

Powers and Duties-Special Exceptions

- A. The Board shall have the power to approve Special Exceptions for any of the uses for which this Ordinance requires obtaining of such Exceptions and for no other use or purpose. The Board shall not grant a Special Exception except in conformance with the conditions and standards of this Ordinance.
- B. In granting a Special Exception, the Board shall make findings of fact consistent with the provisions of this Ordinance. The Board shall grant a Special Exception only if it finds adequate evidence that any proposed use submitted for a Special Exception will meet all of the following general requirements as well as any specific requirements and standards listed for the proposed use. The Board shall, among other things, require that any proposed use and location be:
1. In accord with the Town's Comprehensive Development Plan and consistent with the spirit, purposes, and intent of this Ordinance.
 2. Suitable for the property in question, and designed to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity.
 3. Suitable in terms of effect on street traffic, present and future transportation patterns, and safety with adequate access arrangements to protect streets from undue congestion and hazard.
 4. Population changes.
 5. Availability of public facilities.
 6. Recommendation of the Planning Commission.
- C. In granting the proposed Special Exception, the Board may impose whatever conditions it regards as necessary and appropriate to make the Special Exception as compatible as possible with the rest of the neighborhood in which it is located, and to insure that any proposed developments will secure substantially the objectives of this Ordinance, including alterations to the exterior of any building, changes in traffic flow, or parking, upon the property, the construction of screening, fencing, planting of shrubbery, and any other such conditions. Any conditions set by the Board, under the provisions hereof, shall be conditions precedent, and the Special Exception granted hereunder shall not become effective until such conditions are fully carried out and/or kept and maintained, and any such Special Exception shall be void and any development carried out pursuant thereto shall be illegal insofar as it is not in strict compliance with the provisions of this Ordinance.