



06/03/2015 01:05:46 PM

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 7 AND 8, BLOCK)
2, SPLIT RAIL RANCHOS SUBDIVISION –)
TRACT 1098 SITUATED IN SECTION 35,)
TOWNSHIP 23 SOUTH, RANGE 10 EAST)
OF THE WILLAMETTE MERIDIAN,)
KLAMATH COUNTY, OREGON.)

FINAL ORDER
No. OR 2015-090

WHEREAS in accordance with the provisions of ORS 368.351, a petition containing the acknowledged signatures of 100% of the owners of the property (Garrett and Julia Bennett) identified in Exhibit "A" attached where the lot line to be vacated has 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 2 day of June, 2015.

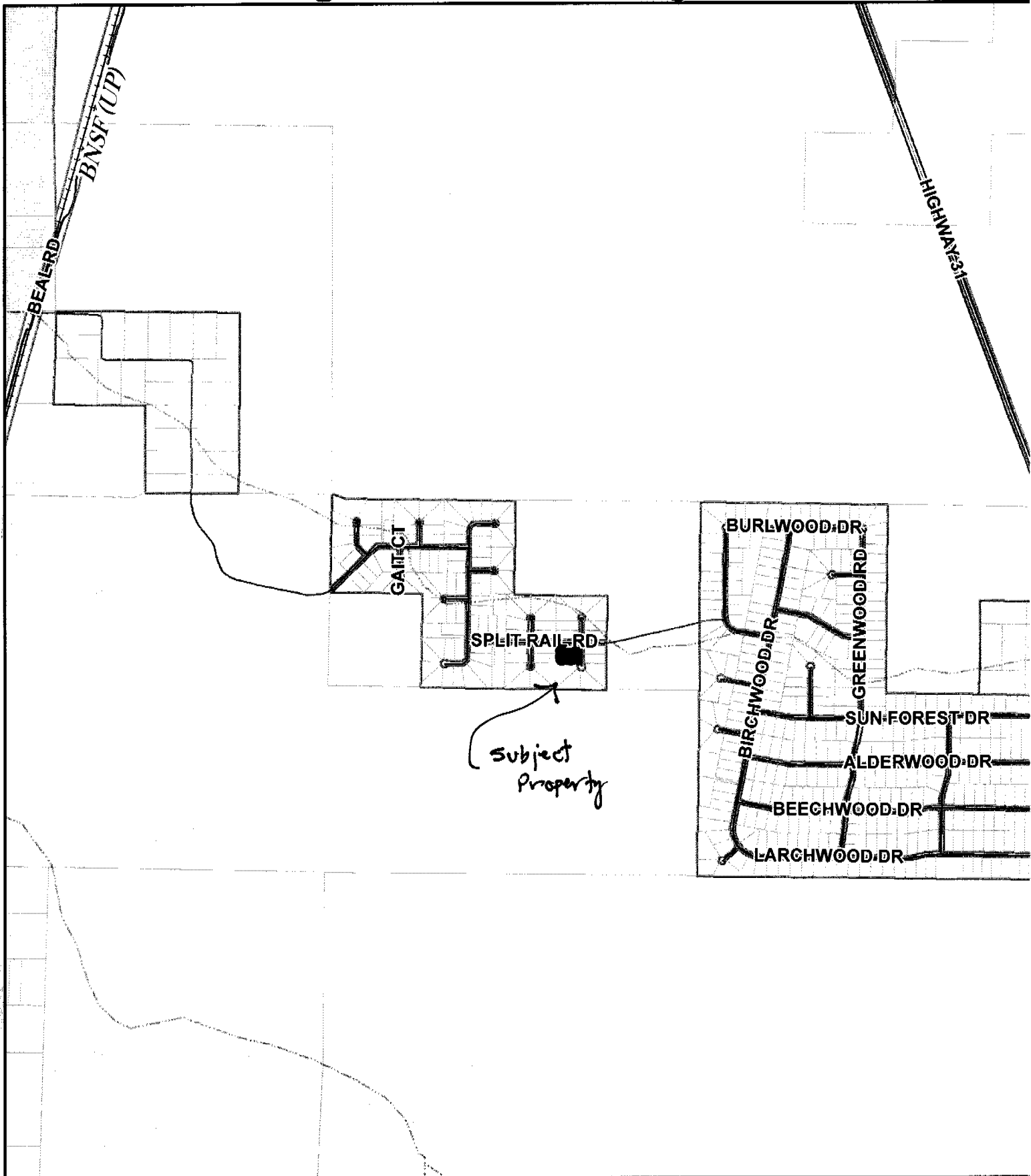
Tom Mallam
Chairman

Kurt M. M. M.
Commissioner

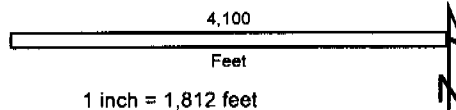
James Bellot
Commissioner

EXHIBIT "A"

Vacation of a property line common to Lots 7 and 8, Block 2, Split Rail Ranchos Subdivision –
Tract 1098 located in Klamath County, Oregon

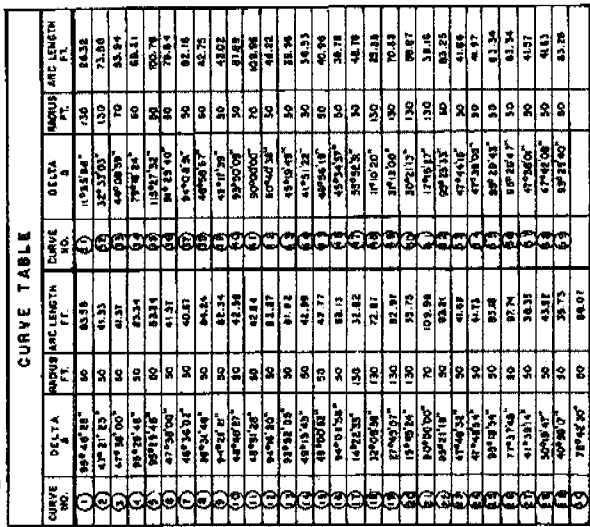


Klamath County
-Vicinity-



Date Printed: 5-5-15

This map is for planning purposes only. This map has been prepared for internal use by Klamath County only. Accuracy and completeness is not guaranteed to any other agency, public or private.



AGENDA REPORT
BOARD OF COUNTY COMMISSIONERS

OR 2015-090

Agenda Category: ORDER	Item No: J. 2
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ORIGINATING DEPARTMENT: BOCC/ CDD-PLANNING

DATE ACTION REQUESTED: JUNE 9, 2015 **Date Action Taken:**

ISSUE: Approve the Final Order for the vacation of the lot line between Lots 7 and 8, Block 2, Split Rail Ranchos Subdivision – Tract 1098 (Assessor's Map Number R-2310-035A0-02400 & 2500.

BACKGROUND & CONCLUSIONS: The property owners of the two lots are Garrett and Julia Bennett. The property owners have signed a petition requesting this action. The vacation should pose no public harm. The Planning Director's Report recommends the vacation of the lot line. This will finalize the vacation.

FISCAL IMPACT: There is a fiscal impact (\$583 application fee).

RECOMMENDED MOTION: Approve the Final Order for the vacation of the above described property located in Klamath County, Oregon. (Record original Order with Exhibit A) There is a fiscal impact (\$583 application fee).

DEPARTMENT HEAD APPROVAL: *Mark Gallagher*
BUDGET OFFICER APPROVAL: *JFF 5/22/2015*
COUNTY COUNSEL REVIEW: *CPG 5/22/2015*
CONTRACT SPECIALIST: *CPG 5/27/2015*
COMMISSIONER LIAISON APPROVAL: _____

APPROVED THIS ____ DAY OF

by the Klamath County Board
of Commissioners.

(SEAL)

CERTIFIED By _____
Recording Secretary

DISTRIBUTION:

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Klamath County Planning Department

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PLANNING DIRECTOR'S REPORT

DATE: May 27, 2015

TO: Board of County Commissioners

FROM: *mg*
Mark Gallagher, Planning Director

RE: Request from Garrett and Julia Bennett to vacate the lot line between Lots 7 and 8, Block 2 of Split Rail Ranchos Subdivision – Tract 1098 (Assessor's map number R-2310-035A0-02400 & 02500).

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 a lot line established by Split Rail Ranchos Subdivision - Tract 1098 in Section 35, Township 23 South, Range 10 East Willamette Meridian (see attached map) as the property owners wish to build a house across the lot line. The two existing lots are currently two tax lots being approximately 1 acre each in size and zoned Rural Residential (R-2). Once the interior lot line is vacated, they will become one unit of land.

I find that vacating the interior lot line 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.