

## 1 BOARD OF COUNTY COMMISSIONERS

2 KLAMATH COUNTY, OREGON

3 IN THE MATTER OF THE APPLICATION )  
4 FOR COMPREHENSIVE LAND USE PLAN )  
5 CHANGE AND ZONE CHANGE 77-1 FOR )  
FENNER-SANGENE )MINORITY REPORT

6 THIS MATTER having come on for hearing upon the appli-  
7 cation of Fenner-Sangene, for a Comprehensive Land Use Plan Change  
8 from Agriculture to Multiple Density and Zone Change from AF  
9 (Agriculture Forestry) to RD 1500 (Multiple Family Residence) on  
10 real property described as being in Section 2, Township 41, Range  
11 10, in Klamath County Oregon, with said property being approxi-  
12 mately 9,759 square feet in size, was heard before the Planning  
13 Commission on March 29, 1977, April 26, 1977, May 24, 1977,  
14 February 28, 1978, June 13, 1978, September 26, 1978 and October  
15 24, 1978, wherefrom the testimony, reports and information pro-  
16 duced at the hearings by the Applicant, the Planning Department  
17 Staff, and other persons in attendance, the Planning Commission  
18 recommended approval of the application to the Board of County Com-  
19 missioners. Following actions by the Planning Commission, a pub-  
20 lic hearing before the Board of County Commissioners was held on  
21 July 19, 1978 and December 7, 1978, wherefrom the testimony,  
22 reports and information on the record below, the Board of County  
23 Commissioners voted to approve Comprehensive Land Use Plan Change  
24 and Zone Change 77-1 for Fenner-Sangene.

25 Minority Report: The Klamath County Zoning Ordinance,  
26 Article 112.002 (13) requires that in the event the decision of  
27 the Board of County Commissioners for a Comprehensive Land Use  
28 Plan change and/or zone change is not unanimous, the dissenting

1 member shall file a Minority Report, which will become part of the  
 2 record for such dissent within thirty (30) days after the entry  
 3 of aforesaid order.

4 The following constitutes my, Lloyd Gift, Minority Report  
 5 in the action taken by the Board of County Commissioners relative  
 6 to Comprehensive Land Use Plan change and Zone Change 77-1.

7 FINDINGS OF FACT:

8 1. Testimony indicated areas to the east, south and west  
 9 was inside the city limits of Merrill except for this approximately  
 10 9,759 square feet and this 9,759 square feet should be part of the  
 11 city.

12 2. City of Merrill, once having annexed 9,759 square feet  
 13 site, should provide parking and any other facilities to help land  
 14 development on proposed site for zone change.

15 3. Testimony indicated site for zone change lacked a play  
 16 area for children, therefore an improvement of such should be pro-  
 17 vided.

18 CONCLUSIONS OF LAW:

19 1. The property affected by change in Comprehensive Land  
 20 Use Plan and zone is not in keeping with improvements.

21 2. The property affected by change in Comprehensive Land  
 22 Use Plan and zone is not in keeping with the development that is  
 23 required by the Multiple Residential Zone.

24 Incorporated above Findings of Fact and Conclusions of Law  
 25 for denial of Comprehensive Land Use Plan change and Zone Change  
 26 77-1.

27 Dated: Dec 21 1972 Lloyd Gift  
 28 Lloyd Gift, Member  
 Klamath County Board of Commissioners

Minority Report - CLUP & ZC 77-1  
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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 3rd day of  
January A.D., 19 72 at 9:46 o'clock A M., and duly recorded in Vol 1872  
 of DEEDS on Page 233

FEE none

WM. D. MILNE, County Clerk

By Jacqueline J. Miller