Permitted Uses and be screened from adjacent residential zoning districts by a solid fence.)

2. What party will be responsible for the upkeep/maintenance of the new C3 Stellhorn Toy Shed property since the units are being sold like condos?

Sincerely,

Catherine Lawinger, member

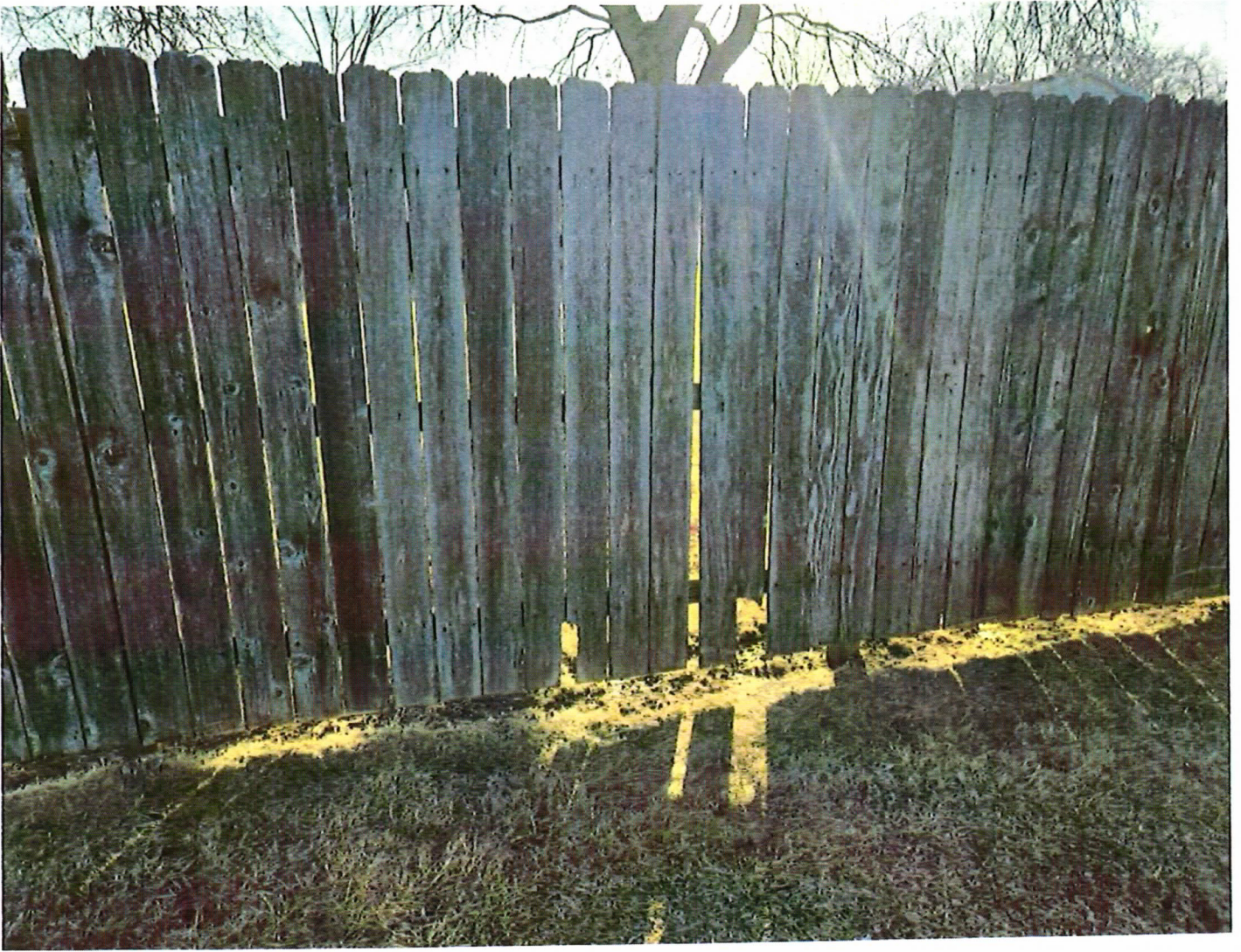
Catherine Lawinger, member
Catherine Lawinger LLC
260-383-8849



























FORT WAYNE ZONING ORDINANCE

§ 157.216 C3 GENERAL COMMERCIAL

(A) Purpose

The General Commercial district is intended to provide areas for a variety of commercial uses including certain high intensity uses not permitted in C1 and C2 districts. Uses typically found within this district include moderate intensity general business, community, office, personal service, and retail uses, along with certain residential facilities. Commercial uses in this district often serve the general public and therefore are usually located along arterial or collector roadways.

(B) Permitted Uses

The following uses are permitted as a matter of right in a C3 district; unless otherwise noted, primary uses shall be permitted to have outdoor components. In C3 districts, except for automobile, boat, and similar vehicle sales uses, outdoor display shall meet the building setback standards; display area shall be limited to a maximum of 10% of the primary structure or tenant space; outdoor storage shall: be located behind the primary structure, or on the internal side of a corner lot; meet primary building setback standards; be located on a paved or existing gravel surface; and be screened from adjacent residential zoning districts by a solid fence.

Table with 3 columns: Animal service, indoor; Animal service, outdoor; Automobile service, general; Automobile service, limited; Clothing; Community facility; Electronics; Food and beverage service; Instruction/training/education; Medical facility or office; Personal service; Professional office/business service; Recreation, general; Recreation/tourism, limited; Residential facility, general; Residential facility, limited; Retail/service, general; Retail, limited; Studio; Universally permitted use; Miscellaneous use.

Table with 3 columns: Accessory building/structure/use; Accountant; Adoption service; Adult care center; Adult care home; Advertising; Agricultural equipment sales; Agricultural equipment service; Agricultural supply sales; Air conditioning sales; Air conditioning service; Amusement park; Animal grooming; Animal hospital; Animal kennel; Animal obedience school; Answering service; Antique shop; Apparel and accessory store; Appraiser; Arcade; Architect; Arena; Art gallery; Art instruction; Artist material and supply store; Artist studio; Assisted living facility; Athletic field; Attorney; Auction hall; Auction service; Audiologist; Audio-visual studio; Automatic teller machine; Automobile accessory store; Automobile auction; Automobile body shop; Automobile detailing or trim shop; Automobile maintenance; Automobile rental; Automobile repair; Automobile restoration; Automobile rustproofing; Automobile sales; Automobile washing facility; Bait sales; Bakery goods; Bank; Bankruptcy service; Bar or tavern; Barber shop; Barber/beauty school; Batting cages; Beauty shop; Bed and breakfast; Betting or other gambling facility; Bicycle sales and repair shop; Billiard or pool hall; Bingo establishment.

FORT WAYNE ZONING ORDINANCE

Table with 3 columns: Blood bank; Data processing facility; Golf course, miniature.



BILL NO. Z-25-02-08

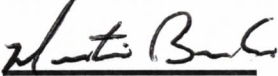



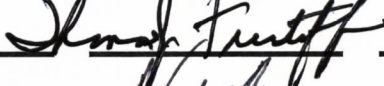
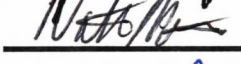



**REPORT OF COMMITTEE ON REGULATIONS
March 25, 2025**

**Michelle Chambers Chair
Thomas Freistroffer Co-Chair
All Council Members**

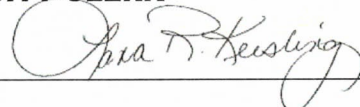
An Ordinance amending the City of Fort Wayne Zoning Map No. V30 (Sec. 22 of St. Joseph Township)

To rezone 4.421 acres from R1/Single Family Residential, R2/Two Family Residential, and R3/Multiple Family Residential to C3/General Commercial at 6501 Stellhorn Road

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**



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 Chambers, 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: April 8, 2025

LANA R. KEESLING, CITY CLERK

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

Zoning Ordinance No. Z-25-02-08 on the 8th day of April, 2025

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 April 2025, at the hour of 9:15 o'clock A.M. E.S.T.

LANA R. KEESLING, CITY CLERK

Approved and signed by me this 9th day of April 2025, at the hour of 4:00 o'clock p.m. E.S.T.

SHARON TUCKER, MAYOR

