

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

#REZ-2025-0030

BILL NO. Z-25-05-11

ZONING MAP ORDINANCE NO. Z- 27-25

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R03 (Sec. 8 of Adams 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 I2/General Industrial District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

Lots 46 & 47 & N 1/2 Lot 50 Ex E 10 Ft Harvester Park Add

and the symbols of the City of Fort Wayne Zoning Map No. R03 (Sec. 8 of Adams 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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

#REZ-2025-0030

BILL NO. Z-25-05-11

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. R03 (Sec. 8 of Adams 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 I1/Limited Industrial District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

Lots 46 & 47 & N 1/2 Lot 50 Ex E 10 Ft Harvester Park Add


and the symbols of the City of Fort Wayne Zoning Map No. R03 (Sec. 8 of Adams 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

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2025-0030
Bill Number: Z-25-05-11
Council District: 6 – Rohli Booker

Introduction Date: May 27, 2025

Plan Commission
Public Hearing Date: June 9, 2025 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone 0.426 acres from I1/Limited Industrial to I2/General Industrial

Location: 3904 Raymond Street (Section 8 of Adams Township)

Reason for Request: To permit existing automotive repair use

Applicant: Luis Cardenas

Property Owner: Denise Diaz Deleon

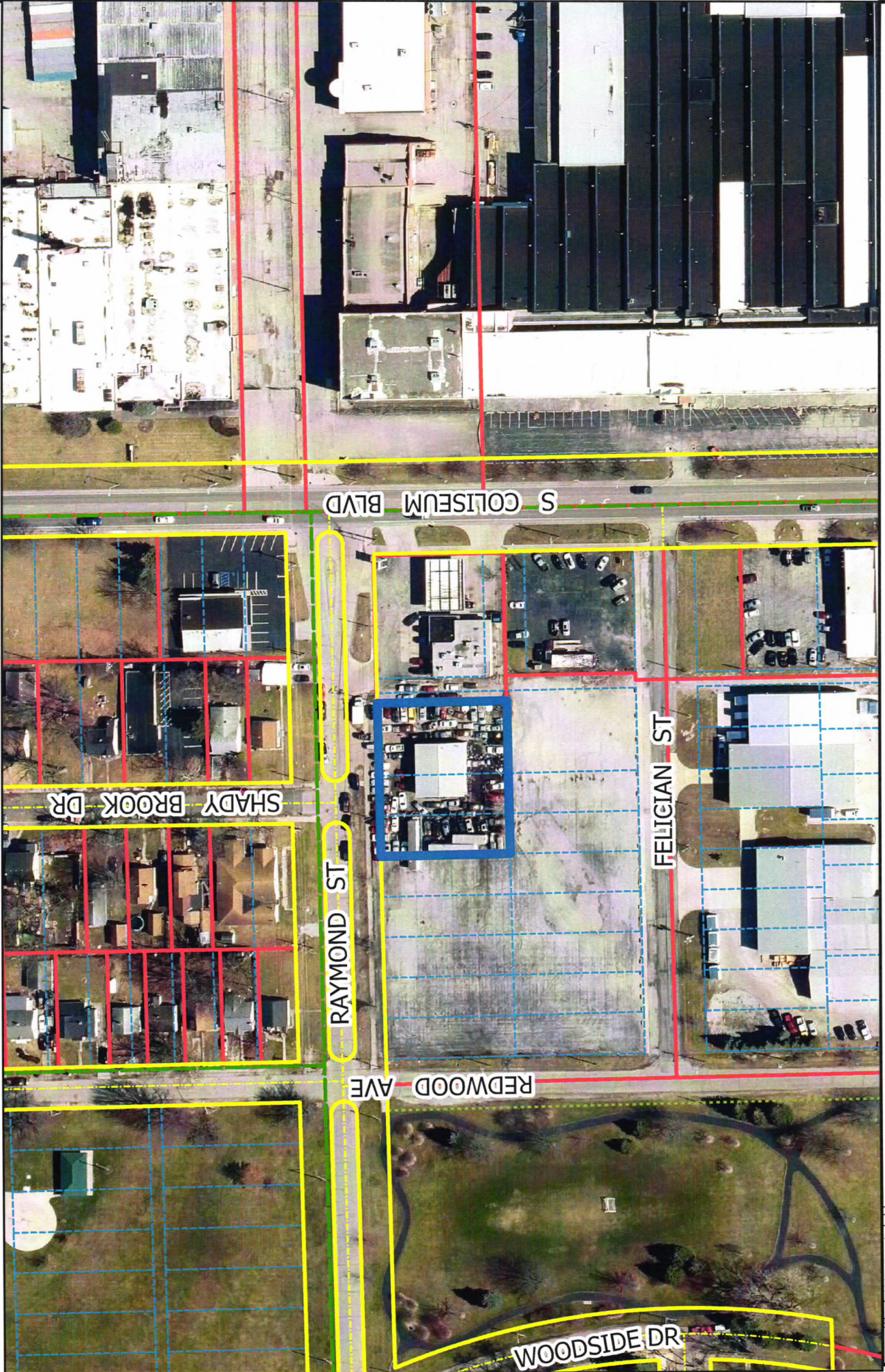
Related Petitions: None

Effect of Passage: Property will be rezoned to the I2/General Industrial zoning district, which would permit the existing automobile repair use.

Effect of Non-Passage: Property will remain zoned I1/Limited Industrial, which does not permit existing automobile use. The site may continue with existing or non-conforming uses, and may be redeveloped with areas for low intensity industrial or manufacturing operations, wholesale and/or storage activities, and similar uses.



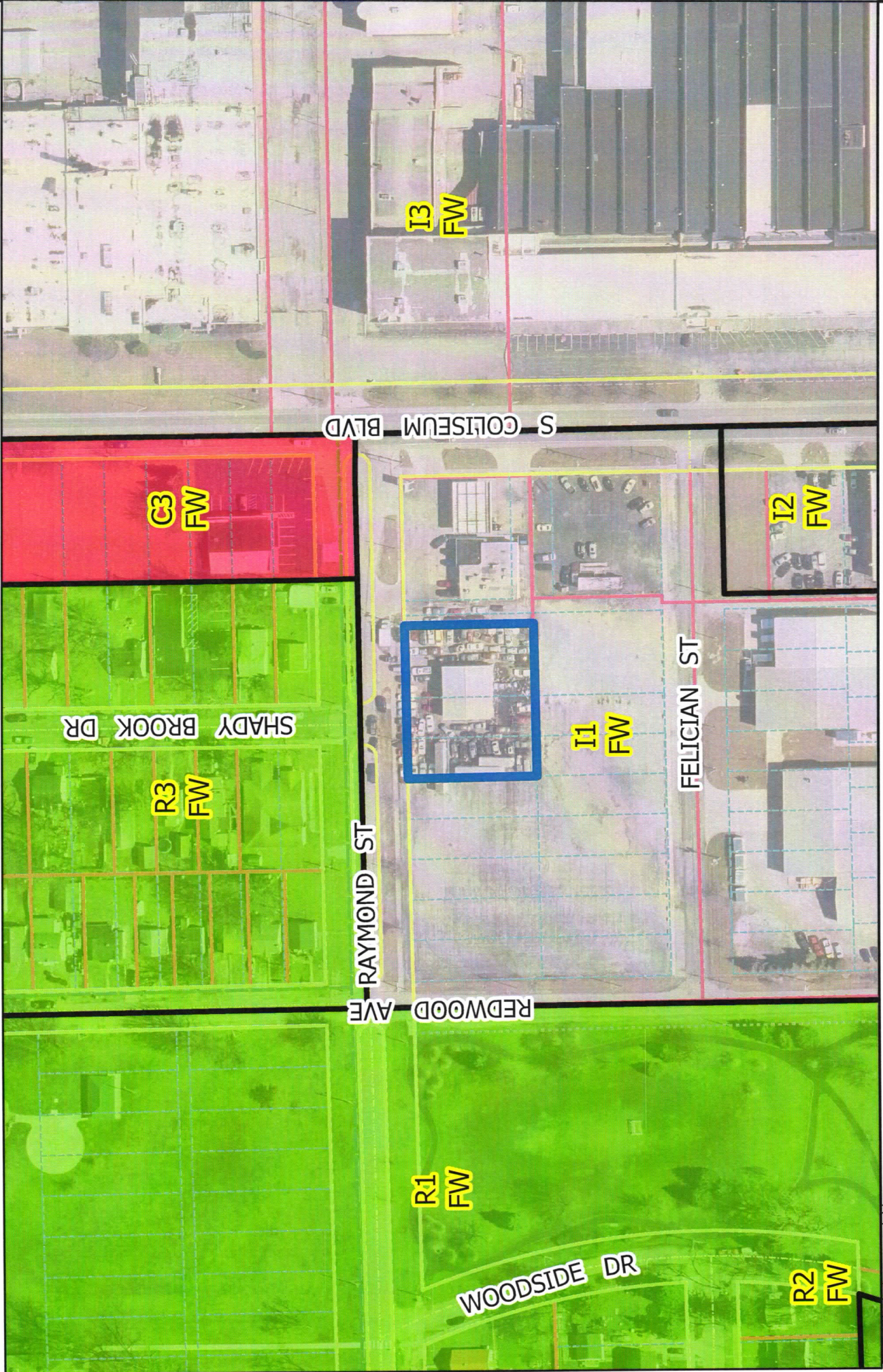
Rezoning Petition REZ-2025-0030 - 3904 Raymond Street



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of Allen County, Indiana
Map of Allen County, Indiana
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 5/20/2025



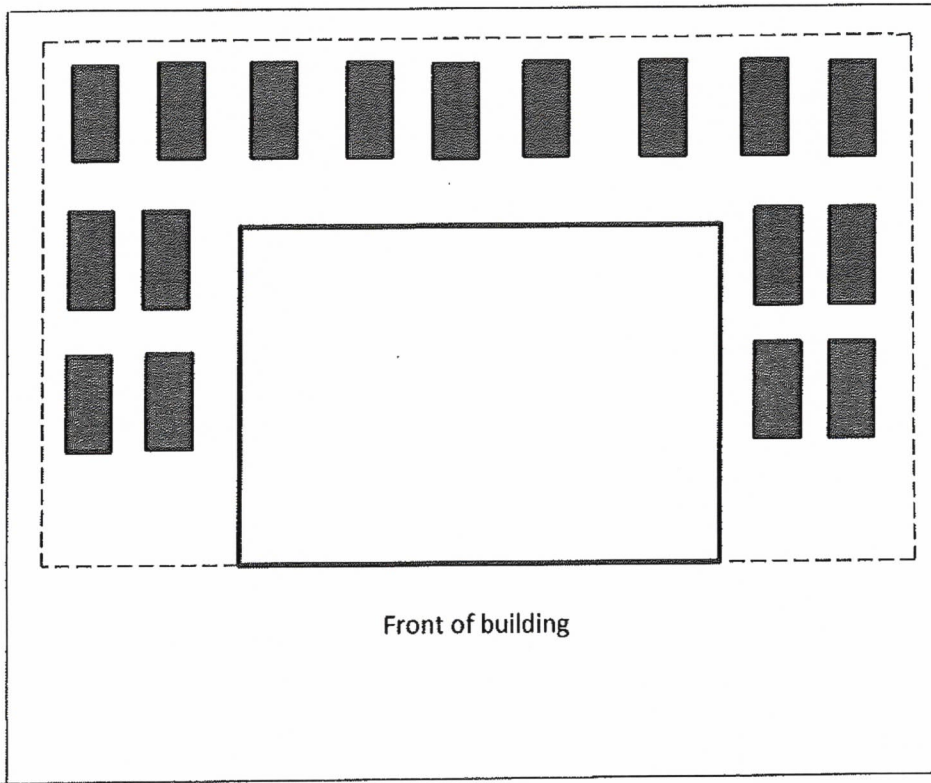
Rezoning Petition REZ-2025-0030 - 3904 Raymond Street



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

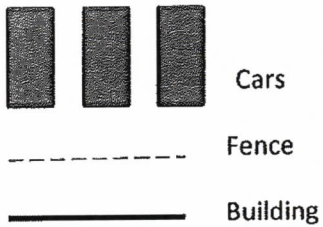
© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Zone 14 East
 Photos: GeoEye, Inc., Spring 2009
 Date: 5/20/2025





Front of building

Raymond Street



3904 Raymond Street Fort Wayne, In 46803

Not a certified boundary survey- illustrative only for zoning purposes

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant Luis Cardenas
 Address 3630 Raymond St
 City Fort Wayne State IN Zip 46803
 Telephone 260 203 7501 E-mail rcardenas@bjsrestaurants.com

Property Ownership
 Property Owner DENISE DIAZ DE LEON
 Address 202 E CRAWN LN
 City FORT WAYNE State IN Zip 46816
 Telephone 260-580-1677 E-mail diazdeleonindakc1057@gmail.com

Contact Person
 Contact Person Robin Cardenas
 Address 3630 Raymond St
 City Fort Wayne State IN Zip 46803
 Telephone 2602037501 E-mail rcardenas@bjsrestaurants.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 3904 Raymond St Township and Section Adams, 1e
 Present Zoning I1 Proposed Zoning I2 Acreage to be rezoned .426
 Purpose of rezoning (attach additional page if necessary) To bring the existing auto repair facility into compliance with zoning regulations and allow continued operation under I2 zoning.
 Sewer provider City of FW utilities Water provider City of FW utilities

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

Luis Cardenas
 (printed name of applicant)

[Signature]
 (signature of applicant)

05-06-25
 (date)

DENISE DIAZ DE LEON
 (printed name of property owner)

[Signature]
 (signature of property owner)

05-06-25
 (date)



Received	Receipt No.	Hearing Date	Petition No.
<u>5/6/25</u>	<u>147499</u>	<u>6/9/25</u>	<u>0030</u>

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



Car Tech Auto & Tires
3904 Raymond Street
Fort Wayne, IN 46803

Submission of Rezoning Application Packet – 3904 Raymond Street

Dear Planning Staff,

Please accept this letter and the enclosed materials as a complete submission for our zoning map amendment request. We are applying to rezone the property at 3904 Raymond Street from I1 (Limited Industrial) to I2 (General Industrial) to bring the existing automotive repair use into compliance.

Included in this submission packet are the following documents:

1. Completed and signed Rezoning Petition Application
2. Legal Description (in Word format)
3. Justification Letter
4. Site Plan
5. Boundary Sketch (illustrative only)
6. Letters of Support and signed petition

We appreciate your time and assistance in reviewing our application. Please contact us at 260-203-7501 or rcardenas@bjsrestaurants.com if any further information is needed.

Sincerely,

Luis Cardenas

Car Tech Auto & Tires

Rezoning Questionnaire – Department of Planning Services

Project Address: 3904 Raymond Street, Fort Wayne, IN 46803

Applicant: Luis Cardenas / Car Tech Auto & Tires

1. 1. Is this rezoning petition in substantial compliance with the All In Allen Comprehensive Plan?

Yes. The rezoning to I2 supports the All In Allen Comprehensive Plan by aligning land use with existing conditions, supporting reinvestment in industrial corridors, and promoting local small business operations that benefit the community.

2. 2. Will the current conditions and character of current structures and uses be affected?

No. The property has been used for auto repair for over 15 years with no substantial changes to the site. This rezoning request brings the existing use into compliance without altering the established character or structures.

3. 3. Is this the most desirable use for which the land in the district is adapted?

Yes. The property is already being used in a manner consistent with surrounding I2 and I3-zoned properties. It is well suited for general industrial use and has operated effectively in this capacity for over a decade.


4. 4. Will this rezoning proposal conserve the property values throughout the jurisdiction?

Yes. Legalizing the existing long-term use promotes regulatory clarity, stability, and responsible growth. The site is maintained and contributes positively to the area's appearance and economy.

5. 5. Does this rezoning proposal demonstrate responsible development and growth?

Yes. The proposed rezoning supports responsible development by continuing the lawful operation of an established, community-serving business without increasing intensity or changing the footprint of the property.

Printed name of applicant: Luis Cardenas

Signature of applicant:  Date: 05.04.25

Printed name of property owner: DENISE DIAZ DELEN

Signature of property owner:  Date: 5.6.25

Car Tech Auto & Tires

3904 Raymond Street

Fort Wayne, IN 46803

Phone: 260-203-7501

Email: rcardenas@bjsrestaurants.com

To the Fort Wayne Plan Commission,

We respectfully submit this letter in support of our zoning map amendment request to rezone the property at 3904 Raymond Street from I1 (Limited Industrial) to I2 (General Industrial). Car Tech Auto & Tires has been operating at this location for over 15 years, providing affordable and reliable automotive repair services to the surrounding community.

The business was originally established by family members and has remained a stable and valued part of the neighborhood. We recently became aware that the I1 zoning classification does not fully permit our operations. In response, we are seeking to correct this through a proper rezoning process that aligns our use with the appropriate zoning designation. The I2 classification will allow us to continue our services legally and responsibly, while also making modest improvements such as fencing and organized vehicle storage.

We take pride in maintaining a clean and safe property, treating customers with honesty, and being a reliable small business in Fort Wayne. We believe this rezoning request is appropriate given the property's industrial surroundings and its long-standing use as an auto repair facility.

We respectfully ask for your favorable consideration of our application. Thank you for your time and dedication to the community.

Sincerely,

Car Tech Auto & Tires

Luis Cardenas, Business Representative


Community Support Petition - Rezoning of 3904 Raymond Street

We, the undersigned, support the rezoning of 3904 Raymond Street, Fort Wayne, IN 46803 from I1 (Limited Industrial) to I2 (General Industrial). The property has been home to Car Tech Auto & Tires, a locally owned and operated automotive repair business serving the community for over 15 years.

We believe this rezoning request is appropriate and beneficial for the neighborhood. It reflects the long-standing, positive use of the property and ensures the continued availability of trusted and affordable vehicle services. We support the request and urge the Fort Wayne Plan Commission and City Council to approve the rezoning.

Please provide your information below to show your support.

Name	Address	Phone (optional)	Signature
Travis Barb	421 Pinegrove Lane Apt A Fort Wayne IN, 46807	608-290-5848	
Sarah Horst	1926 Cortland Ave	505-550-7527	
Nathaniel Vargas	1926 Cortland Ave	240-282-0257	
Mallory McCauley	421 Pinegrove Ln Apt A Huntington, IN 46750	260 433 9182	
Tatiana Black	437 E. Washington St Huntington, IN 46750	260 358 7751	
Amari Lewis	7002 tiger lily Pl	260-445-0601	
Emily Acosta	10333 lake tahoe dr		
Rhney Waide	7312 Lakeridge Dr.	260-203-6252	
Heather Keeney	15010 Mimmick Rd	260-440-7087	
James Jorg	5710 Burnham Woods Ln	210-844-8350	
Courtney Baker	7326 Hickory Creek Dr.	260 403 4045	
Riley Wilson	249 Condit St Huntington, IN 46750	(574)-576-5603	
Morrigan Lewis	14983 windwood ct.	(260) 458-7471	
Zach Chrisman	1806 Phillip St Auburn IN 46706	(260) 235-1574	
Alex Valdez	4826 Oak Knob Run FW IN 46745	972 795 0455	
Jacqueline	201 Kellen Ave Fort Wayne	260 515 3198	

Name	Address	Phone (optional)	Signature
James Ruby	201 Killeard Apt 2	262 6048504	JR
Jeff Acre	1358 Midumie	260 515 2138	JA
Jennifer Acre	201 Killeard Apt 2	260 6615164	JA
Jewel New	812 Union Ave	260 418 5141	JN
Nicholas Friedrich	7233 Adams Cr	260-479-0072	
Zachariah Darling	1444 Melrose Ave	260-210-2888	ZD
Gabby Gamble	1418 Taylor Street	260 750 2244	GG
Cleo Oeiser	3341 McCormick	260 466 9601	C.O
Chelsea Reinhart	5119 Evans Road	260 602 3007	CR
Briana Gladys	4822 Jason Drive	260-312-5231	BA
Taylor Schlosser	4321 Walkers Ridge	260-299-2791	TS
Brian Farmer	249 Northeast Drive	260-348-8105	BF
Tyler Moldovan	1920 Hobson rd	260 418 5677	TM
Michelle Moldovan	1028 Elmwood Ave	260 498 5190	mm
Tom Baigent	1028 Elmwood Ave	260 633 9625	TB

FACT SHEET

Case #REZ-2025-0030 Bill # Z-25-05-11 Project Start: May 2025

PROPOSAL: Rezoning Petition REZ-2025-0030
APPLICANT: Luis Cardenas
REQUEST: Rezone from I1/Limited Industrial to I2/General Industrial to permit existing automotive repair use
LOCATION: 3904 Raymond Street (Section 8 of Adams Township)
LAND AREA: 0.426 acres
PRESENT ZONING: I1/Limited Industrial
PROPOSED ZONING: I2/General Industrial
COUNCIL DISTRICT: 6 – Rohli Booker
SPONSOR: Fort Wayne Plan Commission

June 9, 2025 Public Hearing

- One person spoke in support.
- Two people spoke in opposition.
- One petition in support with 31 signatures was received.
- Paul Sauerteig and Scott Myers were absent.

June 16, 2025 Business Meeting

Plan Commission Recommendation: DO PASS, with a Written Commitment

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

8-0 MOTION PASSED

- Scott Myers was absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
July 1, 2025

PROJECT SUMMARY

The applicant is requesting to rezone the property in question from I1 to I2. The structure was constructed between 1995 and 1999. No BZA history is associated with the site. The property has been used as an automobile repair center for at least 16 years, according to the applicant. The site is also off any arterial or collector streets. The property is adjacent to a nonconforming gas station. The owner intends to bring the use into compliance with the Fort Wayne Zoning Ordinance. This zoning district permits storage between the front façade and the rear property line, but nothing in front of the building. Rezoning the site can allow for easier investment for the owner in the future. Containing less than half an acre, future uses are limited to the small size of the parcel, so substantial manufacturing and other potentially incompatible uses should be mitigated, given the size of the parcel.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

The project site is located within the Priority Investment Area.

- The following Goals and Strategies would be applicable:
LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies

The following Land Use Policies would be applicable and supportive of this request:
(none)

Generalized Future Land Use Map

- The project site is located within the Community Commercial generalized land use category.
- This classification is intended for high intensity business, service, and retail.

Land Use Related Action Steps

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

- **ED.2.1.4.** Encourage additional investment in mixed-use and urban residential development in and around downtown Fort Wayne, along urban corridors leading to and from downtown, and in Town Centers.

Compatibility Matrix

- This proposed rezoning to I2/General Industrial is considered potentially compatible to the Community Commercial designation. However, C3 is considered “compatible” with community commercial, which also permits automobile repair (the industrial classification is more compatible to surrounding zoning).

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter:

Luis Cardenas, property owner, presented the request as outlined above.

Public Comments:

Robert Kruger (200 E. Main St., Ste 1000) – Representing Hartzell Realty II – Opposed with concerns of trash, too many cars, likeness to “salvage”, doesn’t fit I2 zoning.

Margaret Machlan (3305 McCormick Ave) – Representing Harvester Assn: Opposed with concerns of no fencing on the front/side - adjacent to residential.

Christina George (1005 Harmer St): Supports rezoning. Considers property clean, maintained, organized, and professional. Fencing surrounds all property except adjacent to gas station.

Rebuttal: Luis Cardenas didn't know fencing was required in front.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

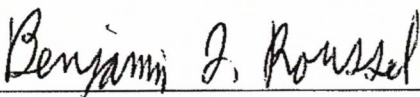
Rezoning Petition REZ-2025-0030 – 3904 Raymond Street

PROPOSAL: Rezoning Petition REZ-2025-0030 – 3904 Raymond Street
APPLICANT: Luis Cardenas
REQUEST: To rezone property from I1/Limited Industrial to I2/General Industrial to permit existing automobile uses.
LOCATION: 3904 Raymond Street, south of its intersection with Shady Brook Drive (Section 8 of Adams Township)
LAND AREA: 0.426 acre
PRESENT ZONING: I1/Limited Industrial
PROPOSED ZONING: I2/General Industrial

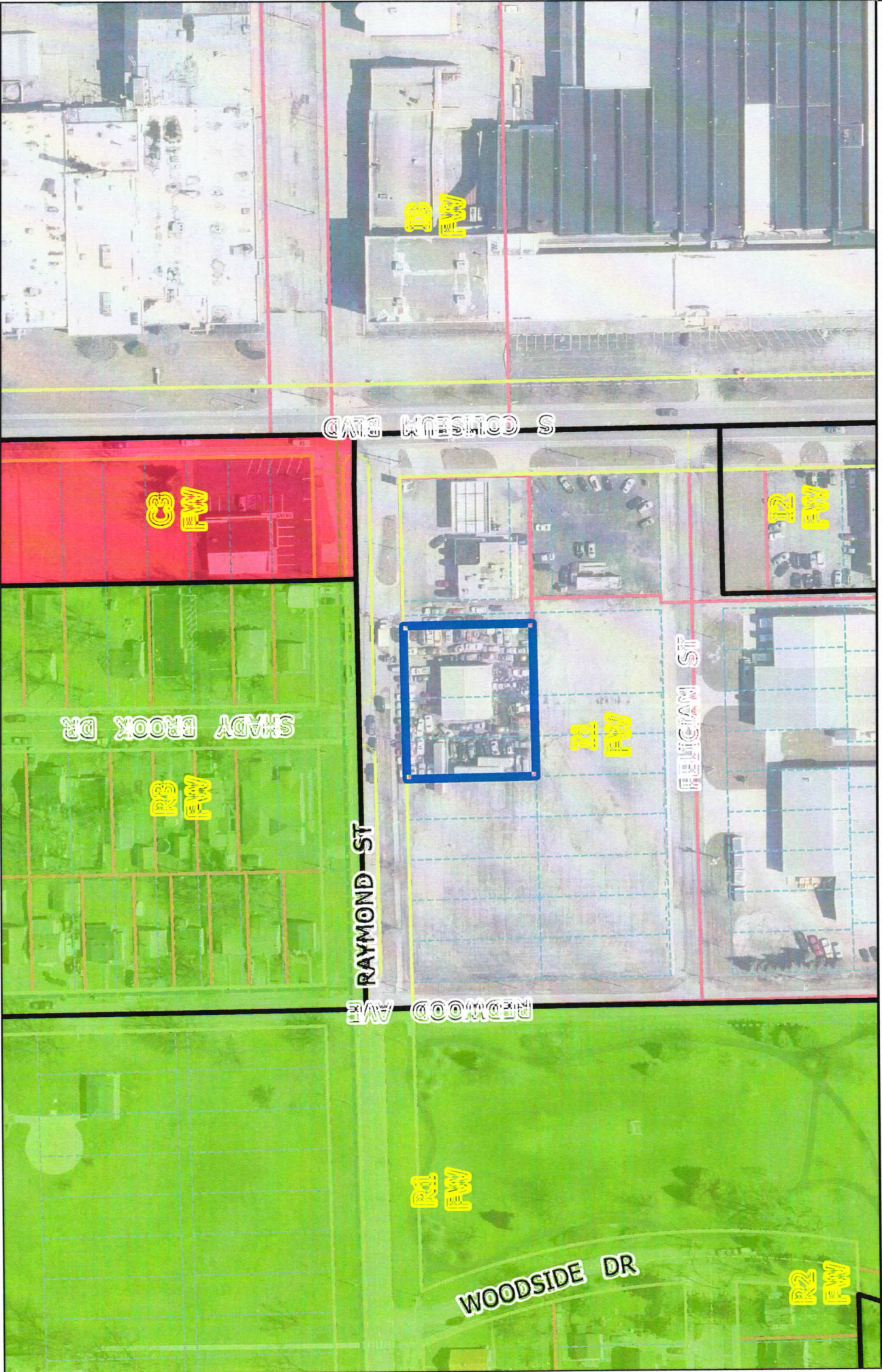
The Plan Commission recommends that Rezoning Petition REZ-2025-0030 be returned to Council, with a “Do Pass” recommendation, with a written commitment, after considering the following:

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 rezoning petition will allow for easier reinvestment in an established area of the City of Fort Wayne. The location is in a priority investment area, so retaining existing businesses in this area is an important component.
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. This district will help conform an existing use into compliance with the Fort Wayne Zoning Ordinance and can enable the owner to further invest in the property.
3. Approval is consistent with the preservation of property values in the area. New uses are not being introduced to the parcel. A written commitment should thwart future uses from being incompatible to the Harvester Neighborhood.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is served by City Utilities and allows for an opportunity for a business to continue.
5. This recommendation is contingent on fully screening the outdoor storage area from rights-of-way and residential zoning districts, as the Fort Wayne Zoning Ordinance requires. A wooden or vinyl privacy fence is recommended to replace the existing chain link fence on the north (front) façade of the building, and the west side of the storage area, visible from Redwood Ave. A new fence permit to replace the north facing fence should be applied for 30 days after the Business Meeting (July 16, 2025) with 90 days to construct the fence thereafter (by October 16, 2025) with an inspection for compliance.

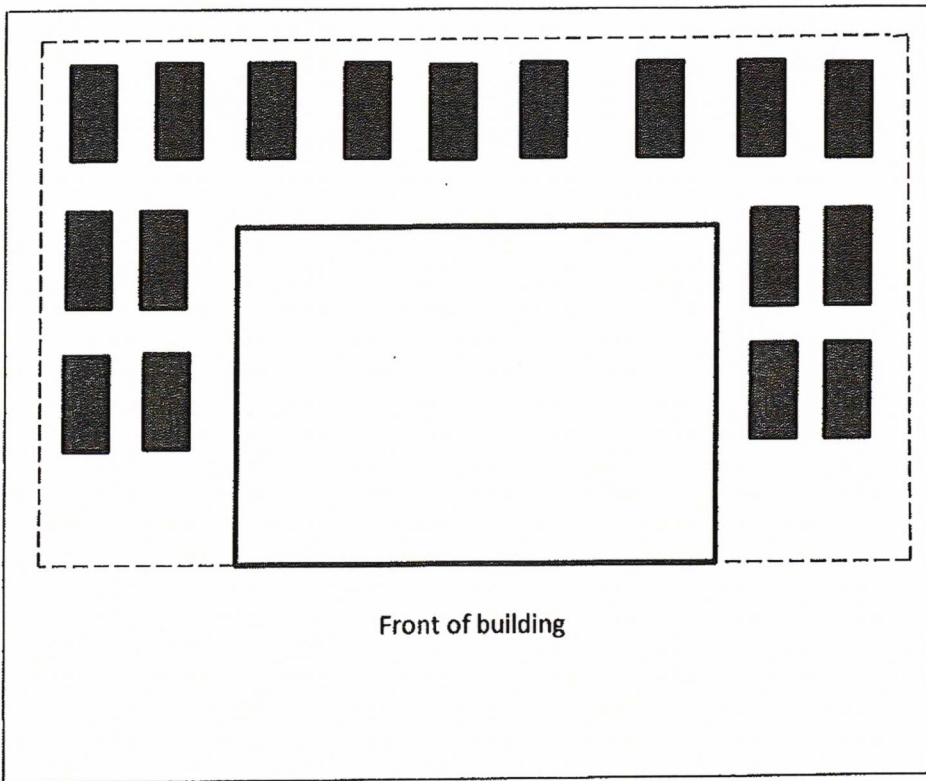
These findings approved by the Fort Wayne Plan Commission on June 16, 2025.



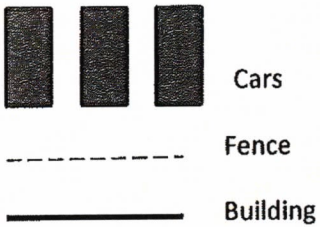
Benjamin J. Roussel
Executive Director
Secretary to the Commission



in compliance with the commission of public use.
 A User Certificate does not constitute an endorsement,
 a statement of the information contained herein,
 and all liability shall remain with the user.
 The City of San Antonio, Texas, is not responsible for
 any errors or omissions in this system.
 The City of San Antonio, Texas, is not responsible for
 any errors or omissions in this system.
 The City of San Antonio, Texas, is not responsible for
 any errors or omissions in this system.
 The City of San Antonio, Texas, is not responsible for
 any errors or omissions in this system.



Raymond Street



3904 Raymond Street Fort Wayne, In 46803

Not a certified boundary survey- illustrative only for zoning purposes

Tax ID. _____

WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT (“Commitment”) is made this 16 day of June, 2025 by Luis and Robin Cardenas (the “Declarants”).

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 0.43 acres of real estate located in Fort Wayne, Allen County, Indiana, the legal description of which is attached hereto as Exhibit “A” (the “Real Estate”); and

WHEREAS, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from the I1/Limited Industrial zoning district to I2/General Industrial zoning district, bearing number REZ-2025-0030 (the “Petition”), which Petition has been approved by the City of Fort Wayne Plan Commission (the “Plan Commission”) and the Fort Wayne Common Council (“City Council”); and

WHEREAS, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of limiting certain uses for the Real Estate; and

WHEREAS, in conjunction with the Petition, the Plan Commission has accepted Declarant’s offer of this Commitment and its recordation with the Allen County, Indiana, Recorder’s Office upon approval of the Petition by the Plan Commission and City Council.

NOW, THEREFORE, in consideration of the above and foregoing recitals, Declarant hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

1. **Prohibited Uses.** Subject to the terms and conditions herein contained, the following uses shall be prohibited upon the Real Estate:

- a. Compounding of chemicals, cleaning supplies, cosmetics, and pharmaceuticals

- b. Junk Yard (indoor)
- c. Processing facility for animals, lumber, metals, raw materials, timber, and propane
- d. Salvage Yard (indoor)
- e. Shooting Range (indoor)
- f. Truck Depot/Terminal
- g. Truck Fueling Station
- h. Truck Stop
- i. Particular Special Uses, including
 - i. Animal Slaughterhouse
 - ii. Gas Station
 - iii. Junk Yard (outdoor)
 - iv. Motor Vehicle Storage Yard
 - v. Salvage Yard (outdoor)
 - vi. Sawmill

2. Outdoor Storage. Outdoor storage shall be allowed between the front façade of the building and the rear lot line and shall be screened from adjacent residential zoning districts and public street rights-of-way. Vehicles in front of the primary façade will be licensed, operational, and intended for employees, patrons, visitors, and quasi-public utility agencies. A solid privacy fence will be installed on the north and west sides of the identified outdoor storage area.
3. Screening. An 8-foot tall solid fence will be constructed on the north and west facades, constructed of either wood or PVC. The fence will be completed by October 16, 2025 and be properly maintained.
4. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
5. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan

Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance with the Comprehensive Plan; (c) the proposed modification or termination is consistent with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.

6. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
7. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.
8. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) _____
9. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.

10. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
11. Effective Date. The effective date (“Effective Date”) of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

"DECLARANT"

[Handwritten Signature]

By: Robin Cardenas
Printed Name:
Title: Owner

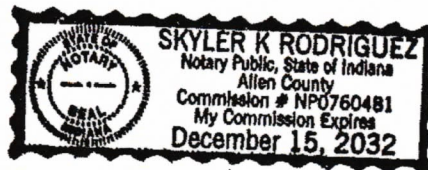
STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this 20 day of June, 2025, personally appeared Robin Cardenas and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Handwritten Signature]
Notary Public

My Commission Expires: 12/15/2032

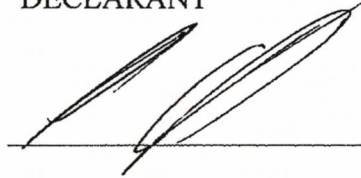
My County of Residence: Allen County



THIS INSTRUMENT prepared by: Nathan Schall; 200 E Berry St, Suite 150; Fort Wayne, IN 46802.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Name Nathan W Schall

"DECLARANT"



By: Luis Cardenas
Printed Name:
Title: Owner

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this 20 day of June, 2025, personally appeared Luis Cardenas and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.



Notary Public

My Commission Expires: 12/15/2032

My County of Residence: Allen County

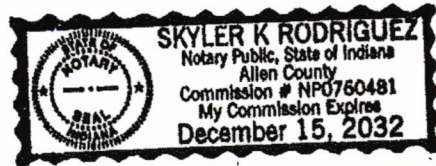


EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

2. Legal Description

A part of a parcel located in the City of Fort Wayne, Adams Township, Allen County, Indiana, containing approximately 0.426 acres more or less, commonly known as 3904 Raymond Street, Fort Wayne, IN 46803.

This legal description is provided for zoning purposes only and is not based on a certified survey.

The parcel is identified as one unified property to be rezoned from I1 to I2 to bring the current use (automotive repair) into zoning compliance.

Community Support Petition - Rezoning of 3904 Raymond Street

We, the undersigned, support the rezoning of 3904 Raymond Street, Fort Wayne, IN 46803 from I1 (Limited Industrial) to I2 (General Industrial). The property has been home to Car Tech Auto & Tires, a locally owned and operated automotive repair business serving the community for over 15 years.

We believe this rezoning request is appropriate and beneficial for the neighborhood. It reflects the long-standing, positive use of the property and ensures the continued availability of trusted and affordable vehicle services. We support the request and urge the Fort Wayne Plan Commission and City Council to approve the rezoning.

Please provide your information below to show your support.

Name	Address	Phone (optional)	Signature
Travis Barb	421 Pinegrove Lane Apt A Fort Wayne IN, 46807	608-290-8848	TB
Sarah Horst	1926 Cortland Ave	505-550-7527	SH
Nathaniel Vargas	1726 Cortland Ave	240-292-0257	NV
Mallory McCauley	421 Pinegrove Ln Apt A Huntington, IN 46807	260 433 9282	MM
Tatiana Black	437 E. Washington St Huntington IN 46750	260 388 7751	TB
Amari Lewis	7002 tiger lily Pl	260-445-0601	AL
Emily Acosta	10333 lake tahoe dr		
Michelle Wade	7312 Lakeridge Dr.	260-203-6252	MW
Heather Keeney	15010 Mimmick Rd	260-440-7087	HK
James Jorgensen	5710 Burnham Woods Ln	210-844-8350	JJ
Courtney Baker	7326 Hickory Creek Dr.	260 403 4045	CB
Kiley Wilson	249 Condit St Huntington IN 46750	(574)-576-5603	KW
Morrigan Lewis	14983 windwood ct.	(260) 458-7471	ML
Zach Chrisman	1806 Phillip St Auburn IN 46706	(260) 235-1574	ZC
Alex Valdez	4826 Oak Knob Run FW IN 46845	972 795 0455	AV
Jacqueline	201 Killebrew Fort Wayne	260 818 3198	J

BILL NO. Z-25-05-11

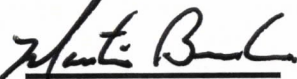
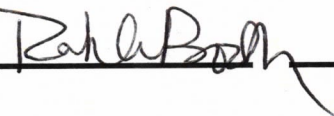

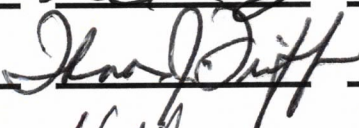

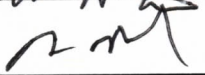
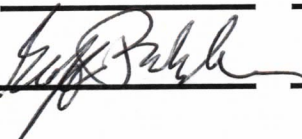
**REPORT OF COMMITTEE ON REGULATIONS
July 8, 2025**

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

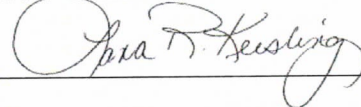
An Ordinance amending the City of Fort Wayne Zoning Map No. R03 (Sec. 8 of Adams Township)

To rezone 0.426 acres from 1/Limited Industrial to 2/General Industrial at 3904 Raymond Street

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

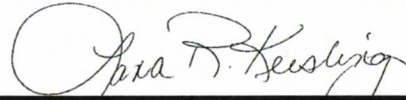
Read the first time in full and on motion by Councilperson Freistroffer.

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

Read the third time in full and on motion by Councilperson Freistroffer, 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: July 8, 2025



LANA R. KEESLING, CITY CLERK

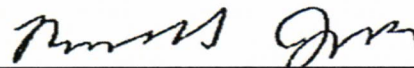
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Zoning Ordinance No. Z-25-05-11 on the 8th day of July, 2025

ATTEST:

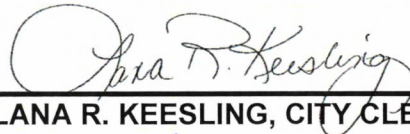


LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th of July 2025, at the hour of 9:35 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 11th day of July 2025, at the hour of 11:00 o'clock A.M. E.S.T.


SHARON TUCKER, MAYOR