

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

IN THE MATTER OF APPLICATION FOR)
COMPREHENSIVE LAND USE PLAN CHANGE)
ASSOCIATED WITH THE APPLICATION FOR)
ZONE CHANGE 76-16 FOR REV. THOMAS)
J. CONNOLLY, ROMAN CATHOLIC BISHOP)
OF THE DIOCESE OF BAKER)

O R D E R

THIS MATTER having come for hearing upon the application No. 76-16 by Rev. Thomas J. Connolly, Roman Catholic Bishop of the Dioceses of Baker for a Comprehensive Land Use Plan change from Forestry to Semi Public on real property described as that portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, lying East of the Walker Basin Irrigation Canal in Section 26, Township 23 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, and a public hearing on the application having been heard by the Klamath County Planning Commission on August 24, 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 Commissioners on September 21, 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 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. Due to the nature of the intended use under this Comprehensive Land Use Plan change, no detrimental effect should be felt on the surrounding forestry and agricultural uses.
2. A deed restriction limits the intended use to religious purposes which should not cause a conflict with the surrounding Comprehensive Land Use Plan.
3. The Comprehensive Land Use Plan change is necessary because no other property is suitable under the present Comprehensive Land Use Plan.
4. The SP-16 (Planned Unit Development) zone is further intended to encourage more efficient use of the land, while still provided proper arrangement of uses and structures, as may be related to the land and surrounding uses and zoning.

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5. The property will automatically revert back to the original owner which is the Deschutes River Land and Cattle Co. if not used for religious purposes.

6. The area will be left in a woodsy, rural-type setting, with a minimum of cutting of the trees to allow for development of the proposed site.

Conclusions of Law:

1. The property affected by the Comprehensive Land Use Plan change is adequate in size and shape to facilitate those uses normally allowed in conjunction with such uses.

2. The property affected by the proposed Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change will have no adverse effect or only limited adverse effect on any property or the permitted uses thereof within the affected area.

4. The proposed Comprehensive Land Use Plan change is in keeping with land uses and improvements, trends in land development, density and prospective needs for development in the affected area.

5. The proposed Comprehensive Land Use Plan change represents the highest, best and most appropriate use of the land affected.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of Rev. Thomas J. Connolly, Roman Catholic Bishop of the Dioceses of Baker for a Comprehensive Land Use Plan change from Forestry to Semi-public on real property described as that portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ lying East of the Walker Basin Irrigation Canal in Section 26, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon is hereby approved.

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

Raymond T. Thorne
Raymond Thorne
Chairman

Bryant Williams
Bryant Williams
Commissioner

Lloyd Gift
Lloyd Gift
Commissioner

APPROVED AS TO FORM:
Boivin and Boivin
County Legal Counsel

By *Boivin and Boivin*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 17th day of
NOVEMBER A.D., 19 76 at 12:16 o'clock P.M., and duly recorded in Vol M 76,
of DEEDS on Page 18305.

WM. D. MILNE, County Clerk

FEE NONE

By *Wm D Milne* Deputy