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BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-64 BY)
JAMES BUNNELL)

O R D E R

THIS MATTER having come on for hearing upon the application of James Bunnell for a zone change from AF (Agricultural Forestry) to A (Agricultural), by the Klamath County Planning Commission, on real property described as Township 41, Range 11, Section 11, being Tax Lots 87-1 and 87-2. Public hearings having been heard by the Klamath County Planning Commission on January 22, 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 regularly held on February 28, 1980, 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 site for change in zone was located east of Adams Point Road and south of

1 Burlington-Northern right-of-way.

2 2. The Board of County Commissioners found site to be
3 approximately five acres in size and triangular in shape, and
4 therefore meets the Property Development Standards of the A
5 (Agricultural) zone.

6 3. The Board of County Commissioners found that the
7 proposed use would be in line with the A (Agricultural) zone,
8 that being small farm use, and would not create an adverse effect
9 to the larger farm units as uses are already existing.

10 4. The Board of County Commissioners found that the
11 Planning Department sent notification to the surrounding property
12 owners, and also notified those agencies of concern, therefore
13 addressing L. C. D. C. Goal No. 1.

14 5. The Board of County Commissioners found site for change
15 in zone to be indicated as Agricultural from the existing Compre-
16 hensive Land Use Plan, and therefore in compliance with the
17 Comprehensive Land Use Plan, thus addressing L. C. D. C. Goal No.
18 2.

19 6. The Board of County Commissioners found site for
20 change in zone to have existing uses which are allowed within the
21 A (Agricultural) zone, therefore addressing L. C. D. C. Goal No. 3.

22 7. The Board of County Commissioners found site not to be
23 an economical unit as was; however with the change in zone and
24 along with existing uses, the parcel made for an economical unit,
25 once partitioned; therefore addressing L. C. D. C. Goal No. 9.

26 8. The Board of County Commissioners found site for
27 change in zone has three existing mobile homes and there would be
28 no increase in use of residence, therefore addressing L. C. D. C.

1 Goal No. 10.

2 9. The Board of County Commissioners found site for
3 change in zone to have public facilities such as electricity
4 and telephone service. Site was also in the Malin School
5 District, therefore addressing L. C. D. C. Goal No. 11.

6 10. The Board of County Commissioners found site for
7 change in zone, which was the total piece, has access off of
8 Adams Point Road, which is a paved county road, therefore address-
9 ing L. C. D. C. Goal No. 12.

10 11. The Board of County Commissioners found site was
11 close to the City of Merrill where there is gas and fuel, which
12 helps conserve energy, therefore addressing L. C. D. C. Goal No.
13 13.

14 12. The Board of County Commissioners found site for
15 change in zone was in a rural area and not in an urban area, and
16 that the A (Agricultural) zone and the uses of the A (Agricultural)
17 zone are of rural type.

18 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

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

8 NOW, THEREFORE, it is hereby ordered that the application
9 for zone change from AF (Agricultural Forestry) to A (Agricultural
10 for James Bunnell on the subject property is hereby granted.

11 DONE AND DATED THIS 10th DAY OF April, 1980.
12
13

14 William A. L. Hayes
15 Chairman

16 Will Kucorow
17 Member

18 Angel L. Nguyen
19 Member
20
21

22
23 APPROVED AS TO FORM:
24 Boivin & Boivin

25 By: William A. L. Hayes
26
27
28

ZC 79-64

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 14th day of
April A.D., 19 80 at 9:30 o'clock A M., and duly recorded in Vol. M80
of Deeds on Page 6911.

FEE None

WM. D. MILNE, County Clerk

By Bernetha A. Hetch Deputy