

ARTICLE III
MODIFICATIONS OR WAIVERS

§ 14-301. General

Where the Board of Supervisors finds that undue hardships because of peculiar conditions pertaining to the land in question may result from the literal enforcement of this Chapter, they may grant a modification or waiver from the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Center Township Comprehensive Plan or this Chapter. The conditions of such modification or waiver are as follows:

- A. All requests for a modification or waiver shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Chapter involved and the minimum modification or waiver necessary.
- B. The request for modification or waiver shall be referred to the Planning Commission for advisory comments and recommendation.
- C. The Board of Supervisors as the authorizing body shall keep a written record of all action on all requests for modifications.

§ 14-302. Land Development

The standards and requirements of this Ordinance are the minimum necessary to protect the health, safety and general welfare of current and future Township residents. Where a higher standard is in effect, and such activity is under the jurisdiction of any County, State, or Federal agency because of health or safety concerns, the Board of Supervisors shall hold the development proposal to that higher standard, although enforcement of such standards shall be the responsibility of the agency with jurisdiction. The Board of Supervisors, following the recommendations of the Planning Commission, shall require that all land development proposals provide for adequate public space and improvements, for adequate transportation circulation, recreation, light, air and utility service needs when fully-developed and populated, and which also provides such covenants and other legal provisions as will assure conformity with all land use regulations in effect at the time of approval and achievement of the development goals of the plan.

- A. Mobile Home Parks: See Article XI. Provisions may be modified as per Section 14-301 of this Ordinance.
- B. Other Land Development: Plans for other types of land development not involving the process of subdivision, including, but not limited to, cottage

and cabin sites, campgrounds, fairgrounds, industrial parks, extraction and/or processing of minerals including oil and gas, shopping centers, educational campuses, and institutional facilities and similar nonresidential development shall be subject to review and recommendation by the Planning Commission and approval by the Board of Supervisors in compliance with Section 14-404, and the appropriate provisions of ordinances cross-referenced herein, including the Center Township Zoning Ordinance and Comprehensive Plan. Prior to approval, evidence of compliance with the rules and regulations of all applicable State and County agencies will be required. (*Ord 2011-12-05, 12/14/11, §30*)

§ 14-303. Waiver of Sketch Plan

Waiver of Preapplication Conference (Sketch Plan Submission): The Planning Commission may waive the sketch plan submission requirement of Section 14-402 upon favorable report by the staff that the initial formal plan submission is complete and in suitable form for processing.