

Section 340.09. MODIFICATIONSJ EXCEPTIONS AND VARIANCES

- Subd. 1. Hardship. The City may grant a variance upon receiving a report from the Planning Commission in any particular case where the sub-divider can show by reason of exceptional topography or any other physical conditions that strict compliance with these regulations would cause exceptional and undue hardship, provided such relief may be granted without detriment to the public welfare and without impairing the intent and purpose of these regulations. The Planning Commission may recommend variations from the requirements of this Chapter in specific which, in its opinion, do not affect the Comprehensive Plan or the intent of this Chapter. Any modifications thus recommended shall be entered in the minutes of the Planning Commission in setting forth the reasons which justify the modifications. The Council may approve variances from these requirements in specific cases which in its opinion meets the above requirements and do not adversely affect the purposes of this Chapter.
- Subd. 2. Applicability. Nothing herein shall be so construed as to direct or imply that these regulations apply only to residential subdivisions. All subdivisions, be they commercial, industrial, public land use, or otherwise, shall be a subdivision regardless of the proposed land use if falling within the definition of a subdivision as defined herein.
- Subd. 3. Easements. All easements required for public purposes shall be provided at locations approved by the Council. Said easements may be for utilities, drainage, flood plan protection, walking trails, etc. However, all easements other than utility and drainage easements must be conveyed and recorded at the County Recorder prior to Plat approval. No Plat shall be approved that may for any reason be detrimental to local, county or regional utility plan. Oversizing of utilities to provide future service for more intense development of the land or to provide future service to other areas may be required.