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RECORDER OF DEKALB CO, IN  
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Auditor DeKalb County  
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ORDINANCE 17-83-400-37  
AN ORDINANCE AMENDING THE  
DEKALB COUNTY UNIFIED DEVELOPMENT ORDINANCE  
SECTION 9.20 SPECIAL EXCEPTIONS

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 November 17, 2008, 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 February 15, 2017, on the proposed textual amendments to the DeKalb County Unified Development Ordinance regarding the process for Special Exceptions and the Cause for Failed Approvals in Section 9.20 and all related sections; and

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:

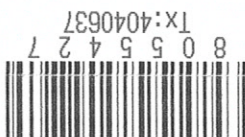
SECTION 1: That the DeKalb County Unified Development Ordinance be amended according to the amendments, as follows:

**ORDINANCE SECTION:** 9.20 Special Exceptions (G)8: Cause for Failed Approval

**PROPOSED LANGUAGE CHANGE:**

8. Cause for ~~Failed~~ Incomplete Approval. If the petitioner fails to submit the required plan revisions, record commitments or record conditions of approval the Board of Zoning Appeals approval is ~~incompleted~~ until a time those tasks are complete. ~~Failure to complete one or more of the requirements within 60 days shall constitute a failed and void approval.~~

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



**RESOLUTION 17-03**  
**A DEKALB COUNTY PLAN COMMISSION RESOLUTION**  
**RECOMMENDING CERTIFICATION OF TEXTUAL AMENDMENTS TO THE**  
**UNIFIED DEVELOPMENT ORDINANCE**

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

WHEREAS, DeKalb County adopted the DeKalb County Unified Development Ordinance which became effective on November 17, 2008, and has had subsequent amendments; and

WHEREAS, The General Assembly on the State of Indiana granted powers to counties to amend the text of an adopted zoning 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 February 15, 2017 to consider textual amendments to Sections 9.20: Special Exception (G)(8): Cause For Failed Approval and all related sections in the DeKalb County Unified Development Ordinance; and

Now, therefore, be it

*RESOLVED*, in accordance with IC 36-7-4-605, the DeKalb County Plan Commission certifies with a ✓ favorable, \_\_\_\_\_ unfavorable, \_\_\_\_\_ no recommendation the attached textual amendments to the DeKalb County Board of Commissioners, DeKalb County, Indiana.

Adopted this 15 day of February 2017

DEKALB COUNTY PLAN COMMISSION

Timothy B. Spill  
DeKalb County Plan Commission Official

Michael C. Klimek  
DeKalb County Plan Commission Official