

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 73-28 BY
RAGNAR L. CARLSON

O R D E R

This matter having come on for hearing upon the application of Ragnar L. Carlson for a change of zone, said change application being numbered Zone Change 73-28 and said application having been heretofore recommended from F (Forestry) 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 attached hereto, marked Exhibit A, and by reference made a part hereof, and public hearings on said application having been regularly held at various times with the concluding hearing on June 27, 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 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 Planning Commission had initiated this zone change on behalf of the applicant because the applicant had a currently approved Land Partitioning No. 10-72 which was approved on November 1, 1972, prior to the adoption of county-wide zoning on December 7, 1972; and
2. That only through an error or mistake, the land approved for said Land Partitioning No. 10-72 had not been properly zoned for the intended use on the zoning maps which, together with the Zoning Ordinance text were referred to the people for a vote on November 7, 1972; and
3. 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, providing that applicant causes an Oregon Registered Professional Engineer to identify on a map of Klamath County, Land Partitioning No. 10-72, the flood plain on applicant's said land and makes said land partitioning map with said flood plain designation a part of Exhibit E, paragraphs 8, 9, and 10, attached hereto and by reference made a part hereof, and further providing that no provision of said Exhibit E, or Exhibits C and D, attached hereto and by reference made a part hereof, shall remove or modify said flood plain designation and attached references thereto and contained herein, without the express written consent of the Klamath County Board of Commissioners and that parcels in said land partition shall not be further divided nor shall multiple-undivided interests in said parcels be conveyed; and

4. 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, providing that the applicant provides for road access to parcels 9 through 21 of said land partition over that certain road which leads from applicant's land to the Sprague River Highway and passes over Weyerhaeuser Company and U. S. Forest Service road easements, similar to that access as shown on Exhibit B granted by Weyerhaeuser, and that the applicant further shall provide for the creation of a road association as shown in said Exhibits C and D for the purpose of maintaining said access road and further providing that neither amendment procedures contained in said Exhibits C and D, nor any action authorized in said Exhibits C and D, shall be used to void or nullify said provisions for creation and maintenance of said access roads without the express consent of the Klamath County Board of Commissioners; and

5. 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; and