



## SUPPLEMENTAL INFORMATION SUBMITTED

Submitted on: 6/1/07

Taken By: [Signature]

SUPPLEMENTAL INFORMATION HAS BEEN RECEIVED BY THIS OFFICE IN REGARDS TO THE FOLLOWING:

**BP#** \_\_\_\_\_

**PA#** 06-7203 Benedick

**SP#** \_\_\_\_\_

**SI#** \_\_\_\_\_

**OTHER:** \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

May 20, 2007

Land Management Division  
Lane County Board of Commissioners  
Lane County  
125 East 8<sup>th</sup> Avenue  
Eugene Oregon 97401

Dear Sir or Madam:

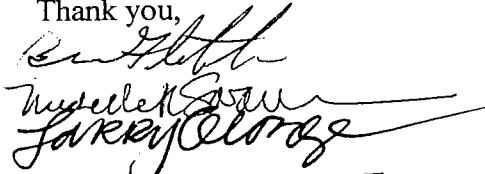
This is in regards to Department File Number PA06-7203 (Benedick), location 27962 Ward Lane, Eugene, Oregon, 97402. The request is to break a 43 acre lot into seventeen one acre lots, a 5 acre lot, and a remainder of 18 acres (for further development?). Our concerns are as follows:

- 1) What was the original zoning requirement at the time the property was purchased? As it is Exclusive Farm Use (E40), is this the original zoning at the time the property was purchased? If so, how does this fall under Measure 37 when an ANTICIPATED use of the property can't be used as a criteria under Measure 37.
- 2) Any development and building should be done on Wild Rose Street as only one side has been developed on that street, whereas both sides have been developed on Crossley Lane, the street most impacted by this request due to access from Crossley Lane. Also, any development would obstruct the view of three landowners, something for which a premium was paid when the property was purchased.
- 3) By building on Wildrose, utilities are readily available off of Firbutte Road. There would be no environmental impact from a new road being built next to Fern Ridge Reservoir to allow for residential access, nor would there be the problem of chemicals or drain field discharges working their way into the watershed.
- 4) Whereas the land use boundary is Greenhill Road, about 2 miles to the east, this would seem to constitute a development contrary to land use laws regarding a housing development versus rural expansion.
- 5) Should this be approved because restrictive land use laws were not in effect, this would seem to imply that any development, regardless of zoning (as restrictive laws would be removed) should be allowed whether industrial or residential. This would be contrary to the interests of the area affected.
- 6) In the document, Order number 07-5-1-1 is the following line: **All other Lane Code land use and development regulations shall remain applicable to the subject property until such time as they are shown to be restrictive and that those restrictions reduce the fair market value of the subject property.** This would imply that any requirements the property must meet for development of

residential dwellings would be null and void should Measure 37 be found to be in effect for this acreage. If this applies only to Lane County land use laws and not state, what state laws apply to the current zoning requirements as set forth at that level?

- 7) The following line also bears relevance: **IT IS HEREBY FURTHER ORDERED that the other county land use regulations and rules that still apply to the property require that land use, sanitation and building permits be approved by Lane County before any development can proceed.** As it specifically states "land use," this would seem to imply the size of the lots can still be determined by the Lane County Planning Commission itself.
- 8) With the addition of 7 new septic systems and the possibility of even more should this zoning change be allowed, how is the potential impact on the groundwater (drinking water) to be addressed?

Thank you,

  
K.S. Vanderbilt  
Nancy A Reed  
Janet L Maloney

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