

GENERAL ORDINANCE 1162

An ordinance deleting General Ordinance No. 842 of the City of Kendallville, Noble County, State of Indiana, such ordinance being the fee schedule for applications to the Kendallville Board of Zoning Appeals, and amending General Ordinance 928 being known as "Zoning Code of the City of Kendallville" by adding Section 9.11.1 as follows:

BE IT ORDANED BY THE COMMON COUNCIL OF THE CITY OF KENDALLVILLE, INDIANA:

ARTICLE 1. That General Ordinance 842 be deleted in its entirety and General Ordinance 928 be and is herby amended to-wit:

**Sec.9.11.1 Fee Schedule for Appeal to the Kendallville Board of Zoning Appeals**

Applications and petitions filed pursuant to the provisions of these regulations shall be accompanied by the filing fees hereinafter specified:

- a. For each application for an "Appeal to the Decision of the Zoning Officer and/or Building Official" to the Board, a fee of one-hundred dollars (\$100.00) shall be paid to and collected by the City Clerk-Treasurer, to be deposited in the General Fund, the receipt for which shall accompany the petition.
- b. For each application for a "Special Exception" to the Board, a fee of one-hundred dollars (\$100.00) shall be paid to and collected by the City Clerk-Treasurer, to be deposited in the General Fund, the receipt for which shall accompany the petition.
- c. For each application for a "Special Use" to the Board, a fee of one-hundred dollars (\$100.00) shall be paid to and collected by the City Clerk-Treasurer, to be deposited in the General Fund, the receipt for which shall accompany the petition.
- d. For each application for a "Variance of Developmental Standards" to the Board, a fee of one-hundred dollars (\$100.00) shall be paid to and collected by the City Clerk-Treasurer, to be deposited in the General Fund, the receipt for which shall accompany the petition.

For the purposes of this section, the following definitions are applicable

**Appeal** – The appeal of designated official from a decision made concerning the allowed use or the interpretation of the application of the Zoning Code as it affects a property or area.

**Special Exception** – A use that is identified by Figure 5 of the Zoning Code which requires Kendallville Board of Zoning Appeals approval and may be subject to additional regulations and/or conditions as determined by the Board.

**Special Use** –A use that is not addressed by any other section or figure of the Zoning Code in which the applicant wishes to place on a property or within a structure located on a property area. A Special Use may be subject to additional regulations and/or conditions as determined by the Board and may be referred to the Kendallville Advisory Plan Commission for review.

**Variance of Developmental Standards** – A modification of the development standards (height, area coverage, setbacks, etc.) for a particular property.

ARTICLE 2. That this ordinance shall be in full force and effect thirty (30) days from and after its publication, which publication shall be within thirty (30) days after passage and approval by the Mayor.

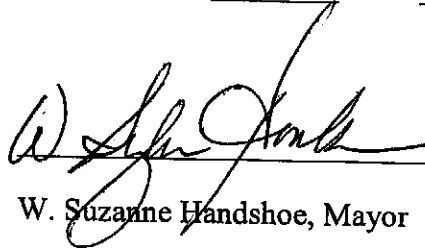
ORDAINED AND PASSED this 7th day of May, 2013.

	YEA	NAY	ABSTAIN	ABSENT
Larry Davis	<u>✓</u>	_____	_____	_____
James C. Dazey II	<u>✓</u>	_____	_____	_____

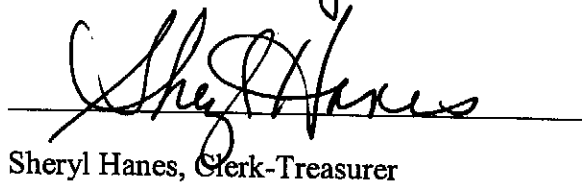
Regan Ford

Max Franklin

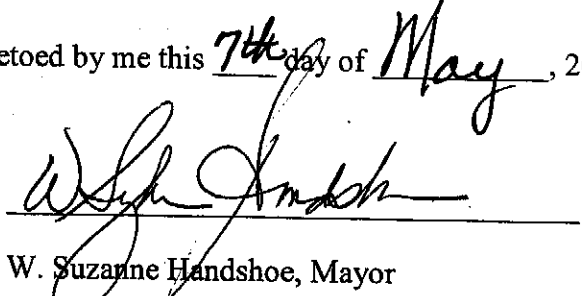
April Waters

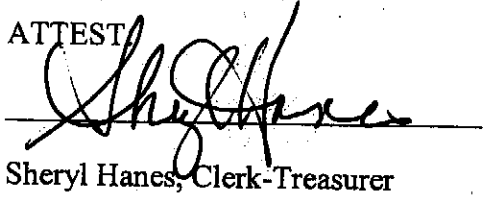
  
W. Suzanne Handshoe, Mayor

Presented by me to the mayor for approval this 7<sup>th</sup> day of May, 20 13

  
Sheryl Hanes, Clerk-Treasurer

The above attached ordinance is approved/vetoed by me this 7<sup>th</sup> day of May, 20 13

  
W. Suzanne Handshoe, Mayor

ATTEST  
  
Sheryl Hanes, Clerk-Treasurer