

**From:** Ryan Howser  
**Sent:** Wednesday, June 16, 2021 11:59 AM  
**Subject:** RE: PC 6/16/21 - Woodmen Hills Filing No 12 (SF-20-022) Question(s)

Mr. Moraes,

The CR district has a minimum zoning district area of 5 acres, but there is no minimum lot size. I've pasted an excerpt from the Code below – you'll notice the blank for minimum lot size and the 5 acres is under minimum zoning district area. So according to the below, the lot would be considered legally conforming presently and after subdivision. Just as a reminder, the minimum setback is 25 feet from the perimeter boundary of the zoning district, but no minimum setback is required from any internal side or rear lot line within the same district.

Zoning District	Zoning District Area	Minimum Lot Size	Minimum Setbacks			Maximum Lot Coverage	Maximum Height
	Minimum		Front	Rear	Side		
Commercial Zoning Districts							
CC	1 acre <sup>11</sup>		25 ft <sup>1,11</sup>	25 ft <sup>2,11</sup>	25 ft <sup>2,11</sup>		40 ft
CR	5 acres <sup>11</sup>		50 ft <sup>3,4,11</sup>	25 ft <sup>2,3,4,11</sup>	25 ft <sup>2,3,4,11</sup>		45 ft
CS	2 acres <sup>11</sup>		25 ft <sup>1,3,11</sup>	25 ft <sup>1,2,3,11</sup>	25 ft <sup>1,2,3,11</sup>		45 ft

Please let me know if this adequately addresses your concerns or if you need me to clarify anything.

Thanks,

Ryan

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Ryan / Lori -

I am reading through the Woodman Hills agenda item and have a question or two or...five.

Please correct me if I am wrong in my thinking.

From what I am reading the original property is CR and 1.64 acres. Since the min acreage in CR is 5 acres, does this make it a non-conforming lot? Or does this property fall under LDC 5.6.7(B)(1) -- Non-conforming lot considered conforming -- because the lot is 20,000 sq ft and served by central water? In this case, the lot is still legally non-conforming, just considered conforming for building/development purposes, right?

The issue I have in my mind is that when I read LDC 7.2.3(C)(4), it says as one of the Approval Criteria, the BoCC must find that "no nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased". (In what other ways can nonconformities increase during the replat process?)

To me, you have one existing nonconforming lot and now the applicant is splitting it in half and creating two non-conforming lots which seems like an increase in nonconforming lots. Considerations of 5.6.7(B)(1) aside, they are still trying to create more nonconforming lots in the CR zoning district.

In my mind, if this replat is okay, doesn't the minimum area for a CR (or any zoned property) become 20,000 sq ft as long as it is served by central water? If yes, it this what the County is seeking to do?

Thanks for your thoughts!

Respectfully -

Eric