

Hardy County Planning Office
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Procedures: Planning Commission Public Hearing Application
Request for Rezoning of Property or Request for Text Amendment to Zoning Ordinance

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 within 250 feet of the boundary 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

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 Planning Commission. 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 and the Planning Commission will make a recommendation to the County Commission. The applicant shall be present to present their request and all pertinent information about their request.

Within fifteen (15) calendar days of a decision made by the Planning Commission, the County Commission will hold a public meeting to hear the Planning Commission's recommendation. Attendees at the public meeting will be notified of the date and time of the County Commission's public hearing. The County Commission will endeavor to make a decision on the request and recommendation within ten (10) working days after the County Commission hearing.

V. Approval of Application

1) If the request for rezoning is approved by the County Commission, the applicant will receive approval and will be formally notified by mail by the Planning Office. An original court order will be signed by the County Commission and will be filed with the Clerk of Court of Hardy County within three (3) working days. The Planning Office will amend the zoning map or zoning ordinance text to reflect the approved request.

2) If the request for rezoning is denied by the County Commission, the applicant will be formally notified in writing by the Planning Office of the denial and the right to appeal the decision to the Hardy County Circuit Court within thirty (30) days of the County Commission's decision. An original court order will be signed by the County Commission and will be filed with the Clerk of Court of Hardy County within three (3) working days and a copy of the order will be mailed to the applicant.