

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 73-23 BY
HENRY T. HOLMAN

O R D E R

SEP 23 9 25 AM 1973

This matter having come on for hearing upon the application of Henry T. Holman for a change of zone, said change application being numbered Zone Change 73-23 and said application having been heretofore recommended from AF (Agriculture Forestry) and AF SP-2 (Agriculture 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 the NE $\frac{1}{4}$ Section 10, Township 35 S., Range 9 East of the Willamette Meridian, Klamath County, Oregon, and public hearings on said application having been regularly held at various times with a concluding hearing on July 31, 1973 before said Board of Commissioners, and the Board of Commissioners having heard and examined the statements and evidence both oral and documentary introduced at said public hearings by the applicant, interested parties, the Planning Department and the Planning Commission's findings and recommendations, and the Board of Commissioners, as required by Ordinance Number 17, finding:

1. That the applicant has provided specific information demonstrating that there is a public need for said zone change and that the applicant's proposal is best suited to meet said need; and
2. That 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. That a portion of the property north of the Sprague River 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

4. That 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 the SP-2 (Critical Deer Winter Range) zoning designation is retained; and

5. That the proposed change of zone 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 Klamath County adopted Comprehensive Land Use Plan maps and text.

NOW, THEREFORE, IT IS HEREBY ORDERED That the application of Henry T. Holman for a change of zone from AF (Agriculture Forestry) and AF SP-2 (Agriculture Forestry - Critical Deer Winter Range) zone to SP-1 (Rural Residential) zone, a particular description of the real property referred to in said application being the NE $\frac{1}{4}$ Section 10, Township 35 S., Range 9 East of the Willamette Meridian, Klamath County, Oregon, is hereby approved excepting specifically therefrom that portion of the real property described on the application lying south of the center thread of Sprague River; and further providing that the SP-2 (Critical Deer Winter Range) zoning designation on the property set out in said application and more particularly described as the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 10, Township 35 S., Range 9 East of the Willamette Meridian, Klamath County, Oregon, is retained.

Done and dated this 24th day of Sept., 1973.

Chairman of the Board

La Pyle
County Commissioner

Approved as to form

Harry D. Bolvin
Harry D. Bolvin, Legal Counsel

William Williams
County Commissioner

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY BOARD OF COMMISSIONERS

this 25th day of SEPTEMBER A. D., 1973 at 9:38 o'clock A M., and duly recorded in
Vol. M 73 of DEEDS on Page 12944

NO FEE

WM. D. MILNE, County Clerk

By Hazel Dragic deputy