



MEMORANDUM

DATE: June 28, 1993
TO: All Planners
FROM: Peter N. Maurer, Principal Planner *PNT*
SUBJECT: Non-conforming Parcels on BLA's

INTERPRETATION:

A non-conforming parcel may be further reduced in size via the boundary line adjustment process provided that the resultant parcels will not result in the potential of additional parcels than would be permitted prior to such a BLA.

Discussion:

The previous department policy was that no parcel that was substandard in size based on the zoning could be further reduced in size by means on a BLA. The one exception to this was if two parcels were substandard, acreage could be swapped as long as the resultant parcels were no smaller than what previously existed. To illustrate this, take two parcels in the RE-5 zone district, one parcel with two acres, the other with three. One acre could be transferred from the three acre parcel to the other, the result still being a two- and a three-acre parcel. However, the BLA could not result in a four- and a one-acre parcel.

A couple of recent applications have demonstrated the need to provide more flexibility with this standard. One such example was a situation where there was a logical boundary between two parcels in the RE-10 zone, resulting in a nine- and an eleven-acre parcel. No additional parcels could be created as a result of the BLA, therefore, under this interpretation, such a BLA could be approved.

An example of a BLA that would not be consistent with this policy is as follows: Two parcels in the RE-5 zone district, one at five acres, the other seven. The proposed BLA would reduce the seven-acre parcel to two acres, leaving a ten-acre parcel which could then be further subdivided. This may not be approved because it

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creates the potential for further division as a result of the
substandard lot.