

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

79273

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-41 BY)
SOUTHERN OREGON BROADCASTING COMPANY)

O R D E R

THIS MATTER having come on for hearing upon the applica-
tion of Southern Oregon Broadcasting Company for a zone change
from A (Agricultural) to AF (Agricultural Forestry), by the
Klamath County Planning Commission, on real property described
as Township 38, Range 9, Section 28. Public hearings having been
heard by the Klamath County Planning Commission on October 9,
1979, wherefrom the testimony, reports, and information produced
at the hearing by the applicant, members of the Planning Depart-
ment Staff and other persons in attendance, the Planning Commis-
sion 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 29, 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:

1. The Board of County Commissioners found site to be
located in Township 38, Range 9, Section 28, and generally located

1 east of the Klamath Falls City Limits and 600 feet north of Loma
2 Linda Drive.

3 2. The Board of County Commissioners found site for
4 change in zone would continue in its same use, that being a micro-
5 wave site. The use is allowed outright in the AF (Agricultural-
6 Forestry) zone.

7 3. The Board of County Commissioners found site is not
8 an agricultural unit, but the change in zone to AF (Agricultural
9 Forestry) allows existing use.

10 4. The Board of County Commissioners found site for
11 change in zone is a zone change only as the existing land use
12 designation is agricultural.

13 5. The Board of County Commissioners found notification
14 had been sent to the media as well as to those agencies of concern
15 and also to the surrounding land owners, therefore addressing
16 L. C. D. C. Goal No. 1.

17 6. The Board of County Commissioners found site has
18 no trees of commercial value, therefore addressing L. C. D. C.
19 Goal No. 4.

20 7. The Board of County Commissioners found site for
21 change in zone was utilized as a site for a microwave tower and
22 would continue to be used as such to serve as a public facility,
23 therefore addressing L. C. D. C. Goal No. 11.

24 8. The Board of County Commissioners found site had the
25 existing use of a microwave tower and use would continue as such
26 and would not be moved, therefore conserving on energy by not
27 having to move or relocate, therefore addressing L. C. D. C.
28 Goal No. 13.

1 9. The Board of County Commissioners found site was in
2 an area where urban development has taken place, such as to the
3 south of site where the city limits of Klamath Falls touches
4 property, therefore addressing L. C. D. C. Goal No. 14.

5 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

16 4. The proposed change of zone is in keeping with
17 land uses and improvements, trends in land development, density
18 of land development and prospective needs for development in the
19 affected area.

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

23 NOW, THEREFORE, it is hereby ordered that the applica-
24 tion for the zone change from A (Agricultural) to AF (Agricultural
25 Forestry) for Southern Oregon Broadcasting Company on the subject
26
27
28

1 property, is hereby granted.

2
3 DONE AND DATED THIS 9th DAY OF January 1980

4
5 Alvin C. Cheyne
Chairman

6
7 Neil Kuoronen
Member

8
9 Harold L. Nyman
Member

10
11
12 APPROVED AS TO FORM:
Boivin, Boivin & Aspell

13
14 BY Charles Boivin

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

18 Filed for record at request of Klamath County

19 this 14th day of January A. D. 1980 at 2:23 o'clock P. M., an:

20 duly recorded in Vol: M80, of Deeds on Page 678.

21 Wm D. MILNE, County Clerk

22 By Bernhard Hetsch

23 No Fee