

W. Pa.



Memo Date: June 11, 2007

Hearing Date: June 20, 2007

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: Hearings on thirty four Ballot Measure 37 Claims. See the attached reports for the individual title of each Ballot Measure 37 claim to be heard.

PUBLIC HEARINGS/ MEASURE 37 CLAIMS

All claims set for hearing and consideration by the Board are listed in Table 1 and will be reviewed together in a single, day-long proceeding. The hearings will allow anyone the opportunity to speak to any claim during public testimony and/or submit written testimony. Anyone who submits testimony will be sent notice of subsequent land use applications that rely on the Ballot Measure 37 claim. The Board may elect to adopt all or a subset of the provided draft orders in one motion. Any of the claims with issues can be removed and discussed by the Board in separate actions.

Hearing Process

The order of testimony for each claim listed in Table 1 will be as follows:

1. Applicant.
2. Others.
3. Rebuttal by applicant.
4. Questions from the Board, if necessary.

After closing or continuing the hearings on all the listed claims, the Board may:

1. Identify claims for further discussion.
2. Act on those not requiring more discussion (by number from Table 1).

Possible Motions following the Hearings

1. Motion for Board to adopt the proposed orders for the claims that appear valid.
2. Motion for Board on individual orders or claims pulled for discussion.
3. Motion that remaining claims have inadequate information to determine their validity and direct the County Administrator to issue letters of denial.

ANALYSIS AND RECOMMENDATIONS

There are 34 claims scheduled for a hearing. There are 8 claims recommended for denial, they are: Bixler, Green2, Larsen, Miller, Petersdorf, Shelley, USR Co., and Warner. Additionally, there are 7 claims that have been deemed incomplete because they have not submitted adequate evidence to be determined valid, they are: Brandt, Montgomery, Rosboro79, Rosboro81, Rosboro83, Rosboro85, and Rosboro87. Refer to the staff reports for those claims for further details. If the Board concurs with the recommendations, the County Administrator will issue a letter to that effect for each claim. The remaining claims appear valid as described in the attached reports and the County Administrator recommends the Board adopt the proposed orders for those claims.

ATTACHMENTS

- A. Table 1: Summary of Claims and Recommendations
- B. Table 2: Hearing Notes
- C. Reports and Orders where provided
- D. Supplemental Information

Attachment "A"
Table 1: Summary of Claims and Recommendations
June 20, 2007

	Name	PA#	Tax parcels	Acres	Submitted	180 days	Status	Issues/Notes	Recommendation
1.	Babb*	06-7257	17-04-16 #100, 500	75	1-Dec-06	30-May-07	Valid		Adopt Order
2.	Barrar*	06-7312	18-01 #1800	160	1-Dec-06	30-May-07	Valid		Adopt Order
3.	Bixler*	05-6425	16-03-30, tax lot 802	50	28-Sep-05	27-Mar-06	Not Valid	No Reduction	Deny
4.	Brandt*	06-7297	16-02-11 #300	10	1-Dec-06	30-May-07	Incomplete	Ownership / Valuation	Deny
5.	Cowger*	06-7290	18-02-20 #1600	6	1-Dec-06	30-May-07	Valid		Adopt Order
6.	Cronk*	06-7280	18-02-14 #1001	31	1-Dec-06	30-May-07	Valid		Adopt Order
7.	Davidson302*	06-7302	18-10-07 #201; 18-10-08 #200; 18-10-08-30 #100, 201, 300, 400, 401	126	1-Dec-06	30-May-07	Valid		Adopt Order
8.	Edgemon*	06-7125	17-02-04 #1000	28	29-Nov-06	28-May-07	Valid		Adopt Order
9.	Green2*	06-6896	17-04-30 #1400	23	3-Nov-06	2-May-07	Not Valid	Ownership	Deny
10.	Harwood*	06-7267	16-04-22 #2300, 2400, 2401	31	1-Dec-06	30-May-07	Valid		Adopt Order
11.	Larsen*	06-7251	17-04-18 #2600	13	1-Dec-06	30-May-07	Not Valid	Ownership / Valuation	Deny
12.	McBee*	06-7138	18-04-08 #203, 210	31	29-Nov-06	28-May-07	Valid		Adopt Order
13.	Miller *	06-7202	17-02-19 #1100, 1200	20	1-Dec-06	30-May-07	Not Valid	Valuation	Deny
14.	Montgomery*	06-7333	19-12-25 #200, 299, 300, 700, 1400	325	4-Dec-06	2-Jun-07	Incomplete	Valuation	Deny
15.	Moulton*	06-7250	18-02-36 #302	14	1-Dec-06	30-May-07	Valid		Adopt Order

	Name	PA#	Tax parcels	Acres	Submitted	180 days	Status	Issues/Notes	Recommendation
16.	Petersdorf*	06-7246	17-05-06 #2400; 17-06-01 #2000	151	1-Dec-06	30-May-07	Not Valid	Ownership / Valuation	Deny
17.	Roberts275*	06-7275	16-65-11 #501, 700	23	1-Dec-06	30-May-07	Valid		Adopt Order
18.	Robinson*	06-7277	16-05-19 #200,#220	48	1-Dec-06	30-May-07	Valid		Adopt Order
19.	Rosboro79*	06-7279	17-35-02 #600; 17-35-02-30 #2600, 3700; 17-35-11#300	319	1-Dec-06	30-May-07	Incomplete	Ownership	Deny
20.	Rosboro81*	06-7281	16-45-31 #100	213	1-Dec-06	30-May-07	Incomplete	Ownership	Deny
21.	Rosboro83*	06-7283	16-45-29 #500 (NW of river)	196	1-Dec-06	30-May-07	Incomplete	Ownership	Deny
22.	Rosboro85*	06-7285	16-45-30-40 #1200; 16-45-31 #102	200	1-Dec-06	30-May-07	Incomplete	Ownership	Deny
23.	Rosboro87*	06-7287	16-45-31 #101, 102	81	1-Dec-06	30-May-07	Incomplete	Ownership	Deny
24.	Schrenk*	06-7226	19-02-06 #100, 201; 18-02-31 #303	311	1-Dec-06	30-May-07	Valid		Adopt Order
25.	Schultz*	06-7278	17-05-25 #2302	13	1-Dec-06	30-May-07	Valid		Adopt Order
26.	Shelley*	06-7253	18-02-27 #600	112	1-Dec-06	30-May-07	Not Valid	Ownership	Deny
27.	Suess72*	06-7272	18-04-13 #1300	78	1-Dec-06	30-May-07	Valid		Adopt Order
28.	USR Co.*	06-7282	16-45-31 #101, 102	200	1-Dec-06	30-May-07	Not Valid	Ownership	Deny
29.	Van Duyn*	06-7259	17-04-09 #2700; 17-04-16 #300	143	1-Dec-06	30-May-07	Valid		Adopt Order
30.	Vandercook1*	06-7205	16-09-36 #300, 301, 302, 303, 304, 305, 1000	160	1-Dec-06	30-May-07	Valid		Adopt Order
31.	Vandercook2*	06-7206	18-10-33 #600, 601, 700	78	1-Dec-06	30-May-07	Valid		Adopt Order
32.	Warner*	06-7332	17-06-22 #2200	6	4-Dec-06	2-Jun-07	Not Valid	No Reduction	Deny

	Name	PA#	Tax parcels	Acres	Submitted	180 days	Status	Issues/Notes	Recommendation
33.	Whitaker*	06-7273	16-03-32-14 #2000; 16-03-32-11 #2500	17	1-Dec-06	30-May-07	Valid		Adopt Order
34.	Wobbe*	06-7258	17-04-18 #900	80	1-Dec-06	30-May-07	Valid		Adopt Order

ATTACHMENT "B"
Table 2: Hearing Notes
June 20, 2007

Name		PA#	Recommendation	NOTES
1.	Babb*	06-7257	Adopt Order	
2.	Barrar*	06-7312	Adopt Order	
3.	Bixler*	05-6425	Deny	
4.	Brandt*	06-7297	Deny	
5.	Cowger*	06-7290	Adopt Order	
6.	Cronk*	06-7280	Adopt Order	
7.	Davidson302*	06-7302	Adopt Order	
8.	Edgemon*	06-7125	Adopt Order	
9.	Green2*	06-6896	Deny	
10.	Harwood*	06-7267	Adopt Order	
11.	Larsen*	06-7251	Deny	
12.	McBee*	06-7138	Adopt Order	
13.	Miller *	06-7202	Deny	
14.	Montgomery*	06-7333	Deny	
15.	Moulton*	06-7250	Adopt Order	

	Name	PA#	Recommendation	NOTES
16.	Petersdorf*	06-7246	Deny	
17.	Roberts275*	06-7275	Adopt Order	
18.	Robinson*	06-7277	Adopt Order	
19.	Rosboro79*	06-7279	Deny	
20.	Rosboro81*	06-7281	Deny	
21.	Rosboro83*	06-7283	Deny	
22.	Rosboro85*	06-7285	Deny	
23.	Rosboro87*	06-7287	Deny	
24.	Schrenk*	06-7226	Adopt Order	
25.	Schultz*	06-7278	Adopt Order	
26.	Shelley*	06-7253	Deny	
27.	Suess72*	06-7272	Adopt Order	
28.	USR Co.*	06-7282	Deny	
29.	Van Duyn*	06-7259	Adopt Order	
30.	Vandercook1*	06-7205	Adopt Order	
31.	Vandercook2*	06-7206	Adopt Order	
32.	Warner*	06-7332	Deny	

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33.	Whitaker*	06-7273	Adopt Order	
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