

**Hardy County Planning Office**  
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**Procedures: Board of Zoning Appeals Public Hearing Application**  
**Variance Request, Expansion of Nonconforming Use, Conditional Use Permit, or Appeal of**  
**Administrative Decision**

I: Obtaining an application

An application may be picked up in the planning office, mailed to the applicant, or downloaded from the internet directly off the county website.

II: Filing an application

- 1) The application must be filled out in full and signed by the applicant.
  - a) If the applicant is not the property owner, then the applicant shall obtain the signature of the property owner on the application.
- 2) The initial application shall include the following:
  - a) A completed application form as prescribed by the Planning Office, and
  - b) The application fee as stated in the fee policy maintained on file in the Planning Office (**Checks are to be made out to the Hardy County Sheriff**), and
  - c) A list of property owners' names and addresses located adjacent to (Variance Request) or within 250 feet of the boundary (all other requests) upon which the request is being made is required, as on record in the Hardy County Assessor's Office. The applicant must also submit the tax map and parcel numbers for the list of properties along with a stamped and addressed envelope for each of the names and addresses of the property owners in the affected area. If the list includes a lot within a residential subdivision, the applicant must submit the name of the president of the homeowners association along with a stamped and addressed envelope for the member, and
  - d) A sketch plat drawn to scale that shows the size of the lot, the footprints of existing structures or improvements and the proposed structures or improvements.

### III. Review of application

- 1) Once the completed application is received by the Planning Office, it will be reviewed for completeness and a public hearing will be scheduled.
- 2) The Planning Office will publish, in the local newspaper of general circulation, a legal advertisement describing the request. The legal advertisement will appear thirty (30) days prior to the scheduled public hearing before the Board. The prepared envelopes submitted by the applicant notifying the affected property owners will be mailed at the same time the legal advertisement is submitted to the newspaper for publication.

### IV. Public Hearing

The Board shall hold a duly scheduled public hearing on the request. The applicant shall be present to present their request and all pertinent information about their request.

### V. Approval of Application

- 1) If the Board approves the request, an official approval letter will be mailed to the applicant stating what was approved and any conditions that were set at the time of the public hearing.
  - a) The applicant will be responsible to return to the planning office after the request has been approved but before the work has started to obtain a building permit and any other permits or forms that are needed.
- 2) If the Board denies the request, an official letter will be mailed to the applicant of the right to appeal the decision to the Hardy County Circuit Court within thirty (30) days.