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## 9.2 Procedure for change in zoning district.

*9.2.1 Applications.* Applications for any change in the text or classifications or property shown on the zoning map shall be submitted to the zoning administrator upon such forms and accompanied by such data and information as may be prescribed for that purpose by him, so as to assure the fullest practicable presentation of facts for the record. Each application for a change of district boundaries or classification or property shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application. It shall contain a map of the area proposed to be rezoned, and the area within 200 feet, giving the names and addresses of property owners, and all district boundary lines, and streets and alleys located therein. The zoning administrator shall check the application to determine whether it conforms with the requirements listed above and, if satisfactory, shall submit it to the office of the planning board. Amendments to the zoning ordinance may also be initiated by the planning board by resolution, and recommended to the county commissioners for adoption.

*9.2.2 Required public hearings.* No official action shall be taken on any proposed zoning amendment unless at least two public hearings have been held. The first public hearing shall be conducted by the planning board and the second shall be conducted by the county commission.

### *9.2.3 Withdrawal of application.*

*(a) No refund.* There shall be no refund by the county of an application fee if an application is withdrawn.

*(b) Prior to public notice.* If a withdrawal request is received before the publication of a notice for a public hearing, the application shall be withdrawn administratively by the zoning administrator without restriction on the refiling of a rezoning application on the property in the future.

*(c) After public notice.* If a withdrawal request is received after publication of a public notice has been published or when such public notice is irretrievably set for publication, but the rezoning application has not been heard by the planning board, the application shall be withdrawn administratively by the zoning administrator provided that an application for a rezoning of the property shall not be resubmitted for six months from the date of withdrawal.

*(d) After planning board public hearing.* Should any withdrawal request be made by the applicant after the planning board public hearing but before or at the Board of Commissioners' public hearing, the application shall remain on the Board of Commissioners' public hearing agenda, and the withdrawal request shall be considered for approval or denial, with or without prejudice, by the board of commissioners. If withdrawal is not allowed, the public hearing on the rezoning will proceed.