

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Monday, April 10, 2017 12:34 PM
To: Stephen A. Schuller; Sawyer, Kim
Cc: Miller, Susan
Subject: RE: TMAPC Case No. Z-7376 (Rezoning request from CH to RS-3)

Kim,

Staff supports Mr. Schuler's request for a continuance. On behalf of the applicant please forward the continuance request to the Planning Commission for the meeting scheduled May 17th, 2017.

Thanks

INCOG

C. Dwayne Wilkerson
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From: Stephen A. Schuller [<mailto:sschuller@gablelaw.com>]
Sent: Monday, April 10, 2017 12:28 PM
To: Wilkerson, Dwayne
Subject: TMAPC Case No. Z-7376 (Rezoning request from CH to RS-3)

Dwayne –

As we discussed last week, please process a request for a continuance of the hearing on **Wednesday 19 April** of the matter identified in the Subject line above.

My client has a prospective purchaser of the subject property whose financing requirements will not include a change of the underlying zoning of the property, provided I am able to secure a special exception from the Board of Adjustment to permit the residential use of the property. My request to the Board of Adjustment is scheduled for hearing the following week (**Case No. BOA-22226 on Tuesday 25 April**), and while I anticipate a successful outcome, one can never be certain, so my clients and I would prefer to retain the re-zoning case pending the outcome of the special exception case.

I believe a continuance to the very next TMAPC meeting (after **5 May**, the expiration of the period for an appeal from the Board of Adjustment) would be appropriate, and if all goes well at the Board of Adjustment and no appeal is filed, I would expect to be notifying you of the withdrawal of the re-zoning application before the scheduled TMAPC meeting.

Feel free to contact me by telephone or e-mail if you have any questions.



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