

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Claim Nos. CL 06-15 and                     )  
CL 06-16 for Compensation under Measure 37                )  
submitted by Paul L. Thayer and Laura R. Thayer         )       Order No. 44-2006

WHEREAS, on November 15, 2005, Columbia County received claims under Measure 37 and Order No. 84-2004 from Paul L. Thayer and Laura R. Thayer, St. Helens, Oregon, for property having Tax Account Numbers 4106-042-00600 and 4106-042-01201; and

WHEREAS, on October 15, 2005, the Circuit Court for Marion County declared Measure 37 unconstitutional in a decision entitled *McPherson v. State of Oregon*; and

WHEREAS, on March 7, 2006, the Oregon Supreme Court entered a judgment overturning the Marion County Circuit Court decision, and declaring Measure 37 constitutional; and

WHEREAS, the deadline for a County decision on the claims is May 28, 2006; and

WHEREAS, according to the information presented with the Claim, Paul L. Thayer has continuously had an interest in the property subject to CL 06-15 since 1969, and Paul L. and Laura R. Thayer have continuously owned an interest in the property subject to CL 06-16 since June 27, 1973, and

WHEREAS, in June 1973 Columbia County had not yet zoned the subject property; and

WHEREAS, the subject parcel is currently zoned R-10 (Single-Family Residential) pursuant to the Columbia County Zoning Map; and

WHEREAS, pursuant to Columbia County Zoning Ordinance (CCZO), Section 704.1(A), the minimum size for new parcels zoned R-10 is one acre, provided the parcels are served by either community water or sewer; and

WHEREAS, Mr. and Mrs. Thayer claim that the minimum lot size requirement for land divisions has restricted the use of the property and has reduced the value of the property by \$393,200.00; and

WHEREAS, Mr. and Mrs. Thayer desire to divide the properties to create approximately half-acre parcels; and

WHEREAS, pursuant to Measure 37, in lieu of compensation the Board may opt to not apply (hereinafter referred to as "waive" or "waiver") any land use regulation that restricts the use of the Claimants' property and reduces the fair market value of the property to allow a use which was allowed at the time the Claimants acquired the property;

NOW, THEREFORE, it is hereby ordered as follows:

1. The Board of County Commissioners adopts the findings of fact set forth in the Staff Report for Claim Numbers CL 06-15 and 06-16, dated May 18, 2006, which is attached hereto as Attachment 1, and is incorporated herein by this reference.
2. In lieu of compensation, the County waives CCZO 704.1(A) to the extent necessary to allow the Claimants to divide the property into half-acre parcels for residential use.
3. This waiver is subject to the following limitations:
  - A. This waiver does not affect any land use regulations promulgated by the State of Oregon or the City of St. Helens. If the use allowed herein remains prohibited by a State of Oregon or City of St. Helens land use regulation, the County will not approve an application for land division, other required land use permits or building permits for development of the property until the State or City have modified, amended or agreed not to apply any prohibitive regulation, or the prohibitive regulations are otherwise deemed not to apply pursuant to the provisions of Measure 37.
  - B. In approving this waiver, the County is relying on the accuracy, veracity, and completeness of information provided by the Claimants. If it is later determined that Claimants are not entitled to relief under Measure 37 due to the presentation of inaccurate information, or the omission of relevant information, the County may revoke this waiver.
  - C. Except as expressly waived herein, Claimants are required to meet all local laws, rules and regulations, including but not limited to laws, rules and regulations related to subdivision and partitioning, and the building code.
  - D. This waiver is personal to the Claimants, does not run with the land, and is not transferable except as may otherwise be required by law.
  - E. By developing the parcel in reliance on this waiver, Claimants do so at their own risk and expense. The County makes no representations about the legal effect of this waiver on the sale of lots resulting from any land division, on the rights of future land owners, or on any other person or property of any sort. By accepting this waiver, and developing the property in reliance thereof, Claimants agree to indemnify and hold the County harmless from and against any claims arising out of the division of property, the sale or development thereof, or any other claim arising from or related to this waiver.

4. This Order shall be recorded in the Columbia County Deed Records referencing Tax Lot numbers 4106-042-00600 and 4106-042-01201 without cost.

Dated this 23rd day of May, 2006.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. Kelly  
County Counsel

By: Joe Corsiglia  
Joe Corsiglia, Chair

By: Rita M. Bernhard  
Rita Bernhard, Commissioner

By: Anthony Hyde  
Anthony Hyde, Commissioner

After recording please return to:  
Board of County Commissioners  
230 Strand, Room 331  
St. Helens, Oregon 97051

# COLUMBIA COUNTY LAND DEVELOPMENT SERVICES

## Measure 37 Claim

### Staff Report

**DATE:** May 18, 2006

**FILE NUMBERS:** CL 06-15 & CL 06-16

**CLAIMANTS/OWNERS:** Paul L. Thayer  
Laura R. Thayer  
PO Box 642  
St. Helens, OR 97051

### SUBJECT PROPERTY

**PROPERTY LOCATION:** Sykes Road, across from Arbor Hill  
St. Helens OR

**TAX ACCOUNT NUMBERS:** 4106-042-00600 (Tax Lot 600)  
4106-042-01201 (Tax Lot 1201)

**ZONING:** Suburban Residential (R-10)(until 1999)  
Single-Family Residential (R-10)(after 1999)

**SIZE:** Tax lot 600: 3.36 acres  
Tax lot 1201: 1.07 acre

**REQUEST:** To divide the parcels for residential development

**CLAIMS RECEIVED:** November 15, 2005

**180 DAY DEADLINE:** May 28, 2006

**NOTICE OF RECEIPT OF CLAIM:** Mailed May 10, 2006. No request for hearing has been received as of the date of this staff report.

### I. BACKGROUND:

Paul and Laura Thayer acquired tax lot 600 on June 27, 1973. Paul L. Thayer acquired tax lot 1201 as part of a larger conveyance on July 30, 1969 from Mr. Thayer's parents, Lundie Thayer and Doris I. Thayer. Mr. Thayer's parents acquired the property that includes tax lot 1201 in 1948, although Mr. Thayer's claim dates only from the date of his acquisition of the property.

According to the claim documents, Mr. and Mrs. Thayer wish to divide tax lot 600 to create three half-acre parcels, and to divide tax lot 1201 into two half-acre parcels. All of the resulting parcels are intended for single-family residential development.

## **I. APPLICABLE CRITERIA AND STAFF FINDINGS:**

### **MEASURE 37**

**(1) If a public entity enacts or enforces a new land use regulation or enforces a land use regulation enacted prior to the effective date of this amendment that restricts the use of private real property or any interest therein and has the effect of reducing the fair market value of the property, or any interest therein, then the owner of the property shall be paid just compensation.**

**(2) Just compensation shall be equal to the reduction in the fair market value of the affected property interest resulting from enactment or enforcement of the land use regulation as of the date the owner makes written demand for compensation under this act.**

### **A. PROPERTY OWNER AND OWNERSHIP INTERESTS:**

- 1. Current Ownership:** Claimants submitted a chain of title report issued by Ticor Title on November 10, 2005 for both tax lots. According to the title report, tax lot 600 is vested in Paul L. Thayer and Laura R. Thayer as tenants by the entireties. Tax lot 1201 is vested in Paul L. Thayer.
- 2. Date of Acquisition:** The Claimants acquired tax lot 600 through a warranty deed from Mildred Briggs on June 27, 1973. (Columbia County Deed Records Book 192, Page 22.)

Paul L. Thayer acquired tax lot 1201 through a bargain and sale deed from Lundie Thayer and Doris Irene Thayer on July 30, 1969 (Columbia County Deed Records Book 174, Pages 202-2004.)

### **B. LAND USE REGULATIONS IN EFFECT AT THE TIME OF ACQUISITION**

The R-10 zoning was first applied to the two tax lots in August 1973, with the adoption of the South County Zoning Ordinance. The zoning regulations post-date the acquisition of the two properties.

### **C. LAND USE REGULATION(S) APPLICABLE TO SUBJECT PROPERTY ALLEGED TO HAVE REDUCED FAIR MARKET VALUE/EFFECTIVE DATES/CLAIMANT ELIGIBILITY**

From 1973 until 1979, the R-10 zoning standards permitted land divisions that created lots as small as 10,000 square feet. (See 1973 Zoning Ordinance Section 405-1 "The minimum lot size shall be ten thousand (10,000) square feet per single family dwelling unit .....") In 1981, the tax lots were included within the St. Helens Urban Growth Boundary. The Urban Growth Management Agreement adopted by the county and the city required the county to apply city approval standards to land use applications for land located within the boundaries. It is not clear whether city zoning regulations imposed higher development standards than those set out in the R-10 zoning provisions. The subject tax lots are also located within the McNulty Water Association boundaries. The association provides domestic water service through a community water system.

The claimants allege that the regulations that reduced the fair market value of their property were adopted after 1979. According to the claimants, after 1979 the Board of County Commissioners amended the R-10 zoning standards to establish a one-acre minimum lot size if the lot is served by either community water or public sewer. (See 1984 Zoning Ordinance Section 704-1(A)) Claimants assert that these zoning regulations prevent them from dividing their property into half-acre parcels and constructing dwellings on them. It appears that the county standard that clearly prevents the claimants from developing their property as desired is:

CCZO 704.1(A) establishing a one-acre minimum parcel size with access to public water or sewer

#### D. CLAIMANT'S ELIGIBILITY FOR FURTHER REVIEW

Claimants acquired an interest in the property before CCZO Section 704.1(A) became effective and therefore the Claimants may be eligible for compensation and/or waiver of the cited regulations under Measure 37.

#### E. STATEMENT AS TO HOW THE REGULATIONS RESTRICT USE

The Claimants state that they cannot divide their property as proposed due to the county's one-acre minimum parcel size standard.

Staff concedes that CCZO 704.1(A) can be read and applied to "restrict" the use of claimants' property within the meaning of Measure 37.

#### F. EVIDENCE OF REDUCED FAIR MARKET VALUE

##### **1. Value of the Property as Regulated.**

The claimants submitted copies of county assessor's records that estimate the value of tax lot 600 at \$184,300 and the value of tax lot 1201 as \$206,700 (\$107,700 for improvements plus \$99,000 for the land).

##### **2. Value of Property Not Subject To Cited Regulations.**

Claimants allege that if their property is divided, each resulting parcel would be worth \$75,800. They base their estimate on assessors record for three properties located nearby, ranging in size from .43 acre to .51 acre in size. The values for the land alone on those properties ranged from \$69,000 to \$75,800.

##### **3. Loss of value indicated in the submitted documents is:**

The written documentation in support of the claim alleges a total reduction in value of \$227,400 for tax lot 600 and \$75,800 for tax lot 1201.

Staff notes that this value assumes that the resulting parcels are developable for the use proposed. If the subject property is divided and then sold as undeveloped lots, there is a significantly lower value, as an attorney general opinion concludes that while the claimants themselves may avail themselves of the benefits of Measure 37 and develop the property according to the regulations in place at the time of acquisition, that benefit is not transferable. Nevertheless, staff concludes that for the purpose of establishing a loss in value, the claimants have made a prima facie case that the application of the R-10 (post-1979) zoning on the property has resulted in a loss in value.

While staff does not agree that the information provided by the claimants is adequate to fully establish the current value of the property or the value of the property if it was not subject to the cited regulations, staff concedes that it is more likely than not that the property would have a higher value as five residential parcels than as a 1.07 acre residential parcel and a 3.36 acre residential parcel.

#### G. COMPENSATION DEMANDED

Claimants demand a total of \$393,200.00 (the sum of the claim amounts listed on page one of the two claims.)

#### **(3) Subsection (1) of this act shall not apply to land use regulations:**

**(A) Restricting or prohibiting activities commonly and historically recognized as public nuisances under common law. This subsection shall be construed narrowly in favor of a finding of compensation under this act;**

**(B) Restricting or prohibiting activities for the protection of public health and safety, such as fire and building codes, health and sanitation regulations, solid or hazardous waste regulations, and pollution control regulations;**

**) To the extent the land use regulation is required to comply with federal law;**

**(D) Restricting or prohibiting the use of a property for the purpose of selling pornography or performing nude dancing. Nothing in this subsection, however, is intended to affect or alter rights provided by the Oregon or United States Constitutions; or**

**(E) Enacted prior to the date of acquisition of the property by the owner or a family member of the owner who owned the subject property prior to acquisition or inheritance by the owner, whichever occurred first.**

CCZO Section 704 does not qualify for any of the exclusions listed.

However, staff notes that other siting standards, including fire suppression requirements, access requirements and requirements for adequate domestic water and subsurface sewage, continue to apply as they are exempt from compensation or waiver under Subsection 3(B), above.

**(4) Just compensation under subsection (1) of this act shall be due the owner of the property if the land use regulation continues to be enforced against the property 180 days after the owner of the property makes written demand for compensation under this section to the public entity enacting or enforcing the land use regulation.**

Should the Board determine that the that the Claimants have demonstrated a reduction in fair market value of the property due to the cited regulations, the Board may pay compensation in the amount of the reduction in fair market value caused by said regulation or in lieu of compensation, modify, remove, or not apply CCZO Section 704.

**(5) For claims arising from land use regulations enacted prior to the effective date of this act, written demand for compensation under subsection (4) shall be made within two years of the effective date of this act, or the date the public entity applies the land use regulation as an approval criteria to an application submitted by the owner of the property, whichever is later. For claims arising from land use regulations enacted after the effective date of this act, written demand for compensation under subsection (4) shall be made within two years of the enactment of the land use regulation, or the date the owner of the property submits a land use application in which the land use regulation is an approval criteria, whichever is later.**

The subject claims arise from the minimum lot size provisions of the R-10 zone which were enacted prior to the effective date of Measure 37 on December 2, 2004. The subject claims were filed on November 15, 2005, which is within two years of the effective date of Measure 37.

**(8) Notwithstanding any other state statute or the availability of funds under subsection (10) of this act, in lieu of payment of just compensation under this act, the governing body responsible for enacting the land use regulation may modify, remove, or not to apply the land use regulation or land use regulations to allow the owner to use the property for a use permitted at the time the owner acquired the property.**

Should the Board determine that the that the Claimants have demonstrated a reduction in fair market value of the property due to the cited regulations, the Board may pay compensation in the amount of the reduction in

fair market value caused by said regulation or in lieu of compensation, modify, remove, or not apply CCZO Section 704.1(A).

### III. STAFF RECOMMENDATION:

Based on the above findings, staff concludes that the claimants have met the threshold requirements for proving a Measure 37 claim.

The following table summarizes staff findings concerning the land use regulations cited by the Claimant as a basis for their claim. In order to meet the requirements of Measure 37 for a valid claim the cited land use regulation must be found to restrict use, reduce fair market value, and not be one of the land use regulations exempted from Measure 37. The highlighted regulations below have been found to meet these requirements of a valid Measure 37 claim.

LAND USE CRITERION	DESCRIPTION	RESTRICTS USE?	REDUCES VALUE?	EXEMPT?
CCZO 704.1(A)	establishing a one-acre minimum parcel size with access to public water or sewer	Yes	Yes	No

Staff recommends the Board of County Commissioners take action to determine the amount, if any, by which the cited regulations reduced the value of the Claimant's property, and act accordingly to pay just compensation in that amount, or, in the alternative, to not apply CCZO Section 704.1(A).



COLUMBIA COUNTY



OREGON

e No. CL 06-15

## Measure 37 Claim

Fee: \$500.00 (Required with application)

Land Development Services - Planning Division

Columbia County Courthouse

230 Strand, St. Helens, OR 97051 (503) 397-1501

1.07,

### Claimant Information (attach additional pages for multiple Claimants):

PAUL L. THAYER, LAURA R. THAYER 503-397-0586  
Name(s) of Claimant(s): Daytime phone #  
P.O. BOX 642 ST. HELENS OR ST. Helens, OR 97051  
Mailing address for Claimant(s) 97051 City, State, Zip  
Mailing address for Claimant(s) City, State, Zip

### Property Information:

WOODCREEK DRIVE 59483 4106-042-01201  
Property location/address Property tax account # 1201

### Claim Information: \$ 75,800

1) Amount of claim: \$ ~~69,000~~ 1- 1/2 A. HOMESITE

2) Please list the intended use of the property which you believe is restricted by a County land use regulation:

1.07 A PARCEL WAS INTENDED FOR 2 HOME SITES  
ON JUNE 27, 1973 WHEN PURCHASED, WOULD LIKE TO  
SPLIT PROPERTY TO DO SO. DEVELOPING PROPERTY  
AND CONSTRUCTION IS OUR EMPLOYMENT

3) Please list all land use regulations related to your intended use of the property which you believe have reduced the fair market value of the property, how the regulation restricted use of the property, followed by the date of adoption or the date the regulations were enforced against the property (be as specific as possible...Ordinance, Chapter, Section, Subsection):

RESTRICTED POTENTIAL USE OF LAND WHEN COLUMBIA  
COUNTY AMENDED COMPREHENSIVE PLAN (1979 + 99-02) CONT 3.  
AMENDED BY ORDINANCE 99-02 SECTION 700 705 STANDARDS -  
IN A LETTER DATED JAN. 5, 1978 THE COLUMBIA COUNTY  
PLANNING COMMISSION STATED THAT THEY WERE -> cont.

4) Have you applied for land use approval for your intended use of the property? NO

If so, when? \_\_\_\_\_

If so, what did you apply for? \_\_\_\_\_

If so, what was the file number? \_\_\_\_\_

3. Cont.

RECOMMENDING TO THE BOARD OF COMMISSIONERS THAT ALL AREAS THAT WERE THEN ZONED FOR RURAL SUBURBAN WOULD REMAIN ZONED RURAL SUBURBAN.

AT THIS TIME IN JAN. 5 1978 10,000 sq ft lots WITH PUBLIC WATER AVAILABLE WAS A PERMITTED USE. THIS PARCEL OF LAND WAS SERVED BY PUBLIC WATER FROM McNulty Water Association.

I HAD CONSTRUCTED A ROAD TO THE PROPERTY, WATER line, Phone lines INSTALLED, ELECTRICAL UNDER GROUND power line AND TRANSFORMER, ONLY TO FIND OUT LATER (IN APR 1979 THAT Columbia County HAD CHANGED THE LOT SIZE REQUIREMENTS IN THE RURAL SUBURBAN RESIDENTIAL DISTRICT (WHICH WAS OR HAD BEEN IN EFFECT A SOUTH COUNTY ORDINANCE SINCE 1973) (SECTION 400 DISTRICT R-10 405 STANDARDS) TO A MINIMUM 1 ACRE PARCEL UNLESS BOTH PUBLIC SEWER AND PUBLIC WATER WAS AVAILABLE.

THE EFFECT THIS HAD WAS THAT I LOST ONE (1) 1/2 A HOMESITE, THAT AT TODAY'S MARKET VALUE IS APPROX \$75,800 (VALUED ACCORDING TO COLUMBIA COUNTY TAX ASSESSORS.

3. (a) CONT.

THERE WAS A SOUTH COUNTY ORDINANCE IN EFFECT IN 1979 SECTION 400 R-10, SECTION 405 STANDARDS ALLOWED OR PERMITTED YOU TO PUT A HOME ON A 10,000 sq ft PARCEL WITH COUNTY APPROVAL OF WATER & SEWAGE DISPOSAL, IN ORDER TO DO THIS IT REQUIRED APPROX. 1/2 A. (APPROX 23,000 sq ft) TO ACCOMMODATE THE SEPTIC SYSTEM, 99-02 SECTION 700 705 STANDARDS CHANGED THIS TO A MINIMUM PARCEL SIZE WITHOUT PUBLIC WATER OR PUBLIC SEWER TO ONE ACRE

5) When did you acquire the property: JUNE 27, 1973  
6) Ownership of property/All Ownership Interests: (A current Title Report must be attached) ☐ Sole ☒ Joint ☐ Other (please list): \_\_\_\_\_

7) Does anyone else have an ownership interest in the property? If so, please list each person and their respective ownership interest:  
NO

8) Did you acquire the property from a family member? (Family member includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandchild, the estate of any of the family members listed, or a legal entity owned by any one or a combination of such family members) \_\_\_\_\_

If so, from who? NO

If so, what is the family relationship to you? \_\_\_\_\_

If so, when did you acquire the property? \_\_\_\_\_

If so, when did your family member acquire the property? \_\_\_\_\_

9) List all documentation that you have to establish that the fair market value of the property has been reduced by the land use regulation(s) listed. Attach any such documentation, including appraisals, to this Claim Form: \_\_\_\_\_

#### SIGNATURES

I/we certify that the information contained in and attached to this claim form is accurate and complete.

Paul L. Thayer

Claimant

Laura R. Thayer

Claimant

Claimant

Claimant

11-15-05

Date

11-15-05

Date

Date

Date

#### FOR OFFICIAL USE ONLY

Date Received 11/11/05 Receipt # 56317 <sup>CK# 12900</sup> Received By: ju

COLUMBIA COUNTY



OREGON

**Measure 37 Claim****Fee: \$500.00** (Required with application)

Land Development Services - Planning Division

Columbia County Courthouse

230 Strand, St. Helens, OR 97051 (503) 397-1501

**Claimant Information** (attach additional pages for multiple Claimants):

PAUL L. THAYER LAURA R. THAYER 503-397-0586  
 Name(s) of Claimant(s): Daytime phone #  
P.O. BOX 642 ST. Helens OR 97051 ST. HELENS OR 97051  
 Mailing address for Claimant(s) City, State, Zip  
 \_\_\_\_\_  
 Mailing address for Claimant(s) City, State, Zip

**Property Information:**

SYKES ROAD, ACROSS FROM ARBOR Hill 4106-042-00600  
 Property location/address Property tax account #

**Claim Information:**

1) Amount of claim: \$ 227,400 3 building sites @ \$75,800 ea

2) Please list the intended use of the property which you believe is restricted by a County land use regulation:

3.36A LAND WAS INTENDED FOR 5-6 HOME  
SITES ON JULY 30 1969 WHEN PURCHASED, IF DESIRED  
WOULD LIKE TO DIVIDE PROPERTY TO DO SO. DEVELOPING  
LAND AND CONSTRUCTION IS OUR EMPLOYMENT

3) Please list all land use regulations related to your intended use of the property which you believe have reduced the fair market value of the property, how the regulation restricted use of the property, followed by the date of adoption or the date the regulations were enforced against the property (be as specific as possible...Ordinance, Chapter, Section, Subsection):

RESTRICTED POTENTIAL USE OF LAND WHEN Columbia  
COUNTY AMENDED COMPREHENSIVE PLAN (1979)  
LATER AMENDED BY ORD. 99-02 sect. 700 705 standards → 3A, cont  
IN A LETTER DATED JAN. 5, 1978 THE COLUMBIA COUNTY  
PLANNING COMMISSION STATED THAT THEY WERE → CONT.

4) Have you applied for land use approval for your intended use of the property? NO  
 If so, when? \_\_\_\_\_

If so, what did you apply for? \_\_\_\_\_

If so, what was the file number? \_\_\_\_\_

5) When did you acquire the property: July 30 - 1969  
6) Ownership of property/All Ownership Interests: (A current Title Report must be attached) ☐ Sole ☒ Joint ☐ Other (please list): \_\_\_\_\_

7) Does anyone else have an ownership interest in the property? If so, please list each person and their respective ownership interest:

NO

8) Did you acquire the property from a family member? (Family member includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandchild, the estate of any of the family members listed, or a legal entity owned by any one or a combination of such family members)

If so, from who? L. P. AND D. I. THAYER

If so, what is the family relationship to you? PARENTS

If so, when did you acquire the property? JULY 30, 1969

If so, when did your family member acquire the property? JULY 5, 1948

9) List all documentation that you have to establish that the fair market value of the property has been reduced by the land use regulation(s) listed. Attach any such documentation, including appraisals, to this Claim Form: \_\_\_\_\_

#### SIGNATURES

I/we certify that the information contained in and attached to this claim form is accurate and complete.

Paul L. Thayer

Claimant

Laura R. Thayer

Claimant

Claimant

Claimant

11-15-05

Date

11-15-05

Date

Date

Date

#### FOR OFFICIAL USE ONLY

Date Received 11/24/06 Receipt # 50319 Received By: jin

3. CONT. RECOMMENDING TO THE BOARD OF COMMISSIONERS THAT ALL AREAS THAT WERE THEN ZONED FOR RURAL SUBURBAN WOULD REMAIN ZONED RURAL SUBURBAN AT THIS TIME (JAN 5, 1978), 10,000 SQ FT LOTS WITH PUBLIC WATER AVAILABLE WAS A PERMITTED USE, THIS PARCEL OF LAND WAS SERVED BY MCNOLTY WATER ASSOCIATION, (LETTER ATTACHED)

I FIND OUT LATER IN APPROX. 1979 THAT COLUMBIA COUNTY HAD CHANGED THE LOT SIZE REQUIREMENTS IN THE RURAL SUBURBAN RESIDENTIAL DISTRICT TO A MINIMUM 1 ACRE PARCEL WHEN PUBLIC WATER WAS AVAILABLE

THE EFFECT THIS HAD WAS THAT I LOST 3 1/2 A BUILDING SITES THAT AT TODAY'S MARKET VALUE ACCORDING TO COLUMBIA COUNTY TAX ASSESSORS ARE VALUED AT APPROX \$75,800 ~~\$17,000~~ or a total of \$227,400 ~~\$207,000~~. PLEASE SEE ATTACHED TAX STATEMENTS & MISC. VALUES.

A.  
3. CONT - THERE WAS A SOUTH COUNTY ORDINANCE IN EFFECT IN 1973, SECT. 400 DISTRICT R-10, 405 PERMITTED IN THE STANDARDS YOU COULD PUT A HOME ON 10,000 SQ FT OF LAND WITH THE APPROVAL OF WATER & SEWAGE DISPOSAL, TO DO THIS IT REQUIRED PUBLIC WATER AND A SEPTIC SYSTEM THAT REQUIRED APPROX 1/2 A. 99-02A CHANGED 705 STANDARDS TO A MINIMUM 1 ACRE WITHOUT BOTH AVAILABLE (PUBLIC WATER + PUBLIC SEWER) AND 7, 1979