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BOARD OF COUNTY COMMISSIONERS

Vol. ¹²¹ 79 Page 29379

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-28, BY)
WILLIAM R. KENDALL)

O R D E R

THIS MATTER having come on for hearing upon the application of William R. Kendall for a zone change from AF (Agricultural Forestry) to A (Agricultural), by the Klamath County Planning Commission, on real property described as Township 39, Range 11, Section 6, Tax Lot 3900. Public hearings having been heard by the Klamath County Planning Commission on September 25, 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 November 5, 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 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 No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT FOR ZONE CHANGE:

1. The Board of County Commissioners found property to be located in Township 39, Range 11, Section 6 and generally

1 located at the intersection of Haskins Road and Dairy-Bonanza
2 Highway.

3 2. The Board of County Commissioners found site for
4 change in zone to be approximately 15 acres in size and triangle
5 in shape.

6 3. The Board of County Commissioners found change in
7 zone would have minimal effect on surrounding properties as the
8 trend is for agricultural use and as well as ranchettes.

9 4. The Board of County Commissioners found that appli-
10 cant's need for such change of zone from AF (Agricultural-Forestry)
11 to A (Agricultural) would be for a 15 acre parcel to be sold and
12 also a 40 acre parcel to be incorporated into a larger farming
13 unit.

14 5. The Board of County Commissioners found that notifi-
15 cation had been sent to the local media, as well as to surrounding
16 property owners and also the Bonanza Area Committee, therefore
17 addressing L.C.D.C. Goal No. 1.

18 6. The Board of County Commissioners found site for
19 change was indicated on the existing Comprehensive Land Use Plan
20 map as agricultural, and therefore in conformance with the Compre-
21 hensive Land Use Plan, therefore addressing L.C.D.C. Goal No. 2.

22 7. The Board of County Commissioners found that the
23 proposal of zone change would be intended to allow utilization
24 of a forty acre parcel and also a 15 acre parcel, which would be
25 in support of agricultural lands, therefore addressing L.C.D.C.
26 Goal No. 3.

27 8. The Board of County Commissioners found site for
28 change in zone was not within any wildlife area and that site is

1 basically for agriculture uses, therefore addressing L.C.D.C.
2 Goal No. 5.

3 9. The Board of County Commissioners found site for
4 change in zone, being the 15 acres, would need water for a resi-
5 dence if residence were to be developed. This way water could be
6 provided by well, therefore addressing L.C.D.C. Goal No. 6.

7 10. The Board of County Commissioners found site for
8 change in zone not to be subject to any natural disasters and
9 hazards as land is almost level, therefore addressing L.C.D.C.
10 Goal No. 7.

11 11. The Board of County Commissioners found site for
12 change of zone to agricultural allows a residence when in conjunc-
13 tion with agricultural uses, therefore addressing L.C.D.C. Goal
14 No. 10.

15 12. The Board of County Commissioners found site had
16 public facilities such as electricity, telephone. Site is also
17 in the Bonanza School District, and Bonanza Fire District, there-
18 for addressing L.C.D.C. Goal No. 11.

19 13. The Board of County Commissioners found site for
20 change in zone to be abutting two highways. One road being the
21 Haskins Road and the other being the Bonanza-Dairy Highway. Both
22 highways are paved and allows traffic to and from site, therefore
23 addressing L.C.D.C. Goal No. 12.

24 14. The Board of County Commissioners found site for
25 change in zone to be in a rural type area and not an urban area,
26 therefore addressing L.C.D.C. Goal No. 14.

27 CONCLUSIONS OF LAW FOR ZONE CHANGE:

28 1. The property affected by the change of zone is

1 adequate in size and shape to facilitate those uses normally
2 allowed in conjunction with such zoning.

3 2. The property affected by the proposed change of
4 zone is properly related to streets and highways to adequately
5 serve the type of traffic generated by such uses that may be
6 permitted therein.

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

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

14 5. The proposed change of zone is in keeping with any
15 land use plans duly adopted and does, in effect, represent the
16 highest, best and most appropriate use of the land affected.

17 NOW, THEREFORE, it is hereby ordered that the applica-
18 tion for zone change from AF (Agricultural Forestry) to A (Agricultural)
19 for William R. Kendall on the subject property, is here-
20 by granted.

21 DONE AND DATED THIS 19th DAY OF December, 1979

22
23 David L. Wynne
24 Chairman

25 Alvin G. Cheyne
26 Member

27 Will Keenan
28 Member

27 APPROVED AS TO FORM:
28 Boivin, Royer, & Aspell

BY: Robert Brown

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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 21st day of
December 1979 at 4:47 o'clock P M., and duly recorded in Vol 1179
of ?Deeds on Page 29379.

FEE None

WM. D. MILNE, County Clerk

By Bernice Heloch Deputy