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BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE
APPLICATION FOR CHANGE
OF ZONE NUMBER 73-42 BY
MELVIN W. AND SHIRLEY M. HUNTER

O R D E R

This matter having come on for hearing upon the application of Melvin W. and Shirley M. Hunter for a change of zone, said change application being numbered Zone Change 73-42 and said application having been heretofore recommended from AF (Agricultural Forestry) zone and AF SP-2 (Agricultural Forestry - Critical Deer Winter Range) zone to SP-1 (Rural Residential) zone by the Klamath County Planning Commission, a description of the real property referred to in said application being E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 30, Township 39 S., Range 11 East of the Willamette Meridian, Klamath County, Oregon, and a public hearing on said application having been regularly held on June 18, 1973 before said Board of Commissioners, and it appearing to the Board of Commissioners from the testimony, reports, and information produced at said hearing by the applicant, interested parties, the Planning Commission and Planning Department, that a portion of the application should be granted, the Board of Commissioners makes the following findings as required by Ordinance Number 17, the same being the Klamath County Zoning Ordinance:

1. That the applicant has provided specific information indicating a public need for the applicant's request for a change of zone and that a substantial portion of applicant's land appears to be best suited to meet said public need; and
2. The property affected by the change of zone is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning; and
3. The property affected by the proposed change of zone is properly related to streets and highways to adequately serve the type of traffic generated by such uses that may be permitted therein; and

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4. The proposed change of zone will have no adverse effect on any property or the permitted uses thereof, within a seven hundred (700) foot radius excluding highways and rights-of-way, providing that said change of zone rezones only those portions of the property described in said application, west of Harpold Road from AF (Agriculture Forestry) to SP-1 (Rural Residential) zone, and rezones from AF SP-2 (Agriculture Forestry - Critical Deer Winter Range) to SP-1 (Rural Residential) SP-2 (Critical Deer Winter Range) only those portions contained in said application east of Harpold Road and more particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, and further providing that the minimum lot size permitted on applicant's land rezoned to SP-1 or SP-2 shall be five (5) acres; and

5. That the proposed change of zone as modified in 4. above is in keeping with any land use plans duly adopted and does, in effect, represent the highest, best and most appropriate use of the land affected; and

6. That the application is consistent with the Klamath County adopted Comprehensive Land Use Plan maps and text.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT the application of Melvin W. and Shirley M. Hunter for a change of zone from AF (Agricultural Forestry) and AF SP-2 (Agricultural Forestry - Critical Deer Winter Range) zone to SP-1 (Rural Residential) zone, a particular description of the real property referred to in said application as modified in this ORDER being E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 30, Township 39 S., Range 11 East of the Willamette Meridian, Klamath County, Oregon, providing that said change of zone rezones only those portions of the property described in said application, west of Harpold Road from AF (Agriculture Forestry) to SP-1 (Rural Residential) zone, and rezones from AF SP-2 (Agriculture Forestry -

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Critical Deer Winter Range) to SP-1 (Rural Residential) SP-2 (Critical Deer Winter Range) only those portions contained in said application east of Harpold Road and more particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, and further providing that the minimum lot size permitted on applicant's land rezoned to SP-1 or SP-2 shall be five (5) acres, said change application being numbered Zone Change 73-42 is hereby approved.

Done and dated this 8th day of August

1973.

Chairman of the Board

R. K. Lyle
County Commissioner

Approved as to form

Harry D. Boivin
Harry D. Boivin, Legal Counsel

B. W. Williams
County Commissioner

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LEGAL DESCRIPTION

ZONE CHANGE 73-42

EXHIBIT A

Boundary lines of this property are approximately true North, East, South and West.

Beginning at a point 880 feet North of the SE corner of the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 30, Township 39 South, Range 11 East of the Willamette Meridian in Klamath County, Oregon.

Then Northerly for 300 feet; then Westerly for 869 feet to the Harpold Road; then Easterly for 875 feet to the point of beginning which is the boundary between this property and the BLM land which borders the approximate 300 feet Easterly boundary of this parcel.

This parcel contains 6.02 acres.

Subject to Transamerica Title Insurance Co. Order No. 28-1708 dated January 18, 1972.

Subject to Klamath County right-of-way width along the Harpold Dam-Malin Highway.

EXHIBIT B

Boundary lines of this property are approximately true North, East, South and West.

Beginning at a point 580 feet North of the SE corner of the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 30, Township 39 South, Range 11 East of the Willamette Meridian in Klamath County, Oregon.

Then Northerly for 300 feet; then Westerly for 875 feet to the Harold Road; then Southerly for 300 feet along the Harpold Road; then Easterly for 905 feet to the point of beginning which is the boundary between this property and the BLM land which borders the approximate 300 feet East boundary of this parcel.

This parcel contains 6.14 acres.

Subject to Klamath County right-of-way width along the Harpold-Malin Highway.

Subject to Transamerica Title Insurance Co. order No. 28-1708 dated January 18, 1972.

STATE OF OREGON, }
County of Klamath } ss.

Filed for record at request of:
KLAMATH CO. RD OF COMMISSIONERS
on this 8th day of AUGUST A. D. 19 73
at 4:12 o'clock P. M. and duly
recorded in Vol. 1473 of DEEDS
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WM. D. MILNE, County Clerk

By Hazel D. Dugan Deputy.
Fee None