

**RESOLUTION AMENDING ZONING ORDINANCE
MADISON COUNTY, GEORGIA**

WHEREAS, the Madison County Board of Commissioners (herein "Board") deems it proper and necessary for the health, welfare, and safety of the citizens of Madison County to amend certain provisions of its Zoning Ordinance (the "Ordinance"); and

WHEREAS, all procedural and substantive requirements of state law and local ordinance pertaining to amendments to the Ordinance have been met;

NOW, THEREFORE, this Resolution (herein "Resolution") is adopted as follows:

1. The text of Section 14.3.8.2 of the Ordinance is hereby amended to read, in its entirety, as follows (additions are underlined and deletions are stricken through):

14.3.8.2 Withdrawal. ~~If An application for an amendment to the Zoning Ordinance or the Official Zoning Map, or a request for a Conditional Use Permit or a Variance, may be withdrawn by the applicant at any time prior to a vote to approve or deny by the Madison County Board of Commissioners. The withdrawal must be in writing and signed by the applicant or his/her authorized agent. is formally withdrawn by the applicant subsequent to the publication of the newspaper notice or posting of the required signage, then an application for the same property shall not be considered by either the Planning and Zoning Commission or the Board of Commissioners until the expiration of at least 60 days immediately following the withdrawal of the application. The formal withdrawal must be in writing and signed by the applicant, his/her authorized agent or attorney.~~

If the application or request is withdrawn prior to a vote by the Planning Commission, the application/request fee will be refunded and there shall be no restriction on the re-filing of the same or another zoning change application or request on the property in the future. If the application/request is withdrawn after vote by the Planning Commission, the fee shall not be refunded and an application or request concerning the same property shall not be considered by either the Planning and Zoning Commission or the Board of Commissioners until the expiration of at least 60 days immediately following the withdrawal.

~~Failure of the applicant or his/her authorized agent or attorney to appear before the Planning & Zoning Commission at the time and place of the scheduled public hearing convened to consider the application or request will constitute a withdrawal. By withdrawing in this manner, an application for the same property shall not be considered again by the Planning & Zoning Commission until the expiration of at least 60 days from the date of the scheduled public hearing at which applicant, his/her authorized agent or attorney failed to appear. Failure to attend the scheduled public hearing before the Board of Commissioners will not be considered a withdrawal.~~

~~A withdrawn application cannot be considered by either the Planning and Zoning Commission or the Board of Commissioners until the date(s) of the reschedule public hearing(s) has been properly advertised, notification of adjacent property owners and signage required under this ordinance have been met and payment of the required fee to the Zoning Administrator.~~

- 2. Except as amended hereby, the Ordinance remains in full force and effect.
- 3. This Resolution is effective immediately upon adoption.

Approved by the Madison County Board of Commissioners on the _____ day of _____, 2015, and executed this the _____ day of _____, 2015.

Honorable Anthony Dove, Chairman

ATTEST:

Rhonda Wooten, Clerk