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Fee: NO FEE

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

IN THE MATTER OF VACATION OF A LOT)
LINE COMMON TO LOTS 1 AND 2, and 2)
and 3, OF BLOCK 8, NORTH BLY)
SUBDIVISION SITUATED IN SECTION 34,)
TOWNSHIP 36 SOUTH, RANGE 14 EAST)
OF THE WILLAMETTE MERIDIAN,)
KLAMATH COUNTY, OREGON.)

FINAL ORDERNo. OR 2015-028

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (Thomas and Lori Batterman) identified in Exhibit "A" attached where the lot lines 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 lot line vacation; and

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

WHEREAS after duly considering the report and other documentation presented, the Board of County Commissioners finds that the vacation of the lot line 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 lot line within the property is vacated.

DONE AND DATED THIS 25th day of November, 2014.

James Bellet
Chairman

Tom Mallam
Commissioner

Out of Office Today

Commissioner

EXHIBIT "A"

Vacation of a property line common to Lots 1 and 2, and 2 and 3 of Block 8, North Bly Subdivision located in Klamath County, Oregon



Klamath County Planning Department

Klamath County Government Center
305 Main Street, Klamath Falls, Oregon 97601

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PLANNING DIRECTOR'S REPORT

DATE: November 6, 2014

TO: Board of County Commissioners

FROM: Mark Gallagher, Interim Planning Director

RE: Request from Thomas and Lori Batterman to vacate the parcel lines between Lots 1 and 2, and 3 and 3, Block 8, North Bly Subdivision (Map number R-3614-034DC-09600 & 9700).

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 purpose of the above referenced interior lot line vacation request is to remove lot lines established by North Bly Subdivision in Section 34, Township 36 South, Range 14 East Willamette Meridian (see attached map) as the property owner wishes to construct a new commercial building that will take up all three lots. The three existing lots are currently two tax lots being approximately 0.25 of an acre and 0.08 of an acre in size and zoned Rural Community Commercial (RUC-C). Once the interior lot lines are vacated, they will become one unit of land.

There are no utility easements affected by the vacation.

I find that vacating the interior lot lines 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.