

**RESOLUTION: 2023 – R – 12  
ORDINANCE: UDO – 85  
AN ORDINANCE AMENDING THE  
DEKALB COUNTY UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt unified development ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The County of DeKalb, Indiana adopted the DeKalb County Unified Development Ordinance which became effective on January 1, 2009, and has had subsequent amendments to the DeKalb County Unified Development Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the text of an adopted unified development ordinance according to IC 36-7-4-602 (b), and Section 9.05 of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

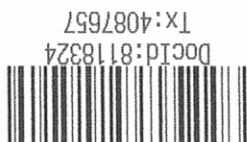
WHEREAS, The DeKalb County Plan Commission held a public hearing on June 21, 2023, on the proposed textual amendments to the DeKalb County Unified Development Ordinance regarding revisions to:  
Article 9; Section 9.02: Schedule of Fees;  
Appendix B: Fee Schedule;  
and all other related sections, if applicable;

WHEREAS, The DeKalb County Plan Commission did send a favorable recommendation for the text amendments to the DeKalb County Board of Commissioners; and

WHEREAS, The DeKalb County Board of Commissioners believes there is merit in amending the Ordinance, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the DeKalb County Board of Commissioners of DeKalb County, Indiana, as follows:

SECTION 1: That the DeKalb County Unified Development Ordinance be amended according to the amendments, as follows:





# Process, Permit, and Fee Introduction

## 9.01 General Petition Information

- A. Types of Petitions: DeKalb County requires all petitions for permits, approvals, certificates, or appeals described in this Article to file a complete application and, unless otherwise waived, to remit the appropriate filing fee.
- B. Filing of Petitions:
1. *Written Format*: All materials shall be submitted in a hard copy/written format unless stated otherwise.
  2. *Electronic Format*: All Subdivisions (Primary & Secondary Plats) and Development Plans are required to be submitted in an electronic format in the form of a Computer Aided Drafting (CAD) file (i.e. .dwg file) to be imported into the County's GIS in addition to the hard copy/written format. Approval from the Zoning Administrator shall be required to submit materials in an alternate format. Materials required to be submitted in an electronic format shall have the statement "(electronic format required)" after the listed materials.
    - a. All elements in the CAD file will be projected in the Indiana East State Plane (1301) projection.
    - b. The units of the CAD file will be in feet.
    - c. The CAD file will be required to contain the parcel, right-of-way, easement boundaries, including the control points, Harrison Marker and a Point of Beginning (P.O.B.).
    - d. If the CAD file is a .dwg file, it will be saved as an AutoCAD 2013 file.
    - e. If the digital file is sent as a .shp file, the file will be sent as a \*.zip file and include the .cpg, .dbf, .prj, .sbn, sbx, .shp, .shp.xml, and .shx files.
- C. Submittal of Petition Fees: The Zoning Administrator shall calculate the total of the application fee and any other applicable fees. The applicant shall be responsible for paying the fees at the time of application submittal.
- D. Complete Petition Application: The Zoning Administrator shall have up to 15 days after the filing of an application to determine if the application is complete and ready to be accepted. Incomplete applications may not be acted upon. The Zoning Administrator may require additional information from the applicant or from others before determining if an application is complete.

## 9.02 Schedule of Fees

- A. Official Fee Schedule: ~~Appendix B: Fee Schedule is hereby incorporated by reference as the official fee schedule of the Unified Development Ordinance. Therefore, all fees associated with permits and processes outlined in the Unified Development Ordinance shall be determined by Appendix B: Fee Schedule.~~ Section Twelve of The DeKalb County Plan Commission Rules of Procedure shall serve as the official fee schedule of the Unified Development Ordinance. Therefore, all fees associated with permits and processes outlined in the Unified Development Ordinance shall be determined by Section Twelve: Fee Schedule in the DeKalb County Plan Commission Rules of Procedure.
- B. Final Action: Until all applicable fees, charges, and expenses have been paid in full, no final action shall be taken on any permit application, appeal, or petition.

Section Name	Page Number	Section Name	Page Number
Administrative Appeal.....	9-3	Performance Surety.....	9-33
Administrative Interpretation.....	9-5	Planned Unit Development.....	9-35
Amendment to Ordinance Text.....	9-6	Questionable Land Use Determination.....	9-43
Amendment to Zoning Map.....	9-8	Sign Permit.....	9-45
Design Standards Waiver.....	9-10	Special Exception.....	9-46
Development Plan.....	9-12	Storm Water Drainage Plan.....	9-49
Development Standards Variance.....	9-16	Subdivision Control.....	9-51
Easements.....	9-18	Surety Release.....	9-65
Floodplain Standards Appeal.....	9-23	Temporary Use Permit.....	9-66
Floodplain Standards Variance.....	9-25	Use Variance.....	9-67
Improvement Location Permit.....	9-29	Zoning Compliance Permit.....	9-69
Maintenance Surety.....	9-31		



# Fee Schedule

## PROPOSED AMENDMENTS

Appendix

### Improvement Location Permits: (Shall include Certificate of Occupancy)

1. Structures 350 square feet or less.....	\$ 30.00
(Including additions to existing structures)	
2. Structures larger than 350 square feet.....	\$ 50.00
(Including additions to existing structures)	
3. Commercial Structures - \$.02 per square foot .....	Min.....\$ 75.00
	Max.....\$250.00
4. Industrial Structures - \$.02 per square foot.....	Min.....\$100.00
	Max.....\$500.00
5. Commercial Solar Energy System .....	\$500.00
6. Commercial Solar Energy System upgrade, replace or new equipment..	\$50.00 per piece of equip.
7. Residential Private Accessory Solar Energy System .....	\$30.00
8. Fence/Retaining Wall Permit .....	\$ 15.00
9. Ponds - (Including detention/retention/recreation ponds).....	\$100.00
10. All other Permits (i.e.: signs, in & above ground pools) .....	\$ 50.00

### Board of Zoning Appeals:

1. Special Meeting .....	\$600.00
2. Appeal Decision of Zoning Administrator .....	\$150.00
3. Appeal Decision of Zoning Administrator .....	\$500.00
(Zoning Administrator determines appeal will take longer than one-half hour)	
4. Variance Petition.....	\$150.00
5. Additional Variance Requests .....	\$ 50.00
6. Special Exception.....	\$150.00
7. Amend Special Exception.....	\$150.00
8. All Other Meetings Before the BZA .....	\$200.00

### Plan Commission:

1. Special Meeting .....	\$600.00
2. Zoning Ordinance Amendment.....	\$150.00
3. Request for Commercial Solar Energy System Overlay District.....	\$50 per acre
	or \$5000 max
4. Vacation.....	\$150.00
4. Minor Division of Land .....	\$150.00
5. Conventional Subdivision (First two (2) Lots) .....	\$150.00
— (Each Addition Lot).....	\$ 50.00
6. Commercial Development Plan .....	\$200.00
7. Industrial Development Plan.....	\$400.00
7. Commercial Solar Energy System Overlay District Development Plan.....	\$25 per acre
	or \$5000 max
8. Amendment to Development Plan .....	\$150.00
9. All Other Meetings Before the Plan Commission.....	\$200.00

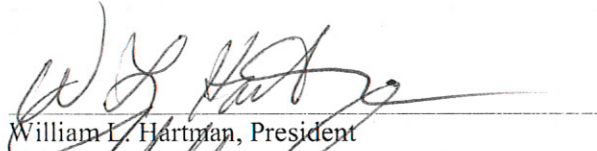
### Plat Committee:

1. Primary Plat .....	\$100.00
2. Secondary Plat .....	\$100.00

SECTION 2: That this amendment be in full force and effect upon its passage by the DeKalb County Board of Commissioners.

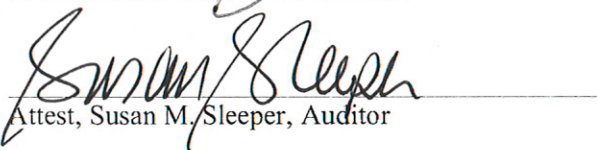
The DeKalb County Commissioners have voted to ☒ adopt (as certified) or ☐ reject the proposal.

DULY PASSED AND RESOLVED this 17<sup>th</sup> day of July 2023.

  
William L. Hartman, President

  
Michael V. Watson, Vice President

  
Todd R. Sanderson, Vice President

  
Attest, Susan M. Sleeper, Auditor

Prepared by: Chris Gaumer "I affirm under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

**For color copies of this recorded document, please contact DeKalb County Plan Commission: 260-925-1923**