

## 1 BOARD OF COUNTY COMMISSIONERS

2 KLAMATH COUNTY, OREGON

3 IN THE MATTER OF THE APPEAL )

4 ON PRELIMINARY PLAT - TRACT )

5 1161, HIGH COUNTRY )

) M I N O R I T Y R E P O R T

6  
7 THIS TRACT having come on for hearings before the  
8 Planning Commission with said tract being Tract 1161, High Country  
9 and a public hearing having been heard by the Klamath County Plan-  
10 ning Commission on August 29, 1978, wherefrom the testimony, re-  
11 ports and exhibits introduced at the hearing by the Applicant,  
12 the Planning Department Staff and other persons in attendance, a  
13 majority of the Planning Commission voted to disapprove Tract 1161  
14 High Country.

15 The proposed subdivision is generally located approxi-  
16 mately 7 miles north of the intersection of Highway 140 and Camp  
17 Six Road, and more particularly described as being situated in  
18 Township 35, Range 14, Sections 7, 8, 17 and 18 in Klamath County,  
19 Oregon.

20 Pursuant to Section 11.30 of Ordinance No. 14, the  
21 Klamath County Subdivision Ordinance, the applicant, James  
22 O'Connor filed a notice of appeal for a hearing to the Klamath  
23 County Board of Commissioners. A public hearing was regularly  
24 held on October 19, 1978, at which time the Board of Commissioners  
25 in reviewing all pertinent evidence and testimony, and reports and  
26 information produced by the Applicant, the Planning Commission,  
27 the Planning Department Staff and other persons in attendance,  
28 the Board of County Commissioners voted to make a decision within

1 35 days on Tract 1161, High Country.

2 On November 13, 1978, Board of County Commissioners  
3 made Findings of Fact and Conclusions of Law, which I, Lloyd Gift,  
4 voted against.

5 The Following constitutes my, Lloyd Gift, Minority  
6 Report in the action taken by the Klamath County Board of Com-  
7 missioners relative to Tract 1161, High Country.

8 FINDINGS OF FACT:

9 1. The proposed subdivision is zoned AF (Agriculture  
10 Forestry) which zone allows grazing. Testimony indicated that  
11 land could graze 100 head of cattle for a six week period.

12 2. The proposed subdivision being zoned AF (Agriculture  
13 Forestry) which allows forestry uses, testimony indicated that  
14 there were possibly some healthy trees which could be logged.

15 3. Testimony also indicated that proposed area for sub-  
16 dividing was in a deer winter range.

17 4. Testimony indicated that it would not be economically  
18 feasible to drill wells for water for domestic use, due to having  
19 to drill 300' to 350' for water.

20 5. Testimony did not point out that there was a need  
21 for housing on parcels this size in the area.

22 6. Testimony indicated that proposed area for develop-  
23 ment was a long distance from schools, thus indicating it would  
24 be a cost to the County to transfer students.

25 7. Testimony, as well as the record before the Plan-  
26 ning Commission, indicated this subdivision has been disapproved  
27 by the Planning Commission.

28 CONCLUSIONS OF LAW:

1. The property affected for subdividing is zoned AF (Agriculture Forestry) and uses within the AF Zone are not uses for subdividing.

2. The property affected for development is for Deer Winter Range and not for subdividing.

3. The property for development will have adverse effects on surrounding properties, that being Deer Winter Range.

4. The property for development is not in keeping with land use plans adopted and does not represent the highest, best and most appropriate use of the land.

Incorporated above Findings of Fact and Conclusions of Law for denial of Tract 1161, High Country.

Dated: Dec 27 1978

Lloyd Gift  
Lloyd Gift, Member  
Klamath County Board of  
Commissioners

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~at XXXXXXXX~~

this 3rd day of January A. D. 1979 at 8:46 o'clock AM, and  
duly recorded in Vol. E 79, of DEEDS on Page 228  
no fee

Wm D. MILNE, County Clerk

By: [Signature]