PART 9

MODIFICATION OF REQUIREMENTS

Section 901. APPLICATION OF MODIFICATION PROVISIONS

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship, the Board of Supervisors, may make such reasonable modification thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.

Section 902. REQUESTS FOR MODIFICATION

Applications for a modification of requirements shall be submitted in writing by the Applicant at the time the Preliminary Plat or Final Plat is filed with the Miller Township.

The written modification request shall include the following:

1. The section number(s) for which the modification(s) is/ are being requested.

2. The written request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based. The request is required to cite the particular conditions associated with the land in question.

3. An explanation of how this constitutes the minimum modification necessary and how the modification is not contrary to the public interest.

Section 903. GRANTING OF MODIFICATION

In granting any modification, the Board of Supervisors shall record its action in its meeting minutes and the grounds for granting any modification to the Applicant.

Section 904. DENIAL OF MODIFICATION

Whenever a request for a modification of requirements is denied, the Board of Supervisors shall record its action and the grounds for such denial in its minutes. The Board shall transmit a copy of its action and the grounds for such denial of any modification to the applicant.

Section 905. DISPLAYING ON PLANS

All subdivision or land development plans must display all granted modifications prior to their approval.