

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-63 FOR)
WILLIAM A. BARTLETT)

O R D E R

THIS MATTER having come on for hearing upon the applica-
tion of William A. Bartlett for a zone change from AF (Agri-
cultural Forestry) to A (Agricultural) by the Klamath County
Planning Commission, on real property described as Township 33,
Range 7½, Section 23, being Tax Lot 24-7. 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 Commission-
ers. Following action by the Planning Commission, a public
hearing before the Board of County Commissioners was regularly
held on March 3, 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 to be
approximately one mile southeast of the town of Fort Klamath

70 MAY 7 11 AM '80

1 and located at the intersection of Highway No. 66 and Highway No.
2 232.

3 2. The Board of County Commissioners found site for
4 change in zone was triangular in shape and approximately 7.5
5 acres in size which meets the Property Development Standards of
6 the A (Agricultural) zone.

7 3. The Board of County Commissioners found that the
8 proposed use, that being residential, would not have an adverse
9 effect on surrounding properties, as Applicant's use would be
10 similar to the existing agricultural and forestry uses.

11 4. The Board of County Commissioners found land use
12 trend in the area was smaller lots with residences that were in
13 conjunction with agriculture use.

14 5. The Board of County Commissioners found that the
15 surrounding property owners had been notified and also those
16 agencies of concern, therefore addressing L. C. D. C. Goal No. 1.

17 6. The Board of County Commissioners found Applicant's
18 application was for a change in zone only and that the existing
19 Comprehensive Land Use Plan is Agricultural, which would be in
20 conformity with the A (Agricultural) zone, therefore addressing
21 L. C. D. C. Goal No. 2.

22 7. The Board of County Commissioners found site to be
23 approximately 7.5 acres in size and with vegetation being lodge-
24 pole pine and underbrush; site is not a prime agriculture unit,
25 therefore addressing L. C. D. C. Goal No. 3 and L. C. D. C. Goal
26 No. 4.

27 8. The Board of County Commissioners found site for
28 change in zone to be outside the wildlife area and deer winter

1 range, therefore addressing L. C. D. C. Goal No. 5.

2 9. The Board of County Commissioners found site for
3 change in zone from AF (Agricultural Forestry) to A (Agricultural)
4 has an individual well as well as an existing septic tank, there-
5 fore addressing L. C. D. C. Goal No. 6.

6 10. The Board of County Commissioners found that the
7 proposed change in zone to A (Agricultural) will allow residential
8 use when in conjunction with proposed change. Testimony indicated
9 Applicant's use would be in conjunction with the A (Agricultural)
10 zone, therefore addressing L. C. D. C. Goal No. 10.

11 11. The Board of County Commissioners found per testimony
12 that site for change has public facilities such as telephone
13 service and electricity, and also being in the Chiloquin School
14 District, therefore addressing L. C. D. C. Goal No. 11.

15 12. The Board of County Commissioners found site to
16 have access off of Highway No. 232 which is a paved highway and
17 appears to be able to carry the kind of traffic that would be
18 generated by proposed use, therefore addressing L. C. D. C. Goal
19 No. 12.

20 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

28 3. The proposed change of zone will have no adverse

1 effect on any property or the permitted uses thereof within the
2 affected area.

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

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

10 NOW, THEREFORE, it is hereby ordered that the application
11 for zone change from AF (Agricultural Forestry) to A (Agricultural)
12 for William Bartlett on the subject property is hereby granted.

13 DONE AND DATED THIS 5th DAY OF May, 1980

14
15 David A. Payne
16 Chairman

17
18 Neil Kuonen
19 Member

20
21 Frank L. Thomas
22 Member

23 APPROVED AS TO FORM:
24 Boivin & Boivin

25 BY Mark Boivin

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

Klamath County
on this 7th day of May, 1980
at 11:27 o'clock A M, and duly
recorded in Vol. M80 of Deeds
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Wm D. MILNE, County Clerk

By Mark Boivin Deputy

Fee None