

## SECTION 10

### VARIATIONS AND EXCEPTIONS

- 10.1 When a subdivider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to, and when, in the opinion of the Planning Commission, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Commission may recommend a variance or modification to the Council. The subdivider shall apply in writing for such variance or modification. Any variance thus recommended shall be entered in writing in the minutes of the Commission and the reasoning on which the departure was justified shall be set forth. Any variance or modification authorized by the Council shall be made by resolution and a copy thereof shall be attached to and made a part of the Final Plan.
- 10.2 No variance shall be granted unless the Commission finds that no detriment will be caused to the public welfare and no damage will be caused to other public property in the area in which the property for which the variance is requested is situated, and that the variance will not substantially impair the intent and purpose of this Ordinance.
- 10.3 Group Developments. The Commission may approve a comprehensive group development, including residential neighborhood units, cluster developments, and condominium types, if it finds that the variations from these regulations will not adversely affect the health, welfare, safety, and convenience of the individuals occupying said development. In a comprehensive group development the allowable percentage of land which is to be set aside for various types of dwelling, commercial, and/or industrial uses shall not exceed the amount specified in the Zoning Ordinance for the district for which the development is proposed to be located.