

PASSED

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,
OREGON**

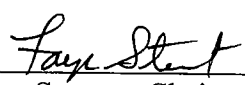
ORDER No.) IN THE MATTER OF AMENDING ORDER
07-1-24-4) NO. 06-9-20-5 TO CLARIFY A BALLOT
) MEASURE 37 CLAIM DECISION TO NOT
) APPLY RESTRICTIVE LAND USE
) REGULATIONS IN LIEU OF PROVIDING
) JUST COMPENSATION (Pattison/PA 06-6028)

WHEREAS, on September 20, 2006, the Board conducted a public hearing on the Measure 37 claim of Jesse and Elaine Pattison (PA06-6028) and the Board determined that the restrictive requirements of Lane Code 16.211 that were enforced and made applicable to the property prevented Jesse Pattison from developing the property as could have been allowed when he acquired an interest in a portion of the property on May 30, 1972, and the remainder on August 16, 1973, and the public benefit from application of the land use regulation to the applicant's property is outweighed by the public burden of paying just compensation; and

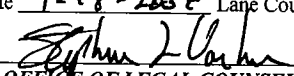
WHEREAS, Board Order No. 06-9-20-5 adopted on September 20, 2006, inadvertently omitted mention of any proposed commercial business, but the testimony and evidence submitted to the Board made it clear that Jesse Pattison, also known as Michael Pattison, requested a waiver of the F2 (Impacted Forest) zone regulations that restrict the operation of a commercial use on the subject property and a revised order reflecting that request will clarify the Board action was intended to include waiver of the F2 (Impacted Forest) zone restrictions on commercial uses.

NOW, THEREFORE, IT IS HEREBY ORDERED that Order No. 06-9-20-5 is amended to include language in the first two Ordered paragraphs to clarify that Order No. 06-9-20-5 also waives restrictive provisions of LC 16.211 that limit operation of a commercial business in the F2 (Impacted Forest) Zone and allows Jesse Pattison, also known as Michael Pattison, to apply for approval to operate a commercial business in the F2 (Impacted Forest) Zone on property commonly known as 94300 Deadwood Creek Road, Deadwood, OR 97430 and more specifically described in the records of the Lane County Assessor as map 18-08-06, tax lot 202, consisting of approximately 43 acres in Lane County, Oregon, as could have been allowed when he acquired an interest in a portion of the property on May 30, 1972, and the remainder on August 16, 1973.

DATED this 24th day of January, 2007, *nunc pro tunc* September 20, 2006.



Faye Stewart, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM
Date 1-18-2007 Lane County


OFFICE OF LEGAL COUNSEL