

BOARD OF COMMISSIONERS  
Agenda Item Summary

Agenda Category:	Item No:
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**Date:** October 13, 2020

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

**Issue:** In the matter of vacating Lots 20 and 21 Block 2 of Tract 1034 Lakewoods Subdivision. Map No. R-3805-005B0 Tax Lots: 03500 and 03400.

**Background:** The property owner of the two lots (Jeffery and Karen VanDam) 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.

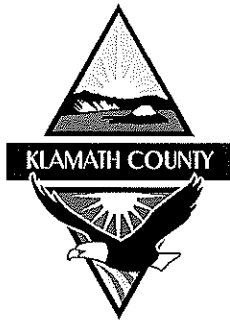
**Recommended Motion:** Approve the Final Order to vacate the above described property located in Klamath County Oregon. (File No. LV 10-20). There is no fiscal impact to Klamath County.

DONE AND DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chair  
Approved   
Denied

\_\_\_\_\_  
Vice-Chair  
Approved   
Denied

\_\_\_\_\_  
Commissioner  
Approved   
Denied



## KLAMATH COUNTY PLANNING DEPARTMENT

Government Center

305 Main St., Klamath Falls, Oregon 97601

Phone 541-883-5121 Option #4

Fax 541-885-3644

### PLANNING DIRECTOR'S REPORT

**DATE:** October 13, 2020

**TO:** Board of County Commissioners

**FROM:** Erik Nobel, Planning Director

**RE:** Request from Jeffery and Karen VanDam vacate Lots 20 and 21 of Block 2 Tract 1034 Lakewoods Subdivision, as shown on the attached map. Map: R-3805-005B0 Tax Lot: 03400 and 03500.

*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 Laekewood Subdivision, Section 5 Township 38 South, Range 05 East Willamette Meridian (see attached map) is to create more usable outdoor space. The two subdivision lots currently comprise of two tax lots. Both lots are close to 1.00 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.

# TRACT NO. 1034

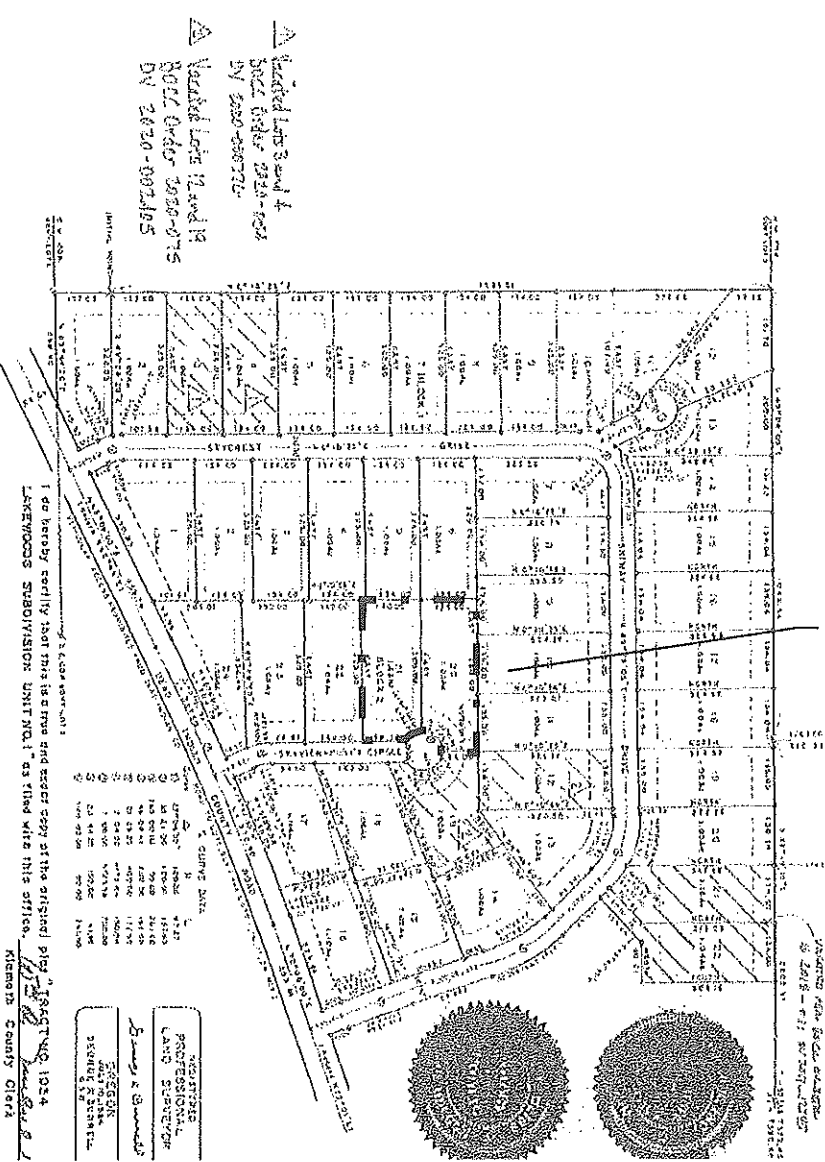
## LAKEWOODS SUBDIVISION UNIT NO. 1

SITUATED IN GOV'T LOTS 2 & 3, SECTION 5,  
TWP 38S, R5E, W4E, KLAMATH COUNTY, ORE.

- 1. INITIAL POINT - SP127 K36 Station 010 w/3
- 2. 5'x7 1/2" x 30" iron pin (100324 R.L.S. 12)
- 3. FOUND 2" iron pipe w/ 3" brass disk per Rec
- 4. 50' Dwelling set back lines
- 5. 20' Dwelling set back lines

**Subject Property  
of LV 10-20**

RECORDED MAP BOOK 1024  
PAGE 117



- ▲ Located Lot 3 and 4  
Block Order 2020-015  
DV 2020-002195
- ▲ Located Lot 12 and 13  
Block Order 2020-015  
DV 2020-002195

I do hereby certify that this is a true and exact copy of the original plat of "TRACT NO. 1034 LAKEWOODS SUBDIVISION UNIT NO. 1" as filed with this office.

Klamath County Clerk  
Sandra E. Goulet

TRACT NO.	ACRES	DATE
1034	1.00	10/12/20
1035	1.00	10/12/20
1036	1.00	10/12/20
1037	1.00	10/12/20
1038	1.00	10/12/20
1039	1.00	10/12/20
1040	1.00	10/12/20
1041	1.00	10/12/20
1042	1.00	10/12/20
1043	1.00	10/12/20
1044	1.00	10/12/20
1045	1.00	10/12/20
1046	1.00	10/12/20
1047	1.00	10/12/20
1048	1.00	10/12/20
1049	1.00	10/12/20
1050	1.00	10/12/20

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

IN THE MATTER OF VACATING LOTS 20 )  
AND 21, BLOCK 2 OF TRACT 1034 )  
LAKEWOODS SUBDIVISION, SITUATED IN )  
SECTION 5, TOWNSHIP 38 SOUTH, RANGE )  
05 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 (Jeffery and Karen VanDam) 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 20 and 21, Block 2 of Tract 1034 Lakewood Subdivision

## TRACT NO. 1034

LAKEWOODS SUBDIVISION UNIT NO. 1

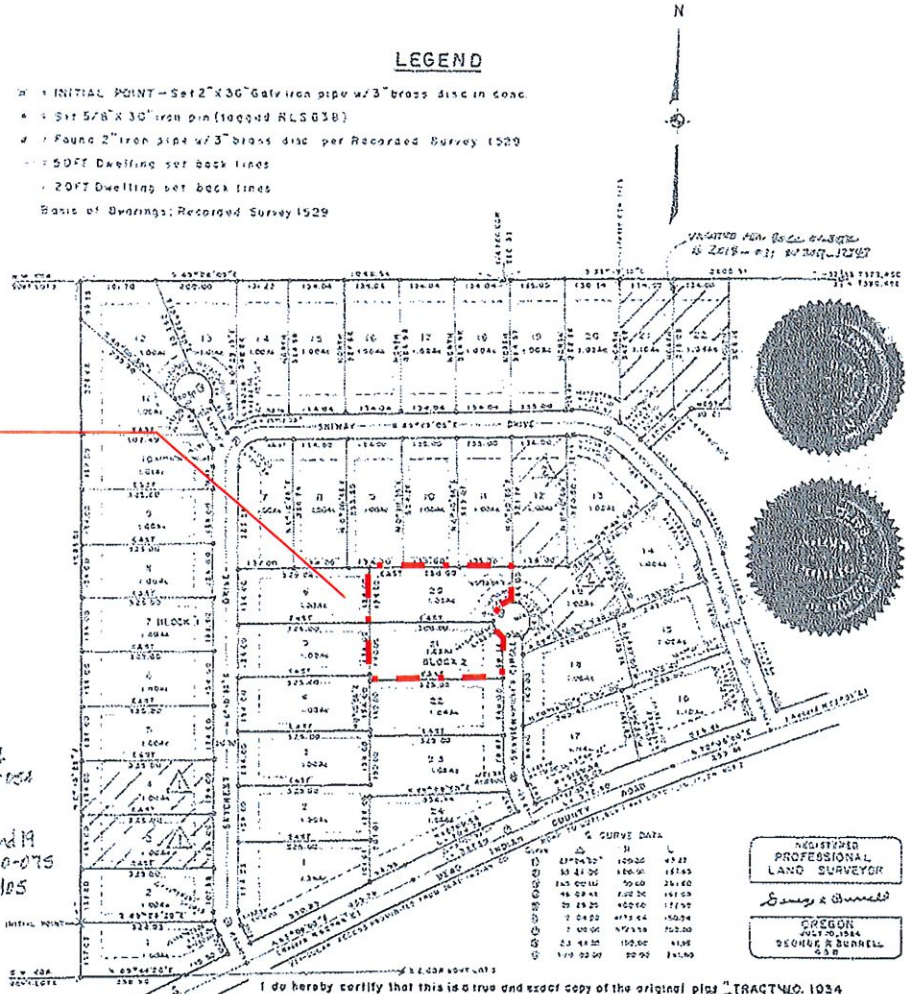
SITUATED IN GOV'T. LOTS 2 & 3, SECTION 5,  
TWP 38S, R5E, W.M., KLAMATH COUNTY, ORE.

### LEGEND

- INITIAL POINT - Set 2" x 30" Galv iron pipe w/ 3" brass disc in conc.
  - Set 5/8" x 30" iron pin (10000 RLS 038)
  - Found 2" iron pipe w/ 3" brass disc per Recorded Survey 1929
  - 50FT Dwelling set back lines
  - 20FT Dwelling set back lines
- Basis of Bearings: Recorded Survey 1929

N

Subject property  
of LV 10-20



- ▲ Vacated Lots 3 and 4  
BoCC Order 2020-054  
DV 2020-00776
- ▲ Vacated Lots 12 and 14  
BoCC Order 2020-075  
DV 2020-002105

CURVE DATA

Station	Chord	Angle	Length
1	23.42	100.00	43.27
2	33.41	100.00	47.73
3	43.40	100.00	52.19
4	53.39	100.00	56.65
5	63.38	100.00	61.11
6	73.37	100.00	65.57
7	83.36	100.00	70.03
8	93.35	100.00	74.49
9	103.34	100.00	78.95
10	113.33	100.00	83.41
11	123.32	100.00	87.87
12	133.31	100.00	92.33
13	143.30	100.00	96.79
14	153.29	100.00	101.25
15	163.28	100.00	105.71
16	173.27	100.00	110.17
17	183.26	100.00	114.63
18	193.25	100.00	119.09
19	203.24	100.00	123.55
20	213.23	100.00	128.01
21	223.22	100.00	132.47
22	233.21	100.00	136.93
23	243.20	100.00	141.39
24	253.19	100.00	145.85
25	263.18	100.00	150.31
26	273.17	100.00	154.77
27	283.16	100.00	159.23
28	293.15	100.00	163.69
29	303.14	100.00	168.15
30	313.13	100.00	172.61
31	323.12	100.00	177.07
32	333.11	100.00	181.53
33	343.10	100.00	185.99
34	353.09	100.00	190.45
35	363.08	100.00	194.91
36	373.07	100.00	199.37
37	383.06	100.00	203.83
38	393.05	100.00	208.29
39	403.04	100.00	212.75
40	413.03	100.00	217.21
41	423.02	100.00	221.67
42	433.01	100.00	226.13
43	443.00	100.00	230.59
44	453.00	100.00	235.05
45	463.00	100.00	239.51
46	473.00	100.00	243.97
47	483.00	100.00	248.43
48	493.00	100.00	252.89
49	503.00	100.00	257.35
50	513.00	100.00	261.81
51	523.00	100.00	266.27
52	533.00	100.00	270.73
53	543.00	100.00	275.19
54	553.00	100.00	279.65
55	563.00	100.00	284.11
56	573.00	100.00	288.57
57	583.00	100.00	293.03
58	593.00	100.00	297.49
59	603.00	100.00	301.95
60	613.00	100.00	306.41
61	623.00	100.00	310.87
62	633.00	100.00	315.33
63	643.00	100.00	319.79
64	653.00	100.00	324.25
65	663.00	100.00	328.71
66	673.00	100.00	333.17
67	683.00	100.00	337.63
68	693.00	100.00	342.09
69	703.00	100.00	346.55
70	713.00	100.00	351.01
71	723.00	100.00	355.47
72	733.00	100.00	359.93
73	743.00	100.00	364.39
74	753.00	100.00	368.85
75	763.00	100.00	373.31
76	773.00	100.00	377.77
77	783.00	100.00	382.23
78	793.00	100.00	386.69
79	803.00	100.00	391.15
80	813.00	100.00	395.61
81	823.00	100.00	400.07
82	833.00	100.00	404.53
83	843.00	100.00	408.99
84	853.00	100.00	413.45
85	863.00	100.00	417.91
86	873.00	100.00	422.37
87	883.00	100.00	426.83
88	893.00	100.00	431.29
89	903.00	100.00	435.75
90	913.00	100.00	440.21
91	923.00	100.00	444.67
92	933.00	100.00	449.13
93	943.00	100.00	453.59
94	953.00	100.00	458.05
95	963.00	100.00	462.51
96	973.00	100.00	466.97
97	983.00	100.00	471.43
98	993.00	100.00	475.89
99	1003.00	100.00	480.35
100	1013.00	100.00	484.81
101	1023.00	100.00	489.27
102	1033.00	100.00	493.73
103	1043.00	100.00	498.19
104	1053.00	100.00	502.65
105	1063.00	100.00	507.11
106	1073.00	100.00	511.57
107	1083.00	100.00	516.03
108	1093.00	100.00	520.49
109	1103.00	100.00	524.95
110	1113.00	100.00	529.41
111	1123.00	100.00	533.87
112	1133.00	100.00	538.33
113	1143.00	100.00	542.79
114	1153.00	100.00	547.25
115	1163.00	100.00	551.71
116	1173.00	100.00	556.17
117	1183.00	100.00	560.63
118	1193.00	100.00	565.09
119	1203.00	100.00	569.55
120	1213.00	100.00	574.01
121	1223.00	100.00	578.47
122	1233.00	100.00	582.93
123	1243.00	100.00	587.39
124	1253.00	100.00	591.85
125	1263.00	100.00	596.31
126	1273.00	100.00	600.77
127	1283.00	100.00	605.23
128	1293.00	100.00	609.69
129	1303.00	100.00	614.15
130	1313.00	100.00	618.61
131	1323.00	100.00	623.07
132	1333.00	100.00	627.53
133	1343.00	100.00	631.99
134	1353.00	100.00	636.45
135	1363.00	100.00	640.91
136	1373.00	100.00	645.37
137	1383.00	100.00	649.83
138	1393.00	100.00	654.29
139	1403.00	100.00	658.75
140	1413.00	100.00	663.21
141	1423.00	100.00	667.67
142	1433.00	100.00	672.13
143	1443.00	100.00	676.59
144	1453.00	100.00	681.05
145	1463.00	100.00	685.51
146	1473.00	100.00	689.97
147	1483.00	100.00	694.43
148	1493.00	100.00	698.89
149	1503.00	100.00	703.35
150	1513.00	100.00	707.81
151	1523.00	100.00	712.27
152	1533.00	100.00	716.73
153	1543.00	100.00	721.19
154	1553.00	100.00	725.65
155	1563.00	100.00	730.11
156	1573.00	100.00	734.57
157	1583.00	100.00	739.03
158	1593.00	100.00	743.49
159	1603.00	100.00	747.95
160	1613.00	100.00	752.41
161	1623.00	100.00	756.87
162	1633.00	100.00	761.33
163	1643.00	100.00	765.79
164	1653.00	100.00	770.25
165	1663.00	100.00	774.71
166	1673.00	100.00	779.17
167	1683.00	100.00	783.63
168	1693.00	100.00	788.09
169	1703.00	100.00	792.55
170	1713.00	100.00	797.01
171	1723.00	100.00	801.47
172	1733.00	100.00	805.93
173	1743.00	100.00	810.39
174	1753.00	100.00	814.85
175	1763.00	100.00	819.31
176	1773.00	100.00	823.77
177	1783.00	100.00	828.23
178	1793.00	100.00	832.69
179	1803.00	100.00	837.15
180	1813.00	100.00	841.61
181	1823.00	100.00	846.07
182	1833.00	100.00	850.53
183	1843.00	100.00	854.99
184	1853.00	100.00	859.45
185	1863.00	100.00	863.91
186	1873.00	100.00	868.37
187	1883.00	100.00	872.83
188	1893.00	100.00	877.29
189	1903.00	100.00	881.75
190	1913.00	100.00	886.21
191	1923.00	100.00	890.67
192	1933.00	100.00	895.13
193	1943.00	100.00	899.59
194	1953.00	100.00	904.05
195	1963.00	100.00	908.51
196	1973.00	100.00	912.97
197	1983.00	100.00	917.43
198	1993.00	100.00	921.89
199	2003.00	100.00	926.35

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*George E. Burrell*  
OREGON  
JULY 20, 1944  
GEORGE E. BURRELL  
S.S.B.

I do hereby certify that this is a true and exact copy of the original plat "TRACT NO. 1034 LAKEWOODS SUBDIVISION UNIT NO. 1" as filed with this office. *George E. Burrell*  
Klamath County Clerk

I do hereby certify that this is a true and exact copy of the original plat "TRACT NO. 1034 LAKEWOODS SUBDIVISION UNIT NO. 1" as Surveyed, Subdivided and Platted.  
*George E. Burrell*  
Surveyor