

ARTICLE 10

RULE EXCEPTIONS

Sections:

10-1 Rule Exceptions

SECTION 10-1 RULE EXCEPTIONS

10-101.

- a. Whenever the Planning Commission deems full conformance to the standards and procedures of these regulations is impractical or impossible due to the size, shape, topographic location or condition, or other factor which affects a specific tract or subdivision or portion thereof, the applicant may request and the Planning Commission may recommend a rule exception 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 rule exceptions shall be made by letter of transmittal to the Governing Body. In recommending such rule exceptions, the Planning Commission must find:
 1. That there are special circumstances or conditions affecting the property;
 2. That the exceptions are necessary for the reasonable and acceptable development of the property in question; and
 3. That the granting of the 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 applicant and the Planning Commission.