

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

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IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE 80-2 BY TY HALOUSEK)

O R D E R

THIS MATTER having come on for hearing upon the applica-
tion of Ty Halousek for a zone change from AF (Agricultural
Forestry) to A (Agricultural), by the Klamath County Planning
Commission, on real property described as the westerly 363 feet
of the northerly 221 feet of the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 6, Township 41,
Range 12, Klamath County, Oregon. Public hearings having been
heard by the Klamath County Planning Commission on February 26,
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. Follow-
ing action by the Planning Commission, a public hearing before the
Board of County Commissioners was regularly held on March 27, 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 change in zone 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 finds that the

1 property is located west of the Malin-Bonanza Road and is
2 accessible via a thirty-foot easement.

3 2. The Board of County Commissioners finds that the
4 parcel is 1.84 acres in size and is rectangular in shape.

5 3. The Board of County Commissioners finds that the
6 proposed use of the property is for a homesite in conjunction with
7 agricultural uses and that this site is on agriculturally marginal
8 land.

9 4. The Board of County Commissioners finds that proper
10 notification was sent to surrounding land owners, concerned
11 agencies, and the media complying with L. C. D. C. Goal No. 1.

12 5. The Board of County Commissioners finds that the
13 existing and proposed uses of the property conform to the agri-
14 cultural Comprehensive Land Use Plan designation, therefore
15 addressing L. C. D. C. Goal No. 2.

16 6. The Board of County Commissioners finds that the
17 proposed use is in conjunction with an active agricultural opera-
18 tion and will not remove good farm land from production, therefore
19 addressing L. C. D. C. Goal No. 3.

20 7. The Board of County Commissioners finds that the site
21 is adequately served by utilities and public facilities, therefore
22 addressing L. C. D. C. Goal No. 11.

23 8. The Board of County Commissioners finds that the site
24 has adequate access to paved county roads, therefore addressing
25 L. C. D. C. Goal No. 12.

26 CONCLUSIONS OF LAW FOR ZONE CHANGE:

27 1. The property affected by the change of zone is
28 adequate in size and shape to facilitate those uses normally

1 allowed in conjunction with such zoning.

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

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

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

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

16 NOW, THEREFORE, it is hereby ordered that the application
17 for the zone change from AF (Agricultural Forestry) to A (Agri-
18 cultural) for Ty Halousek on the subject property is hereby
19 granted.

20 DONE AND DATED THIS 23rd DAY OF April, 1980.

21
22 Alvin T. Cheyne
23 Chairman

24 Neer Kuonen
25 Member

26 Harold L. Vignone
27 Member

28 APPROVED AS TO FORM:
Boivin & Boivin

By Alvin T. Cheyne

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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 28th day of
April A.D., 19 80 at 4:45 o'clock P M., and duly recorded in Vol M80,
of Deeds on Page 7891.

FEE None

WM. D. MILNE, County Clerk

By Bernice H. Hetsch Deputy