



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category:	Item No:
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Date: June 30, 2020

Originating Department: CDD/Planning, Erik Nobel, Planning Director

Issue: In the matter of vacating Lots 9 and 10 of Block 40 of Klamath Falls Forest Estates Highway 66 Unit No. 2 . Map No. R-3811-017A0 Tax Lots: 02200 and 02300.

Background: The property owner of the two lots is (Darren and Sheila Nichols) who have signed a petition requesting this action. Vacating the lots will not be detrimental to the public. The Planning Director’s Report recommends that the two lots be vacated from the subdivision. The applicant paid the \$583 application fee to process the request to vacate the lots. Approval of the final order by the Board of Commissioners has no fiscal impact to the county.

Fiscal Impact: There is no fiscal impact to Klamath County.

Recommended Motion: Approve the Final Order to vacate the above described property located in Klamath County Oregon. (File No. LV 7-20). There is no fiscal impact to Klamath County.

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

Chair
Approved
Denied

Vice-Chair
Approved
Denied

Commissioner
Approved
Denied



KLAMATH COUNTY PLANNING DEPARTMENT

Government Center

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PLANNING DIRECTOR'S REPORT

DATE: June 30, 2020

TO: Board of County Commissioners

FROM: Erik Nobel, Planning Director

RE: Request from Darren and Sheila Nichols vacate Lots 9 and 10 of Block 40 Klamath Falls Forest Estates Highway 66 Unit No. 2, as shown on the attached map. Map: R-3811-017A0 Tax Lot: 02200 and 02300.

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.

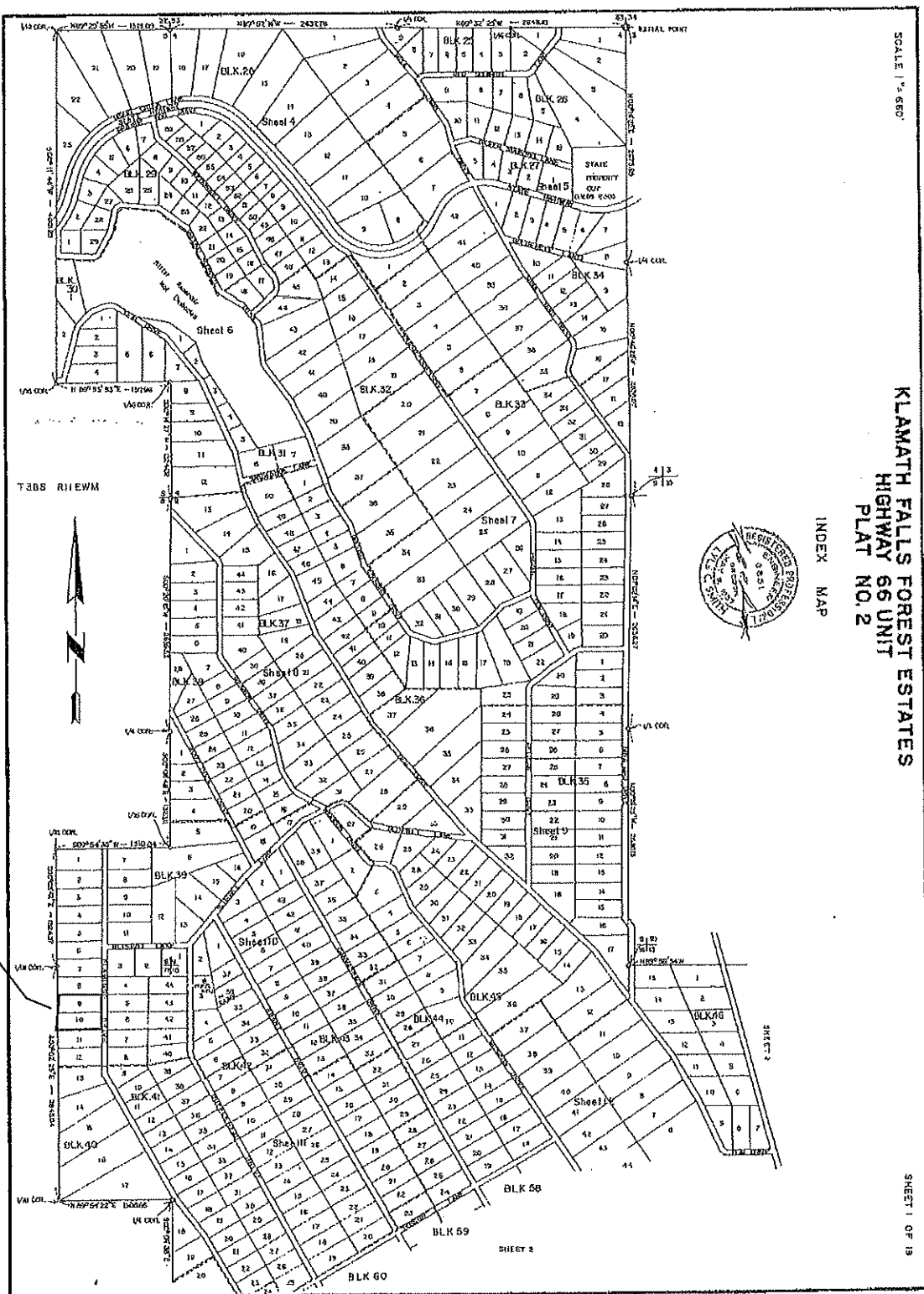
The applicant states that the purpose of vacating the above lots in Klamath Falls Forest Estates Highway 66 Unit No. 2, Section 17A Township 38 South, Range 11 East Willamette Meridian (see attached map) is to create a greater space for privacy. The two subdivision lots currently comprise of two tax lots. Both lots are 2.34 acres in size within the Rural Residential (R2) zone. Once the individual lots are vacated, they will become one unit of land.

I find that vacating the above reference 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.

SCALE 1" = 660'

KLAMATH FALLS FOREST ESTATES
HIGHWAY 66 UNIT
PLAT NO. 2

INDEX MAP



Subject Property

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

IN THE MATTER OF VACATING LOTS 9,)
AND 10 OF BLOCK 40 OF KLAMATH)
FALLS FOREST ESTATES HIGHWAY 66)
UNIT PLAT NO.2 SUBDIVISION, SITUATED)
IN SECTION 17A, TOWNSHIP 38 SOUTH,)
RANGE 11 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 (Darren and Sheila Nichols) 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 to vacate the two lots, and

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

WHEREAS after duly considering the report and other documentation presented, the Board of County Commissioners finds that vacating the two lots 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 _____, 2020

Chair

Commissioner

Commissioner

EXHIBIT "A"

Lots 9 and 10, Block 40 – Klamath Falls Forest Estates Highway 66 Unit Tract

