

MINUTES & NOTICE OF BOARD ACTION

LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to all news media, recognized charter groups, neighborhood organizations, all rural stores and a selected list of jurisdictions and individuals in Lane County a meeting of the Board of County Commissioners was held.

Questions should be directed to Debbie Mohr, Board Secretary, ext. 4203.

July 8, 1980
1:30 p.m.

SPECIAL MEETING (APPEAL HEARINGS)
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Vice Chairman Harold Rutherford presided, other members present were Vance Freeman and Archie Weinstein. Commissioners Otto t'Hooft and Gerald Rust were absent, on vacation.

Rutherford received and read a proclamation into the record signed by 87 persons all serving as jurors from June 17 to July 3, commending Helen Law, Director of the Jury Assembly Room.

1. APPEAL/LDRC Denial of a Major Partition
Applicant/Appellant: Alden H. Beckett, M 76-80 (Representing David Spores)
Location: 29230 Old Mohawk Road, Springfield

Action Statement: Jim Mann, Senior Planner, reviewed with the Board the staff report on file and there being no questions from the Board to staff, Rutherford opened for public hearing and heard from Al Beckett, representing applicant Spores. Beckett submitted a transcript to the Board and read it into the record in support of the appeal and addressing the goals, policies and General Plan. Beckett said the minor partition conformed to all statewide goals and was entitled to exceptions to Goals 3 and 4 under the exceptions process in Goal 2. Weinstein moved the LDRC denial of a major partition be overturned, that the major partition be changed to a minor partition and applicant's request approved. Rutherford asked if Weinstein would consider including Tax Lot 1311 in his main motion which Weinstein agreed to do amending the motion and Rutherford seconded. All members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Findings of Fact (Final Action) two to three weeks.

Other Departments Affected: County Counsel.

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2. APPEAL/LDRC Denial of a Minor Partition
Applicant/Appellant: Terry Stimac, m 144-80
Location: 1746 Sweetbriar Lane, Eugene

Action Statement: Mann reviewed with the Board the staff report on file and said it was the opinion of the LDRC that an additional homesite in the area as requested could have an adverse effect on Pope and Talbott. There being no questions from the Board to staff, Rutherford opened for public hearing and heard from Terry Stimac, 1746 Sweetbriar Lane, who gave the Board a history of the land from the time of his purchase and emphasized the fact that he did not want to change the use of the land but was only asking for a zone change. The Board then heard from Thomas Martin, 3620 Emerald, who questioned the County speaking on behalf of Pope and Talbott and asked why Pope and Talbott was not present. Rutherford told Martin that this was usual procedure. There being no other persons present in support of the appeal, the Board heard from Dennis McGee, no address given, who spoke in a neutral position. McGee told the Board that he did not want to see mobile homes placed in the area and that now an unauthorized "junk yard" existed on Tax Lot 516. Stimac agreed with McGee and offered to work with him in order to clean up the area. There being no other persons present to testify in support of or in opposition to the appeal, Rutherford closed the public hearing.

Weinstein moved to reverse the LDRC denial and grant applicant's appeal and further to incorporate in the Findings the written testimony submitted by Stimac. Freeman seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Findings of Fact including Stimac's written testimony (Final Action): Due in two weeks.

Other Departments Affected: County Counsel.

3. APPEAL/Administrative Denial of a Minor Partition
Applicant/Appellant: Harold Gable, m 554-79
Location: 82223 Hanna Road, Dexter

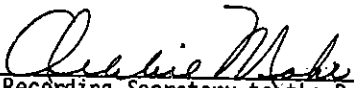
Action Statement: Mann reviewed with the Board the staff report on file and said this appeal was a confusing situation, a result of staff work. The Board however decided to proceed and Rutherford opened for public hearing and heard from Michael Farthing, 975 Oak, representing applicant Gable. Farthing told the Board that Gable had felt he had had tentative approval with a one-year period to satisfy conditions and this was later followed by an LDRC denial. Farthing submitted the Stewart appeal which the Board acted on May 7, 1980, and said this case was the same type of situation as Stewart. County Counsel Margie Hendriksen said this process was not good and there should be an order addressing this type of thing. The Board then heard from John Tyler, Hanna Road, who spoke in opposition to the appeal and said he saw nothing but confusion and the applicant should address Goal 3. Tyler said the Stewart case should not be allowed to set a precedent. In rebuttal Farthing said that the process in Stewart was probably most reasonable regarding County protection and he believed

all the goals could be addressed by January of '81. Rutherford then moved to deny the administrative denial and grant applicant Gable's appeal, Freeman seconded, all members voted aye and the motion carried unanimously.

Implementation and/or Future Agenda Date: Findings of Fact (Final Action): Due two to three weeks.

Other Departments Affected: County Counsel.

There being no further business, Freeman moved to adjourn, Weinstein seconded, all members voted aye and the motion carried unanimously. The Board adjourned at 2:49 p.m.


 Recording Secretary to the Board