



## **Supplemental Memo**

**Memo Date:** April 20, 2007

**Hearing Date:** May 1, 2007 (Continued from March 20)

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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 (PA06-6980, Harding2)

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### **PREVIOUS BOARD ACTION**

On March 20, 2007, the Board held a hearing on the Measure 37 claim of V.A. & Clara Harding (PA06-6980, Harding2). At that hearing, there was confusion concerning the application materials. It appears that the applicant's agent submitted the same application materials for two adjacent properties, tax lots 3600 and 3606. These properties are owned by different members of the Harding family. Tax lot 3606 is the subject of this claim and the information originally submitted corresponds correctly to this property but did not correspond to tax lot 3600 (the subject property in the Harding1 claim).

At the March 20th hearing, the applicant requested additional time so that clarifying information could be reviewed by staff and the confusion regarding the two Harding claims could be reconciled. The Board agreed to extend the open record period until April 13 and continued further review of the claim to the May 1 hearing.

Subsequent to the May 1 hearing, staff reviewed new application materials in support of the Harding1 claim. This information addressed the issues concerning that claim. No supplemental information has been submitted by the applicant concerning the Harding2 claim. Some information was provided to staff concerning the death of V.A. and Clara Harding, in particular the death of V.A. Harding after the claim was filed by him. Since the last conveyance involving this property placed it into a trust with V.A. as Trustees, it is unclear now who actually owns or controls the property. If neither V.A. nor Clara are alive, they no longer have an interest in the property and a claim on their behalf cannot be approved. Consequently, the County Administrator recommends the Board direct him to deny the claim.