

## Supplemental Memorandum



**Memo Date:** May 2, 2007

**Hearing Date:** May 22, 2007 (Continued from April 17, 2007)

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**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 (PA06-7184, Sly)

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### BACKGROUND

**Applicant:** James R. Sly and Barbara Jo Sly

**Current Owner:** James R. Sly and Barbara Jo Sly

**Agent:** Sheryl Balthrop

Map and Tax lot(s),	Acres	Current Zoning	Date Property Acquired ( <b>Bold text = claimant's initial date</b> )
19-02-06, tax lot <b>600</b>	15.37	E30	August 12, 1980 – DPR #8043916: Virginia H. Sly. <b>October 3, 2001 – DPR 2001-065313;</b> <b><u>James Robert Sly</u></b> (individual). <b>April 29, 2002 – DCTIC 2002-037414:</b> James R. Sly and <b><u>Barbara Jo. Sly</u></b>
19-02-07, tax lot <b>300</b>	6.08	E30	October 3, 2001 – DPR 2001-065312; Judith Sly Herrero.
19-03-01, tax lot <b>1500</b>	1.10	E30	<b>September 11, 1975 – WD 764R,</b> <b>#7544622: <u>James R.</u></b> & Virginia Sly. <b>April 29, 2002 – DCTIC 2002-037414:</b> James R. Sly and <b><u>Barbara Jo. Sly</u></b>
19-03-01, tax lot <b>1600</b>	9.35	E30	<b>October 15, 1975 – Deed 764R, #44622:</b> <b><u>James R.</u></b> & Virginia H Sly. <b>April 29, 2002 – DCTIC 2002-037414:</b>

19-03-01, tax lot <b>1700</b>	106.00	E30	James R. Sly and <u>Barbara Jo. Sly</u> <b>August 12, 1980 – DPR 1092R, #8043914: Virginia &amp; <u>James R. Sly</u></b> <b>April 29, 2002 – DCTIC 2002-037414: James R. Sly and <u>Barbara Jo. Sly</u></b>
19-03-01, tax lot <b>1701</b>	20.00	E30	March 16, 1916 – PD Bk 108, Pg 505: Vernie R. Sly. <b>December 19, 1976 – Deed 827R, #7668950: <u>James R. &amp; Barbara Jo Sly.</u></b>
19-03-01, tax lot <b>1702</b>	0.89	E30	August 12, 1980 – DPR 1092R, #8043915: Virginia A. Sly. <b>October 3, 2001 – DPR 2001-065313; <u>James Robert Sly.</u></b> <b>April 29, 2002 – DCTIC 2002-037414: James R. Sly and <u>Barbara Jo. Sly</u></b>
19-03-01, tax lot <b>1900</b>	50.45	E30	September 1, 1955 – WD 159D, #10815: Robert E. & Virginia H. Sly. <b>September 12, 1980 – MLSC 1094R, #8046195: <u>James R. &amp; Barbara Jo Sly.</u></b>
19-03-02, tax lot <b>1400</b>	5.04	RR5	<b>July 27, 2004 – WD 2004-060006: Beryl L. Sunderman Living Trust (Grantor) <u>James R. &amp; Barbara Jo Sly (Grantees).</u></b>
19-03-02, tax lot <b>2700</b>	10.38	E25	July 8, 1957 - WD 102D, #17784: Robert E. Sly & Virginia H. Sly. <b>December 27, 1978 – WD 962R, #7884298: <u>James R &amp; Barbara Jo Sly.</u></b>

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**Date claim submitted:** November 30, 2006

**180-day deadline:** May 29, 2007

**Land Use Regulations in Effect at Date of Acquisition:**

TRS - tax lot	Original family		James R. Sly		Barbara Jo Sly
	zoning on interest date		zoning on interest date		zoning on interest date
19-02-06, tax lot <b>600</b>	FF20 (08-12-80)		E30 10-03-01		E30 04-29-02
19-02-07, tax lot <b>300</b>	(No documentation)		No ownership		No ownership
19-03-01, tax lot <b>1500</b>	Unzoned (09-11-75)		Unzoned 09-11-75		E30 04-29-02
19-03-01, tax lot <b>1600</b>	Unzoned (10-15-75)		Unzoned 10-15-75		E30 04-29-02
19-03-01, tax lot <b>1700</b>	FF20 (08-12-80)		FF20 08-12-80		E30 04-29-02
19-03-01, tax lot <b>1701</b>	Unzoned (03-16-16)		FF20 12-19-76		FF20 12-19-76

19-03-01, tax lot <b>1702</b>	FF20	(08-12-80)	E30	10-03-01	E30	04-29-02
19-03-01, tax lot <b>1900</b>	Unzoned	(08-01-55)	FF20	08-12-80	FF20	08-12-80
19-03-02, tax lot <b>1400</b>	-----		RR5	07-27-04	RR5	07-27-04
19-03-02, tax lot <b>2700</b>	Unzoned	(07-08-57)	FF20	12-27-78	FF20	12-27-78

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**Restrictive County land use regulation:** Minimum parcel size of twenty-five or thirty acres and limitations on new dwellings in the E25/E30 (Exclusive Farm Use) zone (LC 16.212).

This claim was originally heard on April 17, 2007. The Board continued the discussion of this claim to the May 22, 2007 public hearing in order 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 April 24, 2007.

### **ANALYSIS**

On April 24, 2007, Sheryl Balthrop, agent for James and Barbara Sly, submitted a written request to Lane County requesting that the Sly - PA 06-7184 claim be placed on hold and they waived the 180-day deadline of May 29, 2007.

The claim has been placed on indefinite hold.