

3220
BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-66 BY)
ALBERT C. ACKLIN)

O R D E R

THIS MATTER having come on for hearing upon the applica-
tion of Albert C. Acklin for a zone change from AF (Agricultural
Forestry) to A (Agricultural), by the Klamath County Planning
Commission, on real property described as that portion of the
westerly 400 feet of the easterly 600 feet of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of
Section 25, Township 39, Range 9, lying south of the Burlington
Northern right-of-way. Public hearings having been heard by the
Klamath County Planning Commission on February 26, 1980, wherefrom
the testimony, reports, and information produced as 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 March 27, 1980, where-
from the testimony at said hearing it appeared that the record
below was accurate and complete and it appeared from the testi-
mony, reports and exhibits introduced at the hearing before the
Planning Commission that the application for a change of 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 1. The Board of County Commissioners found the site to
2 be located north of Henley Road about ½ mile east of its inter-
3 section with Homedale Road.

4 2. The Board of County Commissioners found the site to
5 be 6.74 acres in size and approximately rectangular in shape.

6 3. The Board of County Commissioners found that the
7 purpose of the zone change is to permit the homesite and surround-
8 ing acreage to be separated from the rest of the agricultural
9 land.

10 4. The Board of County Commissioners found that existing
11 uses of the property would be continued.

12 5. The Board of County Commissioners found that creating
13 a smaller parcel is in keeping with property development trends
14 in the area.

15 6. The Board of County Commissioners found that proper
16 notification was sent to nearby property owners, concerned
17 agencies and media, therefore addressing L. C. D. C. Goal No. 1.

18 7. The Board of County Commissioners found that the
19 existing and proposed use of the property conforms to the agri-
20 cultural Comprehensive Land Use Plan designation, complying with
21 L. C. D. C. Goal No. 2.

22 8. The Board of County Commissioners found that agri-
23 cultural uses of the property would continue, therefore address-
24 ing L. C. D. C. Goal No. 3.

25 9. The Board of County Commissioners found that the site
26 is adequately served by utilities and public facilities, there-
27 fore addressing L. C. D. C. Goal No. 11.

28 10. The Board of County Commissioners found that the

1 site fronts on a paved road and has good access to the Henley and
2 Klamath Falls areas, therefore addressing L. C. D. C. Goal No. 12.

3 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

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

21 NOW, THEREFORE, it is hereby ordered that the application
22 for the zone change from AF (Agricultural Forestry) to A (Agri-
23 cultural) for Albert C. Acklin on the subject property, is hereby
24 granted.

25 DONE AND DATED THIS 28th DAY OF April, 1980.

26 APPROVED AS TO FORM:

27 BY Robert Boivin
28 Boivin & Boivin

Albert C. Acklin
Chairman

John Keenan
Member

Raymond L. Hogue
Member

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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 7894.

FEE None

WM. D. MILNE, County Clerk

By Bernice Hellock Deputy