

Supplemental Memo



Memo Date: May 25, 2007
Hearing Date: June 5, 2007 (Continued from April 10 and May 15, 2007)

TO: Board of County Commissioners

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: BILL VANVACTOR, COUNTY ADMINISTRATOR
KENT HOWE, PLANNING DIRECTOR

AGENDA ITEM TITLE: In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA06-7128, Defoe4)

BACKGROUND

Applicant: Janice Kelly

Current Owner: Janice Kelly

Agent: Ronald Major Defoe

Map and Tax lot(s): 16-04-34-500

Acreage: Approximately 20 acres

Current Zoning: E30 (Exclusive Farm Use), /CAS (Commercial Airport Safety Combining Zone)

Date Property Acquired by Family: November 12, 1942 (WD #115511)

Date Property Acquired by Current Owner: June 17, 1985 (D #8521214)

Date claim submitted: November 29, 2006

180-day deadline: April 10, 2007

Land Use Regulations in Effect at Date of Acquisition: E30 (Exclusive Farm Use) /CAS (Commercial Airport Safety Combining Zone)

Restrictive County land use regulation: Minimum parcel size of thirty acres and limitations on new dwellings in the E30 (Exclusive Farm Use) zone (LC 16.212) as well as the regulations and standards found within the /CAS (Commercial Airport Safety Combining Zone) of LC 16.245.

This claim was originally heard on April 10, 2007 and then again on May 15, 2007. At the May 15th Hearing, the Board continued the discussion of this claim to the June 5, 2007, to allow the claimants time to submit additional information and have the Board reconsider the recommendation. The Board requested all new information to be submitted to Lane County by May 25, 2007.

ANALYSIS

No supplemental evidence has been submitted into the record by the claimant since the public hearing on May 15, 2007.

CONCLUSION

There is insufficient evidence to determine the validity of this claim.

RECOMMENDATION

If additional information is not submitted at the continued hearing on June 5, 2007; the County Administrator recommends the Board direct him to deny the claim.