

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
 FOR ZONE CHANGE 78-28 FOR)
 DELBERT BROYLES)

O R D E R

THIS MATTER having come on for hearing upon the applica-
 tion of Delbert Broyles for a zone change from AF (Agriculture
 Forestry) to A (Agriculture), by the Klamath County Planning Com-
 mission, on real property described as Township 39, Range 8,
 Sections 1 and 6, Tax Lot 1000. Public hearings having been heard
 by the Klamath County Planning Commission on August 22, 1978,
 wherefrom 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 recom-
 mended approval to the Board of County Commissioners. Following
 action by the Planning Commission, a public hearing before the
 Board of County Commissioners was regularly held on October 10,
 1978, wherefrom the testimony at said hearing it appeared that
 the record below was accurate and complete and it appears from the
 testimony, reports and exhibits introduced at the hearing before
 the Planning Commission that the application for a zone change
 for the subject property should be granted.

The Board of County Commissioners makes the following
 Findings of Fact and Conclusions of Law as required by Ordinance
 No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT:

1. The Board of County Commissioners found site to be
 located east of Orindale Road and approximately 1/2 mile south

1 of State Highway 140.

2 2. The Board of County Commissioners found that site for
3 change of zone from AF (Agriculture Forestry) to A (Agriculture)
4 was approximately 25 acres in size.

5 3. The Board of County Commissioners found that site
6 has access to Orindale Road and that Orindale is a paved county
7 road and appears to be able to carry the kind of traffic that would
8 be generated by proposed use.

9 4. The Board of County Commissioners found, per Klamath
10 County Exhibit D, Zoning Map, that there were other A Zones and
11 since other properties in the area are zoned A, this appears to be
12 the trend.

13 5. The Board of County Commissioners found, per testi-
14 mony, that the soil for that particular area was very marginal and
15 the soil was fairly shallow with some alkali in it.

16 6. The Board of County Commissioners found that LCDC
17 Goal No. 1 had been addressed in that property owners had been
18 notified.

19 7. The Board of County Commissioners found that LCDC
20 Goal No. 3, Agriculture, had been addressed in that there wasn't
21 much of a change in zones.

22 CONCLUSIONS OF LAW:

23 1. The property affected by the change of zone is
24 adequate in size and shape to facilitate those uses normally al-
25 lowed in conjunction with such zoning;

26 2. The property affected by the proposed change of
27 zone is properly related to streets and highways to adequately
28 serve the type of traffic generated by such uses that may be

1 permitted therein.

2 3. The proposed change of zone will have no adverse
3 effect or only limited adverse effect on any property or the
4 permitted uses thereof within the affected area.

5 4. That the proposed change of zone is in keeping with
6 land uses and improvements, trends in land development, density
7 of land development and prospective needs for development in the
8 affected area.

9 5. That the proposed change of zone is in keeping with
10 any land use plans duly adopted and does, in effect, represent
11 the highest, best and most appropriate use of the land affected.

12 NOW, THEREFORE, it is hereby ordered that the applica-
13 tion for zone change from AF (Agriculture Forestry) to A (Agri-
14 culture) for Delbert Broyles on the subject property is hereby
15 granted.

16 DONE AND DATED THIS 29 DAY OF December 1973.

18
19 Thos. K. Brown
Chairman

20
21 Harold L. Myrnes
Member

22
23 Wm. D. Milne
Member

24 APPROVED AS TO FORM:
25 Boivin, Boivin & Aspell

26 By: Wm. D. Milne CLERK OF OREGON; COUNTY OF KLAMATH; ss.

27 this 3rd day of January A. D. 19 74 at 10:30 o'clock A. M., and
28 duly recorded in Vol. 179, of DEEDS on Page 75

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no fee

Wm D. MILNE, County Clerk