

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR A ZONE CHANGE NO. 78-52, BY)
ANDREW JONES)

O R D E R

THIS MATTER having come on for hearing upon the application of Andrew Jones 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 9 EWM, Section 23, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Tax Lot 1200. Public hearings having been heard by the Klamath County Planning Commission on November 28, 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 21, 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 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 Commissioners found the size and shape of lot to be adequate for the change from AF (Agricultural-Forestry)

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1 to A (Agricultural).

2 2. The Board of Commissioners found that agricultural
3 uses will be utilized and there will be no effect on surrounding
4 properties.

5 3. The Board of Commissioners found other parcels in
6 the area to be zoned A (Agricultural) which appears to be the
7 trends.

8 4. The Board of Commissioners found per testimony,
9 that access would be off Homedale Road, which is paved and appears
10 to be able to handle the traffic that would be generated by pro-
11 posed use, that being agriculture.

12 5. The Board of Commissioners found L.C.D.C. Goal No.
13 1, had been addressed in that the Area Committee voted approval
14 of such change.

15 6. The Board of Commissioners found L.C.D.C. Goal No.
16 2, Land Use Planning, had been addressed in that use of land would
17 remain agriculture.

18 7. The Board of Commissioners found L.C.D.C. Goal No.
19 3, Agriculture Goal, had been addressed in that agricultural uses
20 will be utilized.

21 8. The Board of Commissioners found L.C.D.C. Goal No.
22 6, had been addressed in that sewage would be by septic tanks
23 and water would be by individual wells.

24 9. The Board of Commissioners found L.C.D.C. Goal No.
25 10, Housing Goal had been addressed in that a need for additional
26 housing had been shown.

27 10. The Board of Commissioners found L.C.D.C. Goal No.
28 11, had been addressed in that proposed site had electricity to

1 site, plus was within a school district.

2 11. The Board of Commissioners found L.C.D.C. Goal No.
3 12, Transportation had been addressed in that Homedale Road allow-
4 ed traffic to and from proposed site for change of zone and that
5 Homedale Road, being paved could carry the quantity of traffic
6 that would be generated by proposed use, that being Agriculture.

7 12. The Board of Commissioners found per testimony,
8 that the requested change of zone from AF (Agricultural-Forestry)
9 to A (Agricultural) was in conformance with the existing Compre-
10 hensive Land Use Plan, which indicated site as Agriculture.

11 CONCLUSIONS OF LAW FOR ZONE CHANGE:

12 1. The property affected by the change of zone is
13 adequate in size and shape to facilitate those uses normally
14 allowed in conjunction with such zoning.

15 2. The property affected by the proposed change of
16 zone is properly related to streets and highways to adequately
17 serve the type of traffic generated by such uses that may be
18 permitted therein.

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

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

25 5. That the proposed change of zone is in keeping
26 with land uses and improvements, trends in land development,
27 density of land development, and prospective needs for develop-
28 ment in the affected area.

NOW, THEREFORE, it is hereby ordered that the application for the Zone Change from AF (Agricultural-Forestry) to A (Agricultural) on the subject property, is hereby granted.

DONE AND DATED THIS 24 DAY OF January, 1979.

Harold L. Wynne
CHAIRMAN OF THE BOARD

Alvin A. Cheyne
COUNTY COMMISSIONER

Pell Kuonen
COUNTY COMMISSIONER

APPROVED AS TO FORM:
Boivin, Boivin & Aspell

By: *Robert L. Boivin*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 29th day of January A. D. 1979 at 9:00 o'clock A. M., or

duly recorded in Vol. M79, of Deeds on Page 2355

Wm D. MILNE, County Clerk

By: *Bernetha Skelch*

Commissioners Journal

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