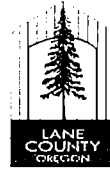


**Memo Date:** June 11, 2007  
**Order Date:** June 20, 2007



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**TO:** Board of County Commissioners

**DEPARTMENT:** Public Works Dept./Land Management Division

**PRESENTED BY:** BILL VANVACTOR, COUNTY ADMINISTRATOR  
KENT HOWE, PLANNING DIRECTOR

**AGENDA ITEM TITLE:** In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA06-7125, Edgemon)

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## **BACKGROUND**

**Applicant:** Robert L. and Roberta C. Edgemon

**Current Owner:** Robert L. and Roberta C. Edgemon

**Agent:** Sheryl Balthrop

**Map and Tax lot:** 17-02-04, #1000

**Acreage:** 28.35 acres

**Current Zoning:** E-40 (Exclusive Farm Use)

**Date Property Acquired:** November 3, 1967, Robert L. Edgemon (WD 7636009)  
November 19, 1993 by Roberta C. Edgemon (DOT 1899)

**Date claim submitted:** November 29, 2006

**180-day deadline:** May 28, 2007

**Land Use Regulations in Effect at Date of Acquisition:** unzoned

**Restrictive County land use regulation:** Minimum parcel size of forty acres and limitations on new dwellings in the E-40 (Exclusive Farm Use) zone (LC 16.212).

This claim was originally heard on April 3 and May 8, 2007. The Board adopted Order No. 07-5-8-25 on May 8, 2007, waiving the current E-40 regulations for Robert Edgemon when he acquired the property in 1967 and for Roberta Edgemon when she acquired an interest in the property in 1993.

The claimant's agent requested revisions to the adopted order to address concerns with

the action taken regarding the street address, value reduction and acreage. The attached order corrects an error in the street address stated in Order 07-5-8-25.

**RECOMMENDATION**

The County Administrator recommends the Board adopt the attached order with the corrected address information.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,  
OREGON**

**ORDER No.**

) IN THE MATTER OF AMENDING ORDER  
) NO. 07-5-8-25 TO CLARIFY A BALLOT  
) MEASURE 37 CLAIM DECISION TO NOT  
) APPLY RESTRICTIVE LAND USE  
) REGULATIONS IN LIEU OF PROVIDING  
) JUST COMPENSATION (Edgemon/PA 06-7125)

**WHEREAS**, on April 3 and May 8, 2007, the Board conducted a public hearing on Robert and Roberta Edgemon's Measure 37 claim (PA05-7125) and adopted Order No. 07-5-8-25 to not apply the restrictive provisions of Lane Code 16.212 that limit the development of dwellings and the division of land in the E-40 (Exclusive Farm Use) zone so that they can develop the property in a manner consistent with the land use regulations in effect when they each acquired an interest in the property as specified in the order; and

**WHEREAS**, Order No. 07-5-8-25 provided an incorrect street address of 25454 Perkins Road, Veneta, rather than 90207 Hill Road, Springfield, for the claimant's property;

**NOW, THEREFORE IT IS HEREBY ORDERED** that Order No. 07-5-8-25 is amended to correct the address of the subject property in the Order from 25454 Perkins Road, Veneta, to 90207 Hill Road, Springfield.

**DATED** this \_\_\_\_\_ day of June, 2007, *nunc pro tunc* May 8, 2007.

\_\_\_\_\_  
Faye Stewart, Chair  
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 6-13-2007 Lane County

\_\_\_\_\_  
*Stephen J. Walker*  
OFFICE OF LEGAL COUNSEL