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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPEAL)
ON PRELIMINARY PLAT - TRACT)
1161 - HIGH COUNTRY RANCH)

O R D E R

THIS TRACT came on for hearing before the Klamth County Planning Commission upon the application for Tract 1161, High Country Ranch, and a public hearing having been heard by the Planning Commission on April 25, 1978; May 23, 1978; July 11, 1978; August 8, 1978; August 22, 1978 and August 29, 1978, wherefrom the testimony, reports and exhibits introduced at the hearings by the Applicant, the Planning Department Staff and other persons in attendance, a majority of the Planning Commission voted to disapprove Tract 1161 - High Country Ranch.

The proposed subdivision is generally located approximately 7 miles north of the intersection of Highway 140 and the Camp Six Road, and more particularly described as being situated in Sections 7, 8, 17 and 18, Township 35S, Range 14 E.W.M. in Klamath County, Oregon.

Pursuant to Section 11.30 of Ordinance No. 14, the Klamath County Subdivision Ordinance, James O'Connor filed a Notice of Appeal for a hearing to the Klamath County Board of Commissioners on September 6, 1978. A public hearing was regularly held on October 19, 1978, at which time the Board of Commissioners in reviewing all pertinent evidence and testimony, reports and exhibits introduced by the Applicant, the Planning Commission, the Planning Department Staff, and other persons in attendance, the Board of County Commissioners makes the following

1 Findings of Fact and Conclusions of Law:

2 FINDINGS OF FACT:

3 1. The Beatty Area Committee and all adjoining property
4 owners within 250 feet of the subject property were notified.

5 2. The present zoning of the property is AF (Agricul-
6 ture Forestry) which allows a 20 acre minimum lot size.

7 3. The proposed land use is for 20 acre ranchettes.

8 4. Testimony indicated that the property is not an
9 economic farm unit and the applicant has lost his grazing lease
10 on the adjacent property.

11 5. Testimony indicated that the property produces only
12 Juniper trees.

13 6. Testimony indicated that over one-third of the
14 property has been left in open space, a total of 560 acres, and
15 that the minimum lot size will be 20 acres.

16 7. Testimony indicated well depths in the area of 300
17 feet to 350 feet deep with a 50 to 55 gallons per minute yield
18 per well.

19 8. Testimony indicated that there is an existing lake
20 on the property which will be utilized for drainage and aesthetic
21 purposes.

22 9. Testimony indicated a demand for this type of devel-
23 opment - 20 acre ranchettes.

24 10. Testimony indicated that there exists a firebreak
25 (a barren ridge) which separates the commercial forest land from
26 the proposed homesites.

27 11. Access exists to the property via a paved County
28 Road.

12. Klamath County does not guarantee year-round access via County Roads to this subdivision.

CONCLUSIONS OF LAW:

1. The proposed 20 acre parcels would not constitute a high density area and would not have an adverse effect on adjoining properties.

2. The property is not an economic agricultural or forestry unit.

3. There is adequate water to serve the development.

4. The proposed development meets the housing demand in that testimony indicated a definite need for this type of ranchettes.

5. LCDC Goals No. 1, Citizen Involvement (Finding of Fact #1); No. 3., Agricultural Lands (Finding of Fact #4); No. 4., Forest Lands (Finding of Fact #5); No. 5., Open Spaces, Scenic and Historic Areas and Natural Resources (Finding of Fact #6); No. 6., Air, Water and Land Resources Quality (Finding of Fact #7 and #8); No. 8., Recreational Needs (Finding of Fact #6); No. 10., Housing (Finding of Fact #3 and #9); and No. 11., Public Facilities and Services (Findings of Fact #11 and #12) have been adequately addressed.

NOW, THEREFORE, it is hereby ordered that the Appeal of Tract 1161 - High Country Ranch, is hereby approved, and Tract 1161 - High Country Ranch, is approved subject to the following conditions:

1. A Homeowners Association will be formed prior to final plat recordation.

2. The following Subdivision Review Recommendations

1 will be complied with prior to final plat approval:
2

3 (1) Recommend approval of the variance for lot
4 size on Lot 1, Block 9. This lot was created
5 by Klamath County when we accepted a deed
6 for the right-of-way for the Camp Six Road
7 prior to zoning.

8 (2) Recommend approval of the variance as re-
9 quested for lots exceeding the depth to
10 width ratio.

11 (3) The roadway easement pattern is satisfactory
12 and the dead-ends abutting upon adjacent
13 property is needed without street plugs.

14 (4) Change Block 4 to 2 and add Lot 5; change
15 Block 5 to 4. Change Block 6 to 5. Change
16 Block 7 to 6. Change Block 8 to 7, add Lot
17 16 to the unnumbered lot and increase Lots
18 16-23, inclusive by one lot number. Change
19 Block 9 to 8. Change Block 10 to 9. Change
20 Block 11 to 10. Change Block 12 to 11 and
21 add Lot 1 to the entire Block.

22 (5) The greenbelt area includes the well and
23 reservoir and should be effective in ob-
24 taining the goal of protecting the deer
25 winter range. Include the roadway easements
26 for a maintenance entity if possible.

27 (6) Locate the well, reservoir and drainage
28 easement by course and distance on the
final plat.

(7) Provide the required statements regarding water supply and sewage disposal.

DONE AND DATED THIS 4th DAY OF December, 1978.

Rice Kuonau
Chairman

Royd L. Kynne
Commissioner

Commissioner

APPROVED AS TO FORM:
Boivin, Boivin and Aspell

By: Robert Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

on 5th day of December A. D. 1978 at 4:44 o'clock P. M., and

fully recorded in Vol. M78, of Deeds on Page 27387

Wm D. MILNE, County Clerk

No Fee

Commissioner Journal