



Administrative Provisions

**Article
XXIV**

Fort Mill Unified Development Ordinance

Section 24.1 Modification

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the subdivision regulations that would result in substantial hardship or inequity, the planning commission may vary or modify, except as otherwise indicated, requirements of design, but not of procedure or improvements, so that the subdivider may develop his property in a reasonable manner, but so, at the same time, the public welfare is protected and the general intent and spirit of this ordinance is preserved. Such modification may be granted upon written request of the subdivider stating the reasons for each modification and may be waived by an affirmative vote of two-thirds of the membership of the planning commission. The planning commission does not have the authority to modify or waive any other spatial, dimensional or zoning requirement in the ordinance.

Section 24.2 Conditions of Modification

In granting variations and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Section 24.3 Interpretation of Boundaries

Where uncertainty exists with respect to the boundary of the subdivision jurisdiction of the town, the location of such boundary shall be determined by scaling the distance on the official copy of the map.

Section 24.4 Amendment

This ordinance may be amended by the town council. Amendments shall be processed in accordance with the procedures of *Article XX*.

Section 24.5 Appeal

Staff action, to approve or disapprove an exempt subdivision or construction plan may be appealed to the planning commission by any party in interest. The planning commission shall act on the appeal within 60 days and the action of the planning commission is final. An appeal from the decision of the planning commission may be taken to circuit court within 30 days after actual notice of the opinion.

Section 24.6 Violations and Penalties

The provisions of Article 16 shall apply to enforcement, violations and penalties.