

ARTICLE 10

VARIANCES AND EXCEPTIONS

Sections:

10-1 Variances and Exceptions

SECTION 10-1 VARIANCES AND EXCEPTIONS

10-101.

- a. Whenever the Planning Commission deems full conformance to provisions of these regulations is impractical or impossible due to the size, shape, topographic location or condition, or such usage of land included in a subdivision plat being presented for approval, the Planning Commission may recommend variances or exceptions of these regulations in the final plat. Such recommendation shall intend that substantial justice may be done and the public interest be secured. Such Planning Commission recommendation for authorization of variances or exceptions shall be made by letter of transmittal to the Governing Body. In recommending such variances or exceptions, the Planning Commission must find:
 1. That there are special circumstances or conditions affecting the property;
 2. That the variances or exceptions are necessary for the reasonable and acceptable development of the property in question; and
 3. That the granting of the variances or exceptions will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.
- b. Such request for exception shall be approved or disapproved by the Governing Body after its consideration of the recommendation of the Planning Commission. The decision of the Governing Body shall be transmitted in writing to the subdivider and the Planning Commission.