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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 NO. 79-51)  
BY THEODORE Z. CLAWSON )

O R D E R

THIS MATTER having come on for hearing upon the applica-  
tion of Theodore Z. Clawson for a Comprehensive Land Use Plan  
change from Forestry to Residential Recreation and a zone change  
from AF (Agricultural Forestry) to SP-1 (Rural Residential), by  
the Klamath County Planning Commission, on real property described  
as Township 39, Range 11, Section 30, being Tax Lot 1200. Public  
hearings having been heard by the Klamath County Planning Commis-  
sion on November 27, 1980, 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 regu-  
larly held on January 17, 1980, wherefrom the testimony at said  
hearing it appeared that the record below was accurate and com-  
plete 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  
No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP

CHANGE:

1. The Board of County Commissioners found site for change in Comprehensive Land Use Plan to be located south of Lost River and east of the Malin-Bonanza Road.

2. The Board of County Commissioners found site for change in Comprehensive Land Use Plan to be approximately 12.65 acres in size, rectangular in shape and can meet all Property Development Standards of the SP-1 (Rural Residential) zone.

3. The Board of County Commissioners found that there were other properties in the surrounding area that had the same Comprehensive Land Use Plan as well as the same zoning and that the use would be rural residential which is also the same use. in the surrounding area.

4. The Board of County Commissioners found site had access via a county paved road and that said road appears to be able to carry the kind of traffic that would be generated from proposed use.

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

6. The Board of County Commissioners found that the change in Comprehensive Land Use Plan would not have an effect on surrounding properties as well as an effect on surrounding uses as the proposed use will be basically the same; therefore addressing L. C. D. C. Goal No. 2.

7. The Board of County Commissioners found site to be covered by juniper trees and sagebrush also no agriculture

1 products were grown on property, therefore addressing L. C. D. C.  
2 Goal No. 3.

3 8. The Board of County Commissioners found site for  
4 change in Comprehensive Land Use Plan had no trees of commercial  
5 value as the vegetation was that of juniper trees, therefore  
6 addressing L. C. D. C. Goal No. 4.

7 9. The Board of County Commissioners found site for  
8 change in Comprehensive Land Use Plan to be next to a deer winter  
9 range and not in the winter range zone, and therefore felt that  
10 the proposed use will not affect the deer winter range.

11 10. The Board of County Commissioners found site for  
12 change in Comprehensive Land Use Plan has an individual well on  
13 site for water, therefore addressing L. C. D. C. Goal No. 6.

14 11. The Board of County Commissioners found site for  
15 change could allow an additional residence and could increase the  
16 economy of the area, therefore addressing L. C. D. C. Goal No. 9.

17 12. The Board of County Commissioners found site had  
18 public facilities, those facilities being electricity and tele-  
19 phone service. Also, site was within the Bonanza School District  
20 as well as the Bonanza Fire District, therefore addressing L. C.  
21 D. C. Goal No. 11.

22 13. The Board of County Commissioners found site had  
23 adequate access off of Harpold Road which is a paved county road  
24 and allows traffic to and from site, therefore addressing L. C.  
25 D. C. Goal No. 12.

26 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP  
27 CHANGE:

28 1. The property affected by the Comprehensive Land

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

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

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

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

15 5. The proposed Comprehensive Land Use Plan change is  
16 in keeping with land uses and improvements, trends in land devel-  
17 opment, density of land development, and prospective needs for  
18 development in the affected area.

19 FINDINGS OF FACT FOR ZONE CHANGE:

20 1. The Board of County Commissioners found site for  
21 change in zone to be located south of Lost River and east of  
22 the Malin-Bonanza Road.

23 2. The Board of County Commissioners found site for  
24 change in zone to be approximately 12.65 acres in size, rectangu-  
25 lar in shape and can meet the Property Development Standards of  
26 the SP-1 (Rural Residential) zone.

27 3. The Board of County Commissioners found that there  
28 was other properties in the surrounding area that had the same

1 Comprehensive Land Use Plan as well as the same zoning, and that  
2 the use would be rural residential which is also the same use in  
3 the surrounding area.

4 4. The Board of County Commissioners found site had  
5 access via a county paved road and that said road appears to be  
6 able to carry the kind of traffic that would be generated from  
7 proposed use.

8 5. The Board of County Commissioners found that noti-  
9 fication had been sent out to the surrounding property owners  
10 as well as to those agencies of concern and also to the media,  
11 therefore addressing L. C. D. C. Goal No. 1.

12 6. The Board of County Commissioners found that the  
13 change in zone would not have an effect on surrounding properties  
14 as well as an effect on surrounding uses as the proposed use will  
15 be basically the same, therefore addressing L. C. D. C. Goal No.  
16 2.

17 7. The Board of County Commissioners found site to be  
18 covered by juniper trees and sagebrush and also no agriculture  
19 products were grown on property, therefore addressing L. C. D. C.  
20 Goal No. 3.

21 8. The Board of County Commissioners found site for  
22 change in zone had no trees of commercial value as the vegetation  
23 was that of juniper trees, therefore addressing L. C. D. C. Goal  
24 No. 4.

25 9. The Board of County Commissioners found site for  
26 change in zone to be next to a deer winter range and not in the  
27 winter range zone, and therefore felt that proposed use will not  
28 affect the deer winter range.