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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

Vol. ^M 79 Page 21326

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4 IN THE MATTER OF THE APPLICATION)
5 FOR ZONE CHANGE NO. 79-18 BY)
6 KELLY WILSON)

O R D E R

7
8 THIS MATTER having come on for hearing upon the appli-
9 cation of Kelly Wilson for a zone change from AF (Agricultural-
10 Forestry) to A (Agricultural) by the Klamath County Planning
11 Commission, on real property described as Township 41, Range 11,
12 Section 15, Tax Lot 128-1. Public hearings having been heard by
13 the Klamath County Planning Commission on June 26, 1979, wherefrom
14 the testimony, reports, and information produced at the hearing
15 by the applicant, members of the Planning Department Staff and
16 other persons in attendance, the Planning Commission recommended
17 approval to the Board of County Commissioners. Following action
18 by the Planning Commission, a public hearing before the Board of
19 County Commissioners was regularly held on July 26, 1979, where-
20 from the testimony at said hearing it appeared that the record
21 below was accurate and complete and it appeared from the testimony,
22 reports and exhibits introduced at the hearing before the Planning
23 Commission that the application for a zone change for the subject
24 property, should be granted.

25 The Board of County Commissioners makes the following
26 Findings of Fact and Conclusions of Law as required by Ordinance
27 No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT:

- 28 1. The Board of County Commissioners found that the

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1 applicant has proven that this parcel of land is an exception.

2 2. The Board of County Commissioners found that the
3 size and shape of the property is sufficient for the proposed use.

4 3. The Board of County Commissioners found proposed
5 change would not break up any productive agricultural lands.

6 4. The proposed use and density would be on a parcel
7 of land adequate to accommodate such use.

8 5. The Board of County Commissioners found that there
9 would be no effect on the surrounding property.

10 6. The Board of County Commissioners found that access
11 to the property is adequate to serve one family.

12 7. The Board of County Commissioners found that the
13 Malin Area Committee was in favor of such change, thus addressing
14 L.C.D.C. Goal No. 1.

15 8. The Board of County Commissioners found site had
16 been utilized for residential purposes and will continue to do
17 so, thus addressing L.C.D.C. Goal No. 2.

18 9. The Board of County Commissioners found that the
19 agricultural zone permits light agriculture uses for which appli-
20 cant is requesting, thus addressing L.C.D.C. Goal No. 3.

21 10. The Board of County Commissioners found applicant
22 had an individual well for water and that there was an existing
23 septic tank on site for change in zone, thus addressing L.C.D.C.
24 Goal No. 6.

25 11. The Board of County Commissioners found that the A
26 (Agricultural) zone allows housing when used in conjunction with
27 permitted uses of the A (Agricultural) zone, thus addressing
28 L.C.D.C. Goal No. 10.

1 12. The Board of County Commissioners found that site
2 had electricity to site as well as telephone service, thus address-
3 ing L.C.D.C. Goal No. 11.

4 13. The Board of County Commissioners found that road
5 to site was paved and adequate to carry the kind of traffic that
6 would be generated from change, thus addressing L.C.D.C. Goal No.
7 12.

8 CONCLUSIONS OF LAW:

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

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

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

19 4. That the proposed change of zone is in keeping with
20 land uses and improvements, trends in land development in the
21 affected area.

22 5. 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 NOW, THEREFORE, it is hereby ordered that the applica-
26 tion for zone change from AF (Agriculture Forestry) to A
27 (Agriculture) for Kelly Wilson on the subject property, is hereby
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1 granted.

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3 DONE AND DATED THIS 5th DAY OF September, 1979

4
5 Harold L. Myrnes
Chairman

6
7 Alvin A. Elyne
Member

8
9 Neil Kuonen
Member

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11
12 APPROVED AS TO FORM
13 Boivin, Boivin, & Aspell

14 By: [Signature]

15
16
17 STATE OF OREGON; COUNTY OF KLAMATH; ss.

18 led for record at request of Klamath County
19 this 7th day of September A. D. 1979 at 11:02 clock A.M., and
20 duly recorded in Vol. M79, of Deeds on Page 21326

21 Wm D. MILNE, County Clerk
22 By: [Signature]

23 No Fee

24 Commissioners Journal