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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION FOR A ZONE CHANGE No. 78-46, BY WESLEY MOORE ) ORDER

THIS MATTER having come on for hearing upon the application of Wesley Moore for a Zone Change from AF (Agricultural-Forestry) to A (Agricultural), by the Klamath County Planning Commission, on real property described as Township 39S, Range 8 EWM, Section 12, Tax Lot 5301. Public hearings having been heard by the Klamath County Planning Commission on October 24, 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 December 7, 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 zone for the subject property, should be approved.

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 Commissioners found per record, that site was approximately 1 acre in size, thus meeting the lot size

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of the Agricultural Zone.

2. The Board of Commissioners found per record, that site for change of zone had access off of Balsam Drive which is paved and appears to be able to carry the quanity of traffic that would be generated by proposed use.

3. The Board of Commissioners found that the trend in the area was that of smaller lots and that proposed use would not have an adverse effect on abutting properties.

4. The Board of Commissioners found that applicant had looked for other available property and found that there was no other land available in this size and shape, that being one (1) acre.

5. The Board of Commissioners found that adjacent property owners had been notified of all hearings thus addressing L.C.D.C. Goal No. 1, Citizen Involvement.

6. The Board of Commissioners found that there was a need for housing, thus addressing L.C.D.C. Goal No. 10, Housing.

7. The Board of Commissioners found that this area could possibly be within any urban growth boundary line that may be established at a later point in time once all land use studies have been completed, thus addressing L.C.D.C. Goal No. 14, Urbanization.

CONCLUSIONS OF LAW:

1. The property affected by the change of zone is adequate in size and shape to facilitate thos uses normally allowed in conjunction wich such zoning.

2. The property affected by the proposed change of zone is properly related to streets and highways to adequately

serve the type of traffic generated by such uses that may be permitted therein.

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 a Zone Change from AF (Agricultural-Forestry) to A (Agricultural) for Wesley Moore on the subject property, is hereby granted.

DONE AND DATED THIS 24th DAY OF January, 1979.

Floyd L Wynne
CHAIRMAN OF THE BOARD

Steve A Kupillas
COUNTY COMMISSIONER

Dee Kuenzi
COUNTY COMMISSIONER

APPROVED AS TO FORM:
Boivin, Boivin & Aspell
By: Robert Boivin

Commissioners Journal

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STATE OF OREGON, COUNTY OF KLAMATH, ss.

I hereby certify that the within instrument was received and filed for record on the 29th day of January A.D., 19 79 at 9:00 o'clock A M., and duly recorded in Vol M79, of Deeds on Page 2339.

FEE None

WM. D. MILNE, County Clerk
By Bernetha Fletcher Deputy