

ARTICLE XXIII

DISTRICT CHANGES AND AMENDMENTS

SECTION 1. GENERAL. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Supervisors may by resolution on its own actions, or by petition after recommendation by the Zoning Commission, after public hearings as provided herein, amend, supplement or change the regulations, district boundaries or classifications of property now or hereafter established by this Ordinance or amendments thereof.

SECTION 2. PROCEDURE FOR CHANGE.

Subsection A. Application for any change of District boundaries or classification of property as shown on the Zoning Maps shall be submitted to the county Zoning Commission at the office of the Planning and Zoning Administrator upon such forms and shall be accompanied by such data and information as may be prescribed for that purpose by the Zoning Commission so as to assure the fullest practicable presentation of facts for the permanent record. Each such application 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. Applications for amendments of the text or requirements of this Ordinance shall likewise be submitted to the County Zoning Commission on forms prescribed by it and shall be verified by the person or persons preparing said amendment.

Subsection B. Before submitting its recommendations on a proposed amendment, District boundary change, or classification of property to the Board of Supervisors, the Zoning Commission shall hold at least one (1) public hearing thereon, notice of which shall be given to all property owners within seven hundred fifty (750) feet of the boundary of the property on which the change of District boundary or classification is to take place by placing a notice in the United States mail at least ten (10) days prior to the hearing. Notice shall contain the time and location of said hearing. Notice shall also be given to all property owners by publication at least once, not less than four nor more than 20 days before the date of the hearing in one or more newspapers which meet the requirements of Section 618.14. The notice shall state the place and time which the proposed amendment to the Ordinance, including text and maps, may be examined. When the Zoning Commission has completed its recommendations on a proposed amendment, it shall certify the same to the Board of Supervisors.

Subsection C. After receiving the certification of said recommendations on the proposed amendment, the Board of Supervisors shall hold a public hearing thereon, at least once, not less than four nor more than 20 days before the date of the hearing in one or more newspapers which meet the requirements of Section 618.14.

Subsection D. After receiving certification of the recommendation on the proposed amendment from the Zoning Commission and after holding the public hearing provided for, the Board of Supervisors shall consider such recommendations and vote on the adoption of the proposed amendment. The proposed amendment shall become effective upon publication in a newspaper(s) of general circulation in Marshall County after a favorable vote of a majority of the members of the Board of Supervisors.

Subsection E. Each application for an amendment, except those initiated by the Zoning Commission, shall be accompanied by a check made payable to the Marshall County Treasurer or a cash payment in the amount of three hundred dollars (\$300.00) to cover the approximate costs of this procedure and under no conditions shall said sum or any part thereof be refunded for failure of said amendment to be enacted into law.