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2 BOARD OF COUNTY COMMISSIONERS

3 KLAMATH COUNTY, OREGON

4 IN THE MATTER OF THE APPLICATION)
5 FOR COMPREHENSIVE LAND USE PLAN)
6 CHANGE AND ZONE CHANGE NO. 79-39)
BY ROBERT PUCKETT)

O R D E R

7
8 THIS MATTER having come for hearing upon the application
9 of Robert Puckett for a Comprehensive Land Use Plan change from
10 Agricultural to Public and a zone change from AF (Agricultural-
11 Forestry) to SP-15 (Public Facilities), by the Klamath County
12 Planning Commission, on real property described as Township 39,
13 Range 8, Section 31, being Tax Lots 500 and 503. Public hearings
14 having been heard by the Klamath County Planning Commission on
15 September 25, 1979, wherefrom the testimony, reports, and informa-
16 tion produced at the hearing by the applicant, members of the
17 Planning Department Staff and other persons in attendance, the
18 Planning Commission recommended approval to the Board of County
19 Commissioners. Following action by the Planning Commission, a
20 public hearing before the Board of County Commissioners was regu-
21 larly held on November 5, 1979, wherefrom the testimony at said
22 hearing it appeared that the record below was accurate and complete
23 and it appeared from the testimony, reports and exhibits introduc-
24 ed at the hearing before the Planning Commission that the applica-
25 tion for a change in Comprehensive Land Use Plan and zone change
26 for the subject property, should be granted.

27 The Board of County Commissioners makes the following
28 Findings of Fact and Conclusions of Law as required by Ordinance

1 No. 17, the Klamath County Zoning Ordinance:

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2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP
3 CHANGE

4 1. The Board of County Commissioners found site for
5 change in Comprehensive Land Use Plan to be located in Township
6 39, Range 8, Section 31, and generally located off of Clover
7 Creek Road in the Keno area.

8 2. The Board of County Commissioners found property
9 for change in Comprehensive Land Use Plan to be approximately
10 1.59 acres in size and rectangle in shape and with accompanying
11 variance is adequate in size and shape.

12 3. The Board of County Commissioners found site for
13 change in Comprehensive Land Use Plan would be utilized for a
14 fire station of which location is well centralized for the town
15 of Keno.

16 4. The Board of County Commissioners found Planning
17 Department had sent out proper notification to the medias as well
18 as those agencies of concern. Also sent notification to surround-
19 ing property owners and also the area committee, therefore address-
20 ing L. C. D. C. Goal No. 1.

21 5. The Board of County Commissioners found site for
22 change in Comprehensive Land Use Plan was agricultural and testi-
23 mony by applicant that the 1.59 acres is not an economical farming
24 unit, therefore addressing L. C. D. C. Goal No. 3.

25 6. The Board of County Commissioners found site for
26 change in Comprehensive Land Use Plan would utilize a septic tank
27 for sewer and water would be by well, therefore addressing
28 L. C. D. C. Goal No. 6.

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1 7. The Board of County Commissioners found per testimony
2 from applicant that public facilities to site are electricity and
3 telephone. The Board of County Commissioners also found that
4 proposed use, being a fire station, would provide a public use to
5 the town of Keno as well as the surrounding area that is within its
6 fire district boundaries, therefore addressing L. C. D. C. Goal No.
7 11.

8 8. The Board of County Commissioners found site for
9 Comprehensive Land Use Plan has access off of Puckett Road, and
10 also that the Klamath Falls-Ashland Highway allows traffic to and
11 from site, therefore addressing L. C. D. C. Goal No. 12.

12 9. The Board of County Commissioners found site for
13 change in Comprehensive Land Use Plan to be close to an urban area.
14 The urban area being the town of Keno, therefore addressing
15 L. C. D. C. Goal No. 14.

16 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP
17 CHANGE

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

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

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

28 4. The proposed Comprehensive Land Use Plan change is

1 in keeping with any land use plans duly adopted and does, in
2 effect, represent the highest, best and most appropriate use of
3 the land affected.

4 5. The proposed Comprehensive Land Use Plan change is
5 in keeping with land uses and improvements, trends in land develop-
6 ment in the affected area.

7 FINDINGS OF FACT FOR ZONE CHANGE:

8 1. The Board of County Commissioners found site for
9 change in zone to be located in Township 39, Range 8, Section 31
10 and generally located off of Clover Creek Road in the Keno area.

11 2. The Board of County Commissioners found property for
12 change in zone to be approximately 1.59 acres in size and rectangle
13 in shape and with accompanying variance is adequate in size and
14 shape.

15 3. The Board of County Commissioners found site for
16 change in zone would be utilized for a fire station of which
17 location is well centralized for the town of Keno.

18 4. The Board of County Commissioners found Planning
19 Department had sent out proper notification to the media as well
20 as those agencies of concern. Also sent notification to surround-
21 ing property owners and also the area committee, therefore address-
22 ing L. C. D. C. Goal No. 1.

23 5. The Board of County Commissioners found site for
24 change in zone was agriculture and testimony by applicant that
25 the 1.59 acres is not an economical farming unit, therefore
26 addressing L. C. D. C. Goal No. 3.

27 6. The Board of County Commissioners found site for
28 change in zone would utilize a septic tank for sewer and water

1 would be by well, therefore addressing L. C. D. C. Goal No. 6.

2 7. The Board of County Commissioners found per testi-
3 mony from applicant that public facilities to site are electricity
4 and telephone. The Board of County Commissioners found that
5 proposed use, being a fire station, would provide a public use to
6 the town of Keno as well as the surrounding area that is within
7 its fire district boundaries, therefore addressing L. C. D. C.
8 Goal No. 11.

9 8. The Board of County Commissioners found site for
10 change in zone has access off of Puckett Road and also that the
11 Klamath Falls-Ashland Highway allows traffic to and from site,
12 therefore addressing L. C. D. C. Goal No. 12.

13 9. The Board of County Commissioners found site for
14 change in zone to be close to an urban area. The urban area being
15 the town of Keno, therefore addressing L. C. D. C. Goal No. 14.

16 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

20 2. The property affected by the proposed change of zone
21 is properly related to streets and highways to adequately serve
22 the type of traffic generated by such uses that may be permitted
23 therein.

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

27 4. The proposed change of zone is in keeping with any
28 land use plans duly adopted and does, in effect, represent the

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1 highest, best, and most appropriate use of the land affected.

2 5. The proposed change of zone is in keeping with land
3 uses and improvements, trends in land development, density of land
4 development, and prospective needs for development in the affected
5 area.

6 NOW, THEREFORE, it is hereby ordered that the applica-
7 tion for the Comprehensive Land Use Plan change from Agricultural
8 to Public and zone change from AF (Agricultural Forestry) to
9 SP-15 (Public Facilities) for Robert Puckett on the subject
10 property, is hereby granted.

11 DONE AND DATED THIS 21st DAY OF December, 1979.

13 Kay L. Kymore
14 Chairman

15 Philip A. Cheyne
16 Member

17 Neil Kymore
18 Member

21 APPROVED AS TO FORM:
22 Boivin, Boivin, & Aspell

23 By W. Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss. :

I hereby certify that the within instrument was received and filed for record on the 27th day of
December A.D., 19 79 at 9:40 o'clock A M., and duly recorded in Vol. 379
of Deeds on Page 29573.

FEE None

WM. D. MILNE, County Clerk

By Donna L. Kitech Deputy