

**[HLURB MEMORANDUM CIRCULAR NO. 27, s.
1997, October 07, 1997]**

**RESOLUTION NO. R-602, ADOPTING A POLICY GUIDELINE IN
THE APPROVAL OF DEVELOPMENT PERMIT FOR NON-
CONFORMING CONDOMINIUM PROJECTS**

1. Quoted hereunder is the full text of the above resolution, approved by the Board of Commissioners on 08 September 1997:

WHEREAS, this Board under EO 648 is the sole regulatory authority in housing and land development;

WHEREAS, pursuant thereto, this Board under PD 957 acts on all applications for development permits and certificates of registration and licenses to sell for condominium projects;

WHEREAS, in the approval for development permit for condominium projects, the Board is tasked to evaluate the condominium development plans anent its compliance with land use and zoning regulation as well as with the minimum design standards, facilities and amenities for condominium projects;

WHEREAS, pursuant to EO 72 the function of this Board in issuing locational clearances has been devolved to the local government units;

WHEREAS, certain local government units have issued locational clearances, variances and exceptions and building permits for condominium projects despite their non-conformity to the zoning and land use of the project site;

WHEREAS, considering the autonomy of local government units, this Board recognizes the clearances and permits issued by local authorities on condominium projects in their respective jurisdiction and consequently this Board in processing the application for development permit shall evaluate the condominium plans as to its compliance with the minimum design standards, required facilities and amenities for condominiums;

WHEREAS, considering that these condominium projects undoubtedly affect to a certain extent the residential character of the area, there is a need to safeguard the interests of the homeowners/residents by requiring compliance with certain safeguards provided by existing laws, rules and regulations;

WHEREFORE, be it RESOLVED, AS IT IS HEREBY RESOLVED, that in all applications for development permits for condominiums where the local authorities have already issued clearances and permits thereon, as of the date of this Resolution, the Board shall recognize said permits and clearances as determinative of zoning and land use