

25567

Vol. ^m 17 Page

3363

BEFORE THE 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 76-21,)
RATLIFF FOR HOEFLER)

O R D E R

THIS MATTER having come on for hearing upon the application of Ratliff for Hoeftler from AF (Agriculture Forestry) to SP-15 (Public Facility) on real property more particularly described as a parcel of land approximately 3,050 square feet in size, located in the NE $\frac{1}{4}$ of Section 26, Township 38, Range 11 $\frac{1}{2}$, generally located on the north side of Dairy-Bonanza County Road and approximately $\frac{1}{2}$ mile southeast of where said road intersects the Yonna Valley County Road. A public hearing having been held by the Klamath County Planning Commission on October 26, 1976, where from the testimony, reports and information produced at the hearing by the applicant, members of the Planning Commission Staff and other persons in attendance, the Planning Commission recommended approval to the Board of Commissioners. Following action by the Planning Commission, a public hearing before the Board of County Commissioners was regularly held on November 30th, 1976, where from the testimony it appeared that the record was accurate and complete and it appearing from the testimony, reports and information produced at the hearing below that the application for Zone Change on real property more particularly described as a parcel of land approximately 3,050 square feet in size, located in the NE $\frac{1}{4}$ of Section 26, Township 38, Range 11 $\frac{1}{2}$, generally located on the north side of Dairy-Bonanza County Road and approximately $\frac{1}{2}$ mile southeast of where said road intersects the Yonna Valley County Road should be granted. The Board of County Commissioners makes the following findings of fact and conclusions of law as required by the Klamath County Zoning Ordinance No. 17:

Findings of Fact:

1. The property is located on the Bonanza Highway which is adequate to serve the type of traffic generated by the said use.
2. The zone change will have a favorable effect on the property within the area by keeping the fire rates low.
3. The property affected by the change of zone is adequate in size and shape to facilitate the proposed use.
4. There was a public need for such a zone change demonstrated.
5. The zone change will help to protect the lives and the property in the surrounding area.

77 FEB 25 PM 2 58

ORDER: ZONE CHANGE 76-21
Ratliff for Hoefler
Page 2 of 2

3364

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 doew, in effect, represent the highest, best and most appropriate use of the land affected.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of Ratliff for Hoefler for a Zone Change from AF (Agricultural Forestry) to SP-15 (Public Facility) on real property described as a parcel of land approximately 3.050 square feet in size, located in the NE $\frac{1}{4}$ of Section 26, Township 38, Range 11 $\frac{1}{2}$, generally located on the north side of Dairy-Bonanza County Road and approximately $\frac{1}{2}$ mile southeast of where said road intersects the Yonna Valley County Road is hereby granted.

DONE AND DATED THIS 4th day of January, 1977.

Lloyd Gift
Lloyd Gift
Chairman of the Board

Nell Kuonen
Nell Kuonen
County Commissioner

Raymond R. Thorne
Raymond Thorne
County 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 25th day of FEBRUARY A.D., 19 77 at 2:58 o'clock P.M., and duly recorded in Vol. M 77 of DEEDS on Page 3363.

FEE none

WM. D. MILNE, County Clerk

By *Harold Magill* Deputy