

'98 JUL 13 P1:31

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY**

**IN THE MATTER OF THE REMAND STIPULATION CONCERNING
CLUP/ZC 11-97, ATLANTIS ENTERPRISES**

1. SCOPE OF THE HEARING:

The BOARD approved the referenced case, a CLUP/ZC requesting a plan/zone change from Commercial/CG to Industrial/IL October 14, 1997. An appeal to LUBA was filed by nearby property owners.

The circumstance before the BOARD is the REMAND STIPULATION endorsed by attorneys for the County, Petitioners and Intervenor/Respondent dated May 20, 1998.

2. THOSE WHO PARTICIPATED:

A notarized listing of those who participated at this Hearing is on file with the Planning Department. Carl Shuck, Planning Director, represented the Planning Department. Kevin Russell, Planner, was the recording secretary. Members of the Board who heard the appeal were William R. Garrard, M. Steven West and Al Switzer.

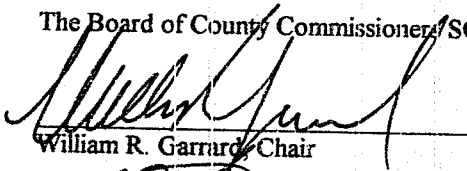
3. REMAND STIPULATION:

1. This matter is before the Klamath County Board of Commissioners on Remand from the Oregon Land Use Board of Appeals.
2. On Remand, the Board of Commissioners may reconsider its original decision in this matter.
3. On reconsideration, the parties stipulate that the request by Atlantis Enterprises, Inc. for a comprehensive plan and zone change from general commercial to light industrial be DENIED.

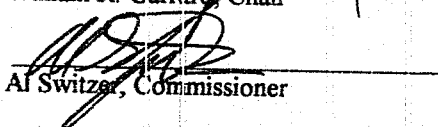
The existing comprehensive plan and zoning for general commercial for the subject property should remain in place.

4. ORDER:

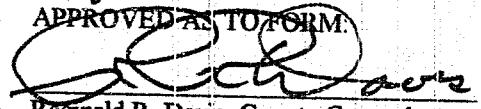
The Board of County Commissioners SO ORDERS, this 1st day of JULY 1998.


William R. Garrard, Chair


M. Steven West, Commissioner


Al Switzer, Commissioner

APPROVED AS TO FORM:


Reginald R. Davis, County Counsel

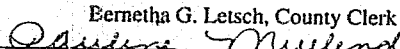
APPEAL RIGHTS:

This decision may be appealed to the Land Use Board of Appeals within 21 days of the date of execution by the BOCC. Please contact the Planning Department for information as to this procedure. Failure to file an appeal within the allowed timeframe may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Klamath County the 13th day
of July A.D., 19 98 at 1:31 o'clock P M., and duly recorded in Vol. M98
of Deeds on Page 24993.

FEE None

By 
Bernetha G. Letsch, County Clerk