

SALDO WAIVER REQUEST INSTRUCTIONS

DINGMAN TOWNSHIP

- Below is an excerpt directly from the Dingman Township Subdivision and Land Development Ordinance pertaining to the procedures for Waivers. **Please read thoroughly to assure submission of complete information and documentation.**
 - Complete the attached Waiver Application form.
 - Attach Hearing Fee payment in the form of a check payable to *Dingman Township*.
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§ 100-06. Waivers and Modifications.

- A. The Township Board of Supervisors shall have the power to authorize waivers and modifications of these regulations.
- B. **Applications for such waivers and modifications shall be submitted in writing by the subdivider or agent at the time the subdivision or land development plan is filed**, except in cases where a waiver or modification is proved necessary at a later date by construction conditions. **The application shall state fully the grounds upon which it is based and all the facts relied upon by the agent, subdivider or developer.**
- C. The Township Board of Supervisors may, by resolution, authorize a waiver or modification of these regulations when, in its opinion, undue hardship will result from strict compliance therewith, subject, however, to the provisions of the Pennsylvania Municipalities Planning Code and the following:
 - (1) Waiver or modification applications shall, in those instances where either the applicant so requests, or the Township determines a waiver or modification could have an impact on adjoining properties, be subjected to a public hearing pursuant to public notice. The person applying for a waiver or modification shall in such cases pay to the Township, in advance, such sum as provided for by resolution of the Township Board of Supervisors setting forth fees.
 - (2) Any resolution of the Township Board of Supervisors authorizing a waiver or modification of these regulations shall state in it the reasons on which the Board of Supervisors bases its finding that unreasonable hardship will result from strict compliance with these regulations.
- D. In authorizing a waiver or modification, the Township Board of Supervisors may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of these regulations. **Modifications may be granted where the following conditions occur;**
 - (1) There is no reasonable possibility, because of unique physical circumstances, of developing the property in strict conformity with the provisions of these regulations.
 - (2) The above hardship would be unique and not shared by other properties in the immediate vicinity.
 - (3) The waiver would not change the character of the area and would preserve the purpose and intent of these regulations.

