

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE FOR ZONE CHANGE 78-7 FOR) O R D E R
JAY DRINKWATER)

THIS MATTER having come on for hearing upon the application of Jay Drinkwater for a Comprehensive Land Use Plan Change from Suburban Density to Agriculture and a Zone Change from RD 6,000 (Single-Family Residential) to A (Agricultural), by the Klamath County Planning Commission, on real property described as Township 33S, Range 7 EWM, Section 16 and Tax Lot 37. 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 recommended 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, 1979, 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 change of Comprehensive Land Use Plan and 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 FOR COMPREHENSIVE LAND USE PLAN
CHANGE:

1 1. The Board of County Commissioners found that site
2 for Comprehensive Land Use Plan Change and Zone Change was being
3 used for agricultural purposes and therefore appeared to be in
4 conformance with Comprehensive Land Use Plan.

5 2. The Board of County Commissioners found that site
6 for change of Comprehensive Land Use Plan Change and Zone Change
7 would not have an adverse effect as abutting properties or surround-
8 ing area is for agricultural uses.

9 3. The Board of County Commissioners found that site
10 for change appeared to be the trend of the area, that being
11 agriculture.

12 4. The Board of County Commissioners found that the
13 Ft. Klamath Area Committee voted in favor of the Comprehensive
14 Land Use Plan Change and Zone Change and also those properties
15 owners within 250 feet were notified, thus addressing L.C.D.C.
16 Goal No. 1, Citizen Involvement.

17 5. The Board of County Commissioners found that site
18 for change of Comprehensive Land Use Plan and Zone was to be for
19 agricultural purposes, thus addressing L.C.D.C. Goal No. 3,
20 Agriculture.

21 6. The Board of County Commissioners found that with
22 the site being utilized for agriculture purposes that this type
23 of use would be of an economical benefit to the area, thus address-
24 ing L.C.D.C. Goal No. 9, Economy of the State.

25 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
26 CHANGE:

27 1. The property affected by the change of Comprehensive
28 Land Use Plan is adequate in size and shape to facilitate those

1 uses normally allowed in conjunction with such zoning;

2 2. The property affected by the proposed change of
3 Comprehensive Land Use Plan is properly related to streets and
4 highways to adequately serve the type of traffic generated by
5 such uses that may be permitted therein;

6 3. The proposed change of Comprehensive Land Use Plan
7 will have no adverse effect or only limited adverse effect on
8 any property or the permitted uses thereof within the affected
9 area.

10 4. That the proposed change of Comprehensive Land Use
11 Plan is in keeping with land uses and improvements, trends in
12 land development, density of land development and prospective
13 needs for development in the affected area.

14 5. That the proposed change of Comprehensive Land Use
15 Plan is in keeping with any land use plans duly adopted and does,
16 in effect, present the highest, best and most appropriate use
17 of the land affected.

18 FINDINGS OF FACT FOR ZONE CHANGE:

19 1. The Board of County Commissioners found that site
20 for Comprehensive Land Use Plan and Zone Change was being used for
21 agricultural purposes and therefore appeared to be in conformance
22 with Comprehensive Land Use Plan.

23 2. The Board of County Commissioners found that site
24 for change of Comprehensive Land Use Plan Change and Zone Change
25 would not have an adverse effect as abutting properties or surround-
26 ing area is for agricultural uses.

27 3. The Board of County Commissioners found that site
28 for change appeared to be the trend of the area, that being

1 agriculture.

2 4. The Board of County Commissioners found that the
3 Ft. Klamath Area Committee voted in favor of the Comprehensive
4 Land Use Plan Change and Zone Change and also those properties
5 owners within 250 feet were notified, thus addressing L.C.D.C.
6 Goal No. 1, Citizen Involvement.

7 5. The Board of County Commissioners found that site
8 for change of Comprehensive Land Use Plan and Zone was to be for
9 agricultural purposes, thus addressing L.C.D.C. Goal No. 3,
10 Agriculture.

11 6. The Board of County Commissioners found that with
12 the site being utilized for agriculture purposes that this type
13 of use would be of an economical benefit to the area, thus address-
14 ing L.C.D.C. Goal No. 9, Economy of the State.

15 CONCLUSIONS OF LAW FOR ZONE CHANGE:

16 1. The property affected by the change of zone is ade-
17 quate in size and shape to facilitate those uses normally allowed
18 in conjunction with such zoning;

19 2. The property affected by the proposed change of zone
20 is properly related to streets and highways to adequately serve
21 the type of traffic generated by such uses that may be permitted
22 therein;

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

26 4. That the proposed change of zone is in keeping with
27 land uses and improvements, trends in land development, density
28 of land development and prospective needs for development in the

1 affected area.

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

5 NOW, THEREFORE, it is hereby ordered that the applica-
6 tion for the Comprehensive Land Use Plan Change from Suburban
7 Density to Agriculture and Zone Change from RD 6,000 (Single-
8 Family Residential) to A (Agricultural) for Jay Drinkwater on
9 the subject property is hereby granted.

10 DONE AND DATED THIS 29 DAY OF December, 1978.

11
12 Neil Kuonen
13 Chairman

14
15 Harold L. Kyrre
16 Member

17
18 Lloyd Gift
19 Member

20 APPROVED AS TO FORM:
21 Boivin, Boivin & Aspell

22 By: Robert Kyrre

23
24 STATE OF OREGON; COUNTY OF KLAMATH; ss.
25 filed for record ~~at Klamath Falls~~

26 this 3rd day of JANUARY A. D. 19 79 at 8:45 o'clock A. M., one
27 duly recorded in Vol. M 79 of DEEDS on Page 115

28 no fee

By Wm D. Milne County Clerk