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## MEMORANDUM

**TO:** Howey-in-the-Hills Development Review Committee  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Whispering Hills Review Status  
**DATE:** August 5, 2024

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In preparation for the final subdivision plan review for the Whispering Hills project it was discovered that there is no final record documenting the rezoning of the property from MDR-1 to MDR-2 when the issue was considered in late 2018. The basis for the rezoning was to allow an increase in the total number of units from 107 to 156 with the added units supporting a change from the previously approved plans allowing 107 septic tanks to a plan which requires the connection of the project to central sewer. The lakefront lots were to remain at the MDR-1 lot size while the “interior” lots would conform to the MDR-2 standard. Subsequently the Town staff reviewed a preliminary subdivision plan which was accepted by the Planning Board and Town Council, and the staff also reviewed a final subdivision plan based on the R-2 standards.

The discovery of the incomplete zoning action means that the MDR-1 zoning remains in force, and the final subdivision plan cannot be accepted as it does not meet the MDR-2 standard. There is a development agreement that includes specific actions required of the project, but the actual zoning, even under the revised plan, remained as standard zoning and not a planned unit development.

If the property owner wishes to proceed with the current plan, an application will need to be filed with the Town to rezone the property from MDR-1 to MDR-2 and then seek subdivision design approval for the preliminary and final subdivision plan. The application will then be processed according the town code requirements.