

21723

Vol. 76 Page 18300

BEFORE THE BOARD OF COUNTY COMMISSIONERS
In and for the County of Klamath, State of Oregon

IN THE MATTER OF APPLICATION)
FOR ZONE CHANGE NUMBER 76-10)
STEPHEN L. PLOWMAN)

O R D E R

THIS MATTER having come for hearing on the application No. 76-11 by Stephen L. Plowman for a change of zone from AF (Agricultural Forestry) to A (Light Agricultural) on real property described as a parcel of land situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Commencing at a point on the fourth line 125 feet South of the corner common to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19; thence South 417.9 feet to a point on the forty line; thence West a distance of 208.7 feet to a point; thence North and parallel to said forty line a distance of 417.9 feet to the boundary of a transmission line easement; thence East a distance of 208.7 feet to the point of beginning, containing 2 acres, more or less. A Public hearing on the application having been heard by the Klamath County Planning Commission on July 13, 1976, where from the testimony, reports and information produced at the hearing by the applicant, members of the Planning Department Staff, and others in attendance, the Planning Commission recommended approval of the application. Following action by the Planning Commission a public hearing was regularly held before the Board of County Commissioners on August 17, 1976, where from the testimony it appeared that the record was accurate and complete and it appearing from reports and information produced at the hearing that there was substantial evidence for the action taken by the Planning Commission and that the application should be granted, the Board of County Commissioners makes the following findings of fact and conclusions of law in accordance with Ordinance No. 17, the Klamath County Zoning Ordinance:

Findings of Fact:

1. Applicant wishes to build a house on subject property of two acres in size, 20 acres is needed in the Agricultural Forestry zone, minimum lot size in an Agricultural zone is one acre.
2. The Comprehensive Land Use Plan map shows agricultural use, and will remain as agricultural, therefore no change is required.
3. Deeded access is off Matney Road, of which is indicated in the deed.

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4. Other properties in the area to the east and north are indicated as agricultural on the Comprehensive Land Use Plan map and the use will remain as such.

5. The proposed site is not part of the agricultural land and will never be used for such purposes.

6. The subject property is basically made up of sage brush and weeds and also is not under irrigation.

7. There was no opposition from the surrounding property owners.

8. There are residences within 3/4 of a mile from the proposed zone change area.

Conclusions of Law:

1. 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.

2. 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.

3. The proposed change of zone will have no adverse effect or only limited adverse effect on any property or the permitted uses thereof within the affected area.

4. That the proposed change of zone is in keeping with land uses and improvements, trends in land development, density of land development, and prospective needs for development in the affected area.

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.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of Stephen L. Plowman for Zone Change 76-10, requesting a change of zone from AF (Agricultural Forestry) to A (Light Agricultural) on real property described as a parcel of land situate in the NW 1/4 of Section 19, Township 40 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Commencing at a point on the forty line

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ORDER:

ZONE CHANGE NO. 76-10
STEPHEN PLOWMAN
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125 feet South of the Corner common the the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19; thence South 417.9 feet to a point on the forty line; thence West a distance of 208.7 feet to a point; thence north and parallel to said forty line a distance of 417.9 feet to the boundary of a transmission line easement; thence East a distance of 208.7 feet to the point of beginning, containing 2 acres, more or less is hereby approved.

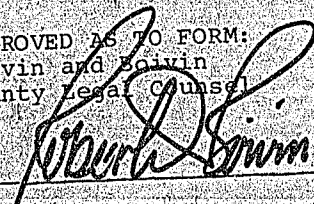
DONE AND DATED THIS 16th day of November, 1976.


Raymond P. Thorne
Chairman


Bryant Williams
Commissioner


Lloyd Gift
Commissioner

APPROVED AS TO FORM:
Boivin and Boivin
County Legal Counsel

By 

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY BOARD OF COMMISSIONERS

this 17th day of November A. D. 1976 at 12:16 o'clock P. M. and

duly recorded in Vol. M. 76 of DEEDS on Page 18300

FEE NONE

Wm. D. MILNE, County Clerk

By 