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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE 79-12 BY)
CATHERINE PRESTON)

O R D E R

THIS MATTER having come on for hearing upon the application of Catherine Preston for a Comprehensive Land Use Plan from Forestry and Suburban Density to Residential Recreation and a zone change from F (Forestry) to SP-1 (Rural Residential) by the Klamath County Planning Commission, on real property described as Township 40, Range 7, NE $\frac{1}{4}$ of Section 1, Tax Lot 601. Public hearings having been heard by the Klamath County Planning Commission on May 22, 1979, 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 June 26, 1979, wherefrom the testimony at said hearing it appeared that the record below was accurate and complete and it appeared 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 makes the following Findings of Fact and Conclusions of Law as required by Ordinance

79 DEC 18 PM 3 03

1 No. 17, the Klamath County Zoning Ordinance:

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN CHANGE:

3 1. The Board of County Commissioners found site to be
4 located approximately one-half mile north of the town of Keno,
5 off of the Klamath Falls-Ashland Highway.

6 2. The Board of County Commissioners found site for
7 change in Comprehensive Land Use Plan to be approximately 15.6
8 acres in size, with density to be approximately 12 lots.

9 3. The Board of County Commissioners found surrounding
10 area was a mixture of uses that included motels, rural resident-
11 ial, and forestry.

12 4. The Board of County Commissioners found site for
13 change in Comprehensive Land Use Plan has access from an adequate
14 highway, being the Klamath Falls-Ashland Highway. The Board of
15 Commissioners concluded that the anticipated traffic volume would
16 not detrimentally affect said highway.

17 5. The Board of County Commissioners found site for
18 change in Comprehensive Land Use Plan would have little or no
19 effect on the surrounding properties and that the land use trends
20 in the area were towards residential as per testimony from
21 Lucille Corbin.

22 6. The Board of County Commissioners found that the
23 Area Committee had been notified as well as the surrounding
24 property owners, thus addressing L.C.D.C. Goal No. 1.

25 7. The Board of County Commissioners found that the
26 soils classification was Class VII and unsuitable for agriculture
27 use. This information came from SCS General Soils Classification
28 thus addressing L.C.D.C. Goal No. 3.

1 8. The Board of County Commissioners found that site
2 for change in Comprehensive Land Use Plan had water and could
3 be available by well, thus addressing L.C.D.C. Goal No. 6.

4 9. The Board of County Commissioners found that the
5 site for change in Comprehensive Land Use Plan would have an
6 economic effect on the Keno area, which would be beneficial, thus
7 addressing L.C.D.C. Goal No. 9.

8 10. The Board of County Commissioners found that there
9 was a need and a demand for housing in the Keno area, thus
10 addressing L.C.D.C. Goal No. 10.

11 11. The Board of County Commissioners found site would
12 have electricity and telephone services. The Board of County
13 Commissioners also found that property was within the Keno School
14 District, thus addressing L.C.D.C. Goal No. 11.

15 12. The Board of County Commissioners found site for
16 change in Comprehensive Land Use Plan was in an area where some
17 urban and residential uses were and also was in conformance with
18 the development in the area, thus addressing L.C.D.C. Goal No.
19 14.

20 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
21 CHANGE:

22 1. The property affected by the Comprehensive Land Use
23 Plan change is adequate in size and shape to facilitate those
24 uses normally allowed in conjunction with such zoning.

25 2. The property affected by the proposed Comprehensive
26 Land Use Plan change is properly related to streets and highways
27 to adequately serve the type of traffic generated by such uses
28 that may be permitted therein.

1 3. The proposed Comprehensive Land Use Plan change will
2 have no adverse effect or only limited adverse effect on any
3 property or the permitted uses thereof within the affected area.

4 4. The proposed Comprehensive Land Use Plan change is in
5 keeping with any land use plans duly adopted and does, in effect,
6 represent the highest, best and most appropriate use of the land
7 affected.

8 5. The proposed Comprehensive Land Use Plan change is in
9 keeping with land uses and improvements, trends in land develop-
10 ment, density of land development, and prospective needs for
11 development in the affected area.

12 FINDINGS OF FACT FOR ZONE CHANGE:

13 1. The Board of County Commissioners found site to be
14 located approximately one-half mile north of the town of Keno,
15 off of the Klamath Falls-Ashland Highway.

16 2. The Board of County Commissioners found site for
17 change in zone to be approximately 15.6 acres in size, with
18 density to be approximately 12 lots.

19 3. The Board of County Commissioners found surrounding
20 area was a mixture of uses that included motels, rural resident-
21 ial, and forestry.

22 4. The Board of County Commissioners found site for
23 change in zone has access from an adequate highway, being the
24 Klamath Falls-Ashland Highway. The Board of Commissioners con-
25 cluded that the anticipated traffic volume would not detrimental-
26 ly affect said highway.

27 5. The Board of County Commissioners found site for
28 change in zone would have little or no effect on the surrounding

1 property owners, thus addressing L.C.D.C. Goal No. 1.

2 7. The Board of County Commissioners found that the soils
3 classification was Class VII and unsuitable for agriculture use.
4 This information came from SCS General Soils Classification thus
5 addressing L.C.D.C. Goal No. 3.

6 8. The Board of County Commissioners found that site for
7 change in zone has water and could be available by well, thus
8 addressing L.C.D.C. Goal No. 6.

9 9. The Board of County Commissioners found that the site
10 for change in zone would have an economic effect on the Keno area,
11 which would be beneficial, thus addressing L.C.D.C. Goal No. 9.

12 10. The Board of County Commissioners found that there
13 was a need and a demand for housing in the Keno area, thus address-
14 ing L.C.D.C. Goal No. 10.

15 11. The Board of County Commissioners found site would
16 have electricity and telephone services. The Board of County
17 Commissioners also found that property was within the Keno School
18 District, thus addressing L.C.D.C. Goal No. 11.

19 12. The Board of County Commissioners found site for
20 change in zone was in an area where some urban and residential
21 uses were and also was in conformance with the development in the
22 area, thus addressing L.C.D.C. Goal No. 14.

23 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

6 4. The proposed change of zone is in keeping with any
7 land use plans duly adopted and does, in effect, represent the
8 highest, best, and most appropriate use of the land affected.

9 5. The proposed change of zone is in keeping with land
10 uses and improvements, trends in land development, density of
11 land development, and prospective needs for development in the
12 affected area.

13 NOW, THEREFORE, it is hereby ordered that the application
14 for the Comprehensive Land Use Plan change from Forestry and
15 Suburban Density to Residential Recreation and zone change from F
16 (Forestry) to SP-1 (Rural Residential) for Catherine Preston on
17 the subject property, is hereby granted.

18 DONE AND DATED THIS 15th DAY OF October, 1979.

19
20 Chairman

21 Alvin A. Shyne

22 Member

23 Dee Kuonen

24 Member

25
26
27 APPROVED AS TO FORM:
28 Boivin, Boivin & Aspell

By: Robert D. Boivin

CLUP & ZC 79-12

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 16th day of October, A.D., 19 79 at 3:03 o'clock P. M., and duly recorded in Vol M79 of Deeds on Page 24370.

WM. D. MILNE, County Clerk

By: Berntha S. Hetcher Deputy

FEE No fee

Commissioner
Journal