

ARTICLE 7

PROVISIONS FOR THE OFFICIAL ZONING MAP

SECTION 700 – Zoning Map

A Zoning Map of each township in Dearborn County is hereby adopted as a part of this Article and is incorporated by reference herein.

SECTION 710 – Identification of the Official Zoning Map

The Dearborn County Zoning Map shall not be the official map until it has been signed and dated by the Dearborn Board of County Commissioners and other effected legislative units. Map amendments adopted by resolution of the County Commissioners or other legislative unit shall be administratively revised by the Plan Commission Staff and stamped with the revised date.

SECTION 720 - Designation of Zoning Districts

For the purposes of this Ordinance, the County is divided into districts in the Article as shown by the district boundaries on the Zoning Maps. The districts are as follows:

- A Agricultural District
- R Residential District
- H-1 Highway Interchange District
- B-1 Restricted Business District
- B-2 General Business District
- M-1 Manufacturing District, Class 1
- M-2 Manufacturing District, Class 2
- M-3 Manufacturing District, Class 3

Additional designation that can appear on the Zoning Maps include:

- PUD Planned Unit Development
- DP Development Plan

SECTION 730 – Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the zoning districts of the Official Zoning Map the following rules shall apply. The Planning Director or designee shall use the rules listed below to determine the zoning of a specific property and can use additional information such as previous zoning maps, topography maps or aerial photography to determine the zoning of a particular parcel. In cases where a mapping error was made the Planning

Director shall determine the correct zoning designation using the method describe above. The decision of the Planning Director can be appealed to the Board of Zoning Appeals.

1. Where district boundaries are shown within the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines or property lines, such lot lines or property lines shall be construed to be said boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or edge of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Zoning Map. In situations were the distance given conflicts greatly with the map scale the Plan Director or designee shall determine the boundary;
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line;
5. Where the boundary of a district follows a stream or the shore of a body of water, that stream or shore line is the boundary of the district;
6. Where the boundary of a district follows or appears to follow the county line, section line (including half-section or quarter section), or township line such line shall be deemed to be boundary of the district;
7. Where the boundaries of a district are based on a legal description or property survey that was submitted in conjunction with a zoning map amendment application, the boundaries provided in said instrument(s) shall be construed as the district boundaries for the property in question;

SECTION 740 - Zoning District Declared Invalid

Should any zoning district be declared by a court of competent jurisdiction to be unconstitutional or invalid, by either the construct of its text within this order or by its application or amendment to the Dearborn County Zoning Map, the zoning district that applied to the affected properties prior to the unconstitutional or invalid zoning district shall be in force.