

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

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
MAP CHANGE ASSOCIATED WITH THE)
APPLICATION FOR ZONE CHANGE NO.)
76-21, RATLIFF FOR HOEFLER.)

O R D E R

THIS MATTER having come on for hearing upon the application of Ratliff for Hoefer for a change on the Comprehensive Land Use Plan map from Agriculture to Public. 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 Department 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 below was accurate and complete and it appearing from the testimony, reports and information produced at the hearing below that the application for change in the Comprehensive Land Use Plan 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 the Dairy-Bonanza County Road and approximately $\frac{1}{4}$ mile southeast of where said road intersects the Yonna Valley County road should be granted. The Board of 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 trend in the area is not toward Public, however, due to the intended use, this change should not set a future trend.
2. The size of the parcel is questionably small, but since the parcel is being donated and anything larger will be taking a valuable farm land out of production, the parcel is deemed adequate to serve its purpose.
3. No other land is available or is as adequate.
4. A definite need for this Comprehensive Land Use Plan change was demonstrated.
5. The location is on the Bonanza Highway which is adequate for the intended use because it is the proper place and is an adequate road.

APPROVED AS
Boivin and
County legal
by
STATE OF ORE

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 Ratliff for Hoefler for a change in the Comprehensive Land Use Plan map from Agriculture to Public 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 the 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 P. Thorne

Raymond P. 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. of DEEDS on Page 3365.

FEE NONE

WM. D. MILNE, County Clerk

By *Kay D. Craig* Deputy