



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of a Vested Rights)
Decision for the Warren property)
Located in Tax Lots 1000 T4S, R10W,)
Section 14)

ORDER
#09- 087

FILED
ZUSA
OCT 21 2009
Jan
TASSI O'NEIL
COUNTY CLERK

This matter came before the Tillamook County Board of Commissioners on the request of Robert and Richard Warren.

The Board of Commissioners conducted a public hearing on October 6, 2009. After receiving public testimony and reviewing written materials, the Board finds as follows:

1. The Warrens purchased the property in 1962. At that time the minimum lot size in the Farm zone was 1 acre.
2. The State Wide Planning Goal 3 (Farm) was revised in 1993 to require a minimum lot size of 80 acres and an \$80,000 income to be able to build a dwelling. This change took away the Warren's ability to build on their land.
3. The Warrens filed a State Measure 37 Claim (M1299905) and a Measure 37 Claim with Tillamook County (M-05-05) which were both approved.
4. The Warrens did not file a Measure 49 Review of a Measure 37 Claim.
5. Robert Warren spent much time, effort and money, in good faith, after his Measure 37 Claims were approved and before Measure 49 became effective.


NOW THEREFORE, IT IS HEREBY ORDERED that:

Robert Warren has a vested right to develop his property as per the Department of Land Conservation and Development's and the County Measure 37 final order. Robert Warren has the right to divide his Measure 37 Claim property into 1 to 5 acre parcels and have a dwelling on each parcel.

DATED this 21 day of October, 2009.

**BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON**

Aye Nay Abstain/Absent


Tim Josi, Chairperson

✓ /


Mark Labhart, Vice-Chairperson

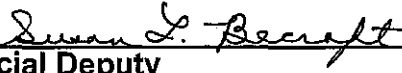
✓ /


Charles J. Huffiman, Commissioner

✓ /

ATTEST: Tassi O'Neil
 County Clerk

APPROVED AS TO FORM:

By: 
Special Deputy


William K. Sargent, County Counsel

