Clerk

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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE COMPREHENSIVE LAND USE PLAN CHANGE AND ZONE CHANGE 77-18 FOR EDWARD SHIPSEY

MINORITY REPORT

THIS MATTER having come on for hearings upon the application of Edward Shipsey, for a change in the Comprehensive Land Use Plan map, containing approximately 80 acres of the westerly proposed site from Forestry to Recreation-Residential and a Zone Change from F (Forestry) to SP-1 (Rural Residential) containing approximately 360 acres with property being in Section 17 and Section 18, Township 40, Range 8, Tax Lot 7800 and Tax Lot 500, was heard before the Planning Commission on May 16, 1978, May 30, 1978 and July 18, 1978, wherefrom the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning Department Staff and other persons in attendance, the Planning Commission recommended approval to the Board of Commissioners. Following actions by the Planning Commission, a public hearing before the Board of County Commissioners was held on August 30, 1978, wherefrom the testimony, reports and information on the record below the Board of County Commissioners' decision of such application was approved 2-1.

MINORITY REPORT: The Klamath County Zoning Ordinance, Article 1[illegible].002 (13) requires that in the event the decison of the Board of County Commissioners for a Comprehensive Land Use Plan and Zone Change is not unanimous, the dissenting member shall file a Minority Report, which will become part of the record,

setting forth his or her reasons for such dissent within thirty (30) days after the entry of aforesaid order.

The following constitutes my, Lloyd Gift, minority report in the action taken by the Board of County Commissioners relative to Comprehensive Land Us Plan and Zone Change 77-28.

FINDINGS OF FACT:

1. Testimony before the Planning Commission indicated the proposed area for change of Comprehensive Land Us Plan and Zone Change as an area for deer and other wildlife.

2. Testimony also indicated that proposed area for change of Comprehensive Land Use Plan and Zone Change that site had been utilized as an area for grazing of livestock.

3. Testimony indicated that the present school building was close to overloading and if any more developing of the Keno area was done it would create problems for the Keno School.

4. Testimony before the Planning Commission indicated that there were other available lots in the surrounding area. This information was taken from Tax Assessor records.

5. Testimony indicated that this proposed site for change of Comprehensive Land Use Plan and Zone Change, that land was suitable for the reproduction of timbers. Testimony also indicated that there was a forest plantation nearby.

6. Exhibits, such as pictures that were produced at the Planning Commission hearing as well as the Board of County Commissioners hearing indicated clearly that there is a young growth of timber on the proposed site for change of Comprehensive Land Us Plan and Zone Change.

Testimony indicated that there was water on site that

would have been adequate for wildlife and livestock.

8. Soils information produced at the Planning Commission hearing indicated proposed site for change of Comprehensive Land Use Plan and Zone Change that soils type were good for range, wildlife habitat and irrigated pastures and that runoff of water in some areas, creating erosion, would be medium to severe, depending on the slopes.

CONCLUSIONS OF LAW:

1. The proposed change of Comprehensive Land Use Plan and Zone Change is not in keeping with land use plans adopted by Klamath County.

2. The proposed change of Comprehensive Land Use Plan and Zone Change is not in keeping with existing land use trends of the area.

3. With testimony indicating available lots in the surrounding area, therefore does not indicate a need for such change.

4. Testimony indicated at the Planning Commission Hearing that this type of Comprehensive Land Use Plan Change and Zone Change did not represent the best and most appropriate use of the land affected.

Incorporated above Findings of Fact and Conclusions of Law for denial of Comprehensive Land Use Plan and Zone Change 77-28.

Dated: September 25, 1978

Lloyd Gift, Member
Klamath County Board of Commissioners

Minority Report
CLUP & ZC 77-28

STATE OF OREGON, COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 27th day of September A.D., 19 78 at 8:30 o'clock A M., and duly recorded in Vol. M78, of Deeds, Page 21388.

FEE None

WM. D. MILNE, County Clerk
By Bernice D. Ketch Deputy