



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category:	Item No:
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Date: November 14, 2017

Originating Department: CDD-Planning, Mark Gallagher, Planning Director

Issue: Approve the Final Order for the vacation of Lots 8 and 9, Block 8, Sun Forest Estates (Tract 1060).
Map numbers R-2310-036C0-04800 & 04900.

Background: The property owner of the two lots is Steve Roche acting as personal representative for the estate of Jerry J. Roche. The property owner has signed a petition requesting this action. The vacation should pose no public harm. The Planning Director’s Report recommends the vacation of the two lots. This action will finalize the vacation.

Fiscal Impact: \$583 Application Fee.

Recommended Motion: Approve the Final Order for the vacation of the above described property located in Klamath County, Oregon.

DONE AND DATED this _____ day of _____, 20__.

_____	_____	_____
Chair	Vice-Chair	Commissioner
Approved <input type="checkbox"/>	Approved <input type="checkbox"/>	Approved <input type="checkbox"/>
Denied <input type="checkbox"/>	Denied <input type="checkbox"/>	Denied <input type="checkbox"/>



Klamath County Planning Department

Klamath County Government Center
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PLANNING DIRECTOR'S REPORT

DATE: October 30, 2017
TO: Board of County Commissioners
FROM: Mark Gallagher, Planning Director
RE: Request from Steve Roche (Personal representative of the estate of Jerry J. Roche) to vacate Lots 8 and 9, Block 8, Sun Forest Estates (Tract 1060) - Map numbers R-2310-036C0-04800 & 04900.

ORS Chapter 368 provides as follows:

368.351 Vacation without hearing. A county governing body may make a determination about a vacation of property under ORS 368.326 to 368.366 without complying with ORS 368.346 if the proceedings for vacation were initiated by a petition under ORS 368.341 that indicates the owners' approval of the proposed vacation and that contains the acknowledged signatures of owners of 100 percent of private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting public property proposed to be vacated and either:...or

(2) The planning director of the county files a written report with the county governing body in which the planning director, upon review, finds that an interior lot line vacation affecting private property complies with applicable land use regulations and facilitates development of the property subject to interior lot line vacation.

The applicant states that the purpose of the above referenced lot vacation request is to remove the lot line established by the Sun Forest Estates (Tract 1060) plat in Section 36, Township 23 South, Range 10 East Willamette Meridian (see attached map) to allow the entire area to be used as collateral for a possible future veteran's loan. The two existing subdivision lots currently comprise two tax lots being approximately 1 acre each and zoned Rural Residential (R-2). Once the individual lots are vacated, they will become one unit of land.

I find that vacating the lots of the above referenced private property complies with all applicable land use regulations and is not detrimental to the public interest. No negative comments were received from agency review.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR KLAMATH COUNTY, OREGON**

IN THE MATTER OF VACATION OF LOTS 8)
AND 9, BLOCK 8, SUN FOREST ESTATES)
(TRACT 1060) SITUATED IN SECTION 36,)
TOWNSHIP 23 SOUTH, RANGE 10 EAST)
OF THE WILLAMETTE MERIDIAN,)
KLAMATH COUNTY, OREGON.)

FINAL ORDER

No. _____

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (Steve Roche, personal representative of the estate of Jerry J. Roche) identified in Exhibit "A" attached where the lots to be vacated have been submitted and accepted by the Board of County Commissioners; and

WHEREAS the Board of County Commissioners directed the Planning Director to submit a report regarding the petition for vacation of the two lots; and

WHEREAS the Planning Director filed with the Board of County Commissioners a report regarding the petition for vacation of the lots which was accepted; and

WHEREAS after duly considering the report and other documentation presented, the Board of County Commissioners finds that vacation of the lots within the property identified in Exhibit "A" is acceptable and should be granted;

NOW, THEREFORE IT IS ORDERED that the petition is hereby granted and the identified lots are vacated.

DONE AND DATED THIS _____ day of _____, 2017.

Chair

Commissioner

Commissioner

EXHIBIT "A"

Vacation of Lots 8 and 9, Block 8, Sun Forest Estates (Tract 1060) located in Klamath County, Oregon.