

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE 78-40 BY) O R D E R
JEROME EGBERT)

THIS MATTER having come on for hearing upon the application of Jerome Egbert for a Comprehensive Lane Use Plan change from Forestry to Agriculture and a Zone Change from SP-1 (Rural Residential) to A (Agriculture) by Klamath County Planning Commission, on real property described as Township 23, Range 10, Section 16, Tax Lot 6200. 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, 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 change of Comprehensive Land Use Plan and Zone Change for the subject property should be granted.

The Board of County Commissioners make 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 size
2 of lot, that being 4.36 acres, for comprehensive land use plan
3 change and zone change was adequate to develop an egg farm.

4 2. The Board of County Commissioners found site for
5 egg farm had adequate access, which was a dirt type road.

6 3. The Board of County Commissioners found that pro-
7 posed use, that being an egg farm, would not have an adverse ef-
8 fect on surrounding properties due to the fact that there are
9 no residences close by.

10 4. The Board of County Commissioners found, per testi-
11 mony from Applicant, that there is a need for an egg farm in the
12 north end of the county. Testimony indicated eggs came in from
13 Medford and Prineville as well as out of state.

14 5. The Board of County Commissioners found that the
15 site was suitable for an egg farm and would allow Applicant to
16 meet the needs of the north end of the county.

17 6. The Board of County Commissioners found, per testi-
18 mony that citizens within 250 feet of the site had been notified
19 thus addressing LCDC Goal No. 1, Citizen Involvement.

20 7. The Board of County Commissioners found, per
21 testimony, that Applicant had sufficient water, septic tank ap-
22 proval, thus addressing LCDC Goal No. 6, Air, Water, Land Re-
23 source Quality.

24 8. The Board of County Commissioners, per testimony,
25 found that by approving the egg farm type use, would improve the
26 economy of the area, thus addressing LCDC Goal No. 9.

27 9. The Board of County Commissioners found that site
28 had electricity, plus telephone service and also was within the

1 county school district.

2 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
3 CHANGE:

4 1. The property affected by the change of comprehensive
5 land use plan is adequate in size and shape to facilitate those
6 uses normally allowed in conjunction with such zoning;

7 2. The property affected by the proposed change of
8 comprehensive land use plan is properly related to streets and
9 highways to adequately serve the type of traffic generated by
10 such uses that may be permitted therein;

11 3. The proposed change of comprehensive land use plan
12 will have no adverse effect or only limited adverse effect on any
13 property or the permitted uses thereof within the affected area.

14 4. That the proposed change of comprehensive land use
15 plan is in keeping with land uses and improvements, trends in
16 land development, density of land development and prospective
17 needs for development in the affected area.

18 5. That the proposed change of comprehensive land use
19 plan is in keeping with any land use plans duly adopted and does,
20 in effect, represent the highest, best and most appropriate use
21 of the land affected.

22 FINDINGS OF FACT FOR ZONE CHANGE:

23 1. The Board of County Commissioners found that size
24 of lot, that being 4.36 acres, for zone change was adequate to
25 develop an egg farm.

26 2. The Board of County Commissioners found site for
27 egg farm had adequate access, which was a dirt type road.

28 3. The Board of County Commissioners found that

1 proposed use, that being an egg farm, would not have an adverse
2 effect on surrounding properties due to the fact that there are
3 no residences close by.

4 4. The Board of County Commissioners found, per testi-
5 mony from Applicant, that there is a need for an egg farm in the
6 north end of the county. Testimony indicated eggs came in from
7 Medford and Prineville as well as out of state.

8 5. The Board of County Commissioners found that the
9 site was suitable for an egg farm and would allow Applicant to
10 meet the needs of the north end of the county.

11 6. The Board of County Commissioners found, per testi-
12 mony that citizens within 250 feet of the site had been notified
13 thus addressing LCDC Goal No.1, Citizen Involvement.

14 7. The Board of County Commissioners found, per
15 testimony, that Applicant had sufficient water, septic tank ap-
16 proval, thus addressing LCDC Goal No. 6, Air, Water, Land Re=
17 source Quality.

18 8. The Board of County Commissioners, per testimony,
19 found that by approving the egg farm type use, would improve the
20 economy of the area, thus addressing LCDC Goal No. 9.

21 9. The Board of County Commissioners found that site
22 had electricity, plus telephone service and also was within the
23 county school district.

24 CONCLUSIONS OF LAW FOR ZONE CHANGE:

25 1. The property affected by the change of zone is
26 adequate in size and shape to facilitate those uses normally
27 allowed in conjunction with such zoning;

28 2. The property affected by the proposed change of

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

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

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

NOW, THEREFORE, it is hereby ordered that the application for the Comprehensive Land Use Plan change from Forestry to Agriculture and Zone Change from SP-1 (Rural Residential) to A (Agriculture) for Jerome Egbert on the subject property is hereby granted.

DONE AND DATED THIS 29 DAY OF December, 19 78.

Chairman

Member

Member

APPROVED AS TO FORM STATE OF OREGON; COUNTY OF KLAMATH; ss.

Boivin Boivin & Aspell.

Bý: Robert E. General 3rd day of January A. D. 1929 at 3:46 o'clock A. M. doc

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fully recorded in Vol. H 79, of DEEDS on page 11

no fee

Wm B. ELLIS, County Clerk