

**ARTICLE 1.2 EFFECT ON EXISTING LAW AND PREVIOUS DEVELOPMENT APPROVALS**

**Section 1.2.1 Existing Laws:** Except as specifically provided herein, these Land Development Regulations shall not be interpreted to repeal, abrogate, annul, or in any way affect any existing provisions of any statute, permit, deed restriction, or covenant adopted or issued relating to the use of land or buildings, or the erection, construction, moving, alteration, or enlargement of any structure or improvement.

**Section 1.2.2 Previous Development Application Approvals:**

(A) **Established Projects:** Any development project which has not yet been completed by October 1, 1990, but is determined to have been established under provisions of the previous regulations [173.868(A) & 173.849(A)] shall be allowed to continue to completion pursuant to that previous approval.

(B) **Projects Not Established:** Any development application which was approved, with or without conditions, but which was not established under provisions of the previous regulations [173.868(A) & 173.849(A)] shall be allowed to initiate and continue to completion pursuant to that previous approval within the time period allowed for establishment of the project. It shall not be necessary, as a condition to obtain a building permit, that a variance be obtained to achieve conformity with these Land Development Regulations.

(C) **Expiration and Extensions of Previously Approved Projects:**

(1) **Not Under Construction:** Any development application which was approved, with or without conditions, and which did not receive a building permit for construction of structures prior to the expiration of that approval shall become void at that time. In order to reestablish approval of the project, development application(s) must be submitted and processed as if the project were new.

(2) **Under Construction:** Any development project which commenced construction but did not become established upon the expiration of that approval shall be deemed void at that time unless a request for extension of approval had been granted prior to the expiration of the previous approval. [See Section 2.4.4(E) for procedures for seeking an extension of approval.] [See Section 1.3.1(C) for criteria re "actual construction"].

(D) **Compliance with New Regulations:**

(1) Any development application which expired pursuant to 1.2.2(C)(1) shall, if resubmitted, fully comply with these Land Development Regulations.

## **SECTION 1.2.2 (D) (2)**

(2) Any development application which expires because an extension was not granted under 1.2.2(C)(2) shall, if resubmitted, fully comply with these Land Development Regulations.

(3) Any development application which is granted an extension pursuant to 1.2.2(C)(2) may be required, as a condition of extension approval, to be modified in whole, or in part, to comply with the provisions of these Land Development Regulations.

(4) Any development application which seeks an extension under 1.2.2(C)(2) shall not be approved if the resulting use of the land or structures will be in conflict with the Future Land Use Map of The Comprehensive Plan or with the allowable uses pursuant to the property's zoning designation.