

## Supplemental Memo



**Memo Date:** June 4, 2007

**Hearing Date:** June 20, 2007 (Continued from May 15, 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 (PA06-7246, Petersdorf)

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### BACKGROUND

**Applicant:** Darrell J. Petersdorf, Sr. through his appointees: Vickie R. Bradfield, Power of Attorney for Darrell J. Petersdorf Sr. and Darrell J. Petersdorf Jr., Power of Attorney for Darrell J. Petersdorf Sr.

**Current Owner:** Petersdorf Living Trust

**Agent:** Harry Taylor

**Map and Tax lot(s):** 17-05-06 tax lot 2400 and 17-06-01 tax lot 2000

**Acreage:** Approximately 150 acres

**Current Zoning:** Tax lot 2000 is zoned F2 (Impacted Forest), tax lot 2400 is zoned E40 (Exclusive Farm Use)

**Date Property Acquired:** April 18, 1959, the property was acquired by Darrell J. Petersdorf, Sr. (Contract #66974 / WD #62938)

February 25, 1991, the property was placed into the Petersdorf Living Trust (B&SD #9110687)

August 4, 2006, Darrell Petersdorf, Sr. was succeeded as Trustee of the Petersdorf Living Trust (Affidavit of Successor Trustee)

**Date claim submitted:** December 1, 2006

**180-day deadline:** May 30, 2007

**Land Use Regulations in Effect at Date of Acquisition:** F2 and E40

**Restrictive County land use regulation:** Minimum parcel size of eighty acres

and limitations on new dwellings in the F2 (Impacted Forest) zone (LC 16.211) and the minimum parcel size of forty acres and limitations on new dwellings in the E40 (Exclusive Farm Use) zone (LC 16.212).

This claim was originally heard on May 15, 2007. At the May 15 hearing, The Board held the record open until June 5, 2007 and continued discussion of the claim to the June 20, 2007 public hearing. At the June 5 hearing, staff recommended denial of the claim citing ownership and valuation deficiencies. The applicant's attorney requested an extension so that he could provide further legal analysis to address those issues.

### **ANALYSIS**

On June 5, additional information was received. This information was reviewed by staff and does not appear to change the original recommendation.

### **CONCLUSION**

It appears this is not a valid claim

### **RECOMMENDATION**

If additional information is not submitted at the continued hearing on June 20, 2007; the County Administrator recommends the Board direct him to deny the claim.