

BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE 78-38 FOR) M I N O R I T Y R E P O R T
WILLIAM LA VERNE)

THIS MATTER having come on for hearing upon the application of William LaVerne, for a Comprehensive Land Use Plan change from Forestry to Residential Recreational and Zone Change from AF (Agriculture Forestry) to SP-1 (Rural Residential) on real property described as being in Section 11, Township 39, Range 11, in Klamath County, Oregon, with said property being approximately 25 acres in size, was heard before the Planning Commission on August 15, 1978, wherefrom the testimony, reports and information produced at the hearing by the Applicant, the Planning Department Staff, and other persons in attendance, the Planning Commission recommended approval of the application to the Board of County Commissioners. Following actions by the Planning Commission, a public hearing before the Board of County Commissioners was held on October 17, 1978, wherefrom the testimony, reports and information on the record below, the Board of County Commissioners voted to approve Comprehensive Land Use Plan Change and Zone Change 78-39 for William LaVerne.

Minority Report: The Klamath County Zoning Ordinance, Article 112.002(13) requires that in the event the decision of the Board of County Commissioners for a Comprehensive Land Use Plan change and zone change is not unanimous, the dissenting member shall file a Minority Report, which will become a part of the record for such dissent withing thirty (30) days after the entry

1 of aforesaid order.

2 The following constitutes my, Lloyd Gift, Minority
3 Report in the action taken by the Board of County Commissioners
4 relative to Comprehensive Land Use Plan change and Zone Change
5 78-38.

6 FINDINGS OF FACT:

7 1. Testimony indicated that area for change in Compre-
8 hensive Land Use Plan and Zone Change that this was a Deer Winter
9 Range.

10 2. Testimony indicated that there was no fire district
11 within the nearby area.

12 3. Testimony indicated that area for change in Com-
13 prehensive Land Use Plan and Zone, which is later to be subdivided,
14 that the Bonanza School was overcrowded.

15 4. Testimony indicated that this type of zone change
16 would be spot zoning.

17 5. Testimony from applicant indicated that there was
18 no need shown for such development in this area.

19 6. Testimony from Applicant indicated all farmers lost
20 money and all farmers do not lose money in agriculture endeavors.

21 7. Testimony indicated Area Committee wanted action
22 delayed on this type of change until there was an Exclusive Farm
23 Use Boundary established.

24 CONCLUSIONS OF LAW:

25 1. The proposed change in Comprehensive Land Use Plan
26 and zone will have an adverse effect on surrounding properties.

27 2. The proposed change in Comprehensive Land Use Plan
28 and zone is not in keeping with land uses and trends in the

1 surrounding area.

2 3. The proposed change in Comprehensive Land Use Plan
3 and zone did not indicate a need.

4 4. The proposed change in Comprehensive Land Use Plan
5 and zone does not represent the highest, best and most appropriate
6 use of the land affected.

7 Incorporated above Findings of Fact and Conclusions of
8 Law for denial of Comprehensive Land Use Plan change and Zone
9 Change 78-36.

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13 Dated: Dec 27 1978

Lloyd Gift
Lloyd Gift, Member
Klamath County Board of
Commissioners

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15
16 STATE OF OREGON; COUNTY OF KLAMATH; ss.
17 filed for record at request of XXXXXXXXXX

18 this 3rd day of January A. D. 19 79 at 8:46 o'clock AM.
19 duly recorded in Vol. 11 72, of DEEDS

20 no fee

21 on Page 235
22 Wm D. MILNE, County Clerk
23 By Jaqueline J. Milne