

ARTICLE 11

MODIFICATION OF REQUIREMENTS

Section 1101. GENERAL STATEMENT

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in undue hardship because of peculiar conditions pertaining to the land, the Board of Commissioners, on recommendation of the Planning Commission and Township Engineer, 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 1102. APPLICATION SUBMISSION

All requests for a modification of requirements shall be submitted in writing by the Applicant at the time the Minor, Preliminary or Final Plan is filed with the Planning Commission. The application shall state in full the grounds and facts of unreasonableness or hardship upon which the request is based, the provision or provisions of the ordinance involved, and the minimum modification necessary.

Section 1103. RECORDING OF DECISION - APPROVAL

In granting any modification of requirements, the Board of Commissioners shall record its action and the grounds for granting any modification in its minutes. The Board of Commissioners shall transmit a copy of its approval to the Applicant within fifteen (15) working days of the date of the Board's decision.

Section 1104. RECORDING OF DECISION - DENIAL

Whenever a request for a modification of requirements is denied, the Board of Commissioners shall record its action and the grounds for such denial in its minutes. The Board of Commissioners shall transmit a copy of its action and the grounds for such denial of any modification to the Applicant within fifteen (15) working days of the date of the Board's decision.

Section 1105. APPEALS

Persons aggrieved by the granting or denial of a request for a modification of requirements may appeal the Board of Commissioners's decision through the use of the appeals procedure as outlined in the "Pennsylvania Municipalities Planning Code, Act 247," as amended.