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KLAMATH COUNTY, OREGON

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2
3 IN THE MATTER OF THE APPLICATION)
4 FOR COMPREHENSIVE LAND USE PLAN)
5 CHANGE AND ZONE CHANGE NO. 80-30)
6 BY JOHN B. ANDERSON)

O R D E R

7 THIS MATTER having come on for hearing upon the applica-
8 tion of John B. Anderson for a Comprehensive Land Use Plan change
9 from Agricultural to Residential Recreation and a zone change
10 from AF (Agricultural Forestry) to SP-1 (Rural Residential), by
11 the Klamath County Planning Commission, on real property described
12 as that portion of the NE $\frac{1}{4}$ of Section 31, Township 34, Range 7.
13 Public hearings having been heard by the Klamath County Planning
14 Commission on July 8, 1980, and July 29, 1980, wherefrom the
15 testimony, reports, and information produced at the hearing by
16 the applicant, members of the Planning Department Staff and other
17 persons in attendance, the Planning Commission recommended
18 approval to the Board of County Commissioners. Following action
19 by the Planning Commission, a public hearing before the Board of
20 County Commissioners was regularly held on September 9, 1980,
21 wherefrom the testimony at said hearing it appeared that the
22 record below was accurate and complete and it appeared from the
23 testimony, reports, and exhibits introduced at the hearing before
24 the Planning Commission that the application for a change of
25 Comprehensive Land Use Plan and zone change for the subject
26 property, should be granted.

27 The Board of County Commissioners makes the following
28 Findings of Fact and Conclusions of Law as required by Ordinance
No. 17, the Klamath County Zoning Ordinance:

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FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP
CHANGE:

1. The Board of County Commissioners found that the property is approximately 123 acres in size.

2. The Board of County Commissioners found that access to the property is from State Highway No. 62 which is adequate to handle the additional traffic, therefore addressing L. C. D. C. Goal No. 12.

3. The Board of County Commissioners found that there is adjoining rural residential development in the area.

4. The Board of County Commissioners found that the proposed use of the property is rural homesites.

5. The Board of County Commissioners found that this site is not a significant wildlife area, therefore addressing L. C. D. C. Goal No. 5.

6. The Board of County Commissioners found that poor soils, a short growing season, and the lack of irrigation, make agricultural or forestry uses of the site uneconomical, therefore addressing L. C. D. C. Goal No. 3 and L. C. D. C. Goal No. 4.

7. The Board of County Commissioners found that notice of the hearings on this matter was sent to neighboring property owners and concerned agencies, therefore addressing L. C. D. C. Goal No. 1.

CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP
CHANGE:

1. The property affected by the Comprehensive Land Use Plan change is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning.

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

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

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

12 5. The proposed Comprehensive Land Use Plan change is in
13 keeping with land uses and improvements, trends in land develop-
14 ment, density of land development, and prospective needs for
15 development in the affected area.

16 FINDINGS OF FACT FOR ZONE CHANGE:

17 1. The Board of County Commissioners found that the
18 property is approximately 123 acres in size.

19 2. The Board of County Commissioners found that access
20 to the property is from State Highway No. 62 which is adequate
21 to handle the additional traffic, therefore addressing L. C. D. C.
22 Goal No. 12.

23 3. The Board of County Commissioners found that there
24 is adjoining rural residential development in the area.

25 4. The Board of County Commissioners found that this site
26 is not a significant wildlife area, therefore addressing L. C. D.
27 C. Goal No. 5.

28 5. The Board of County Commissioners found that the

1 proposed use of the property is rural homesites.

2 6. The Board of County Commissioners found that poor
3 soils, a short growing season, and the lack of irrigation, make
4 agricultural or forestry uses of the site uneconomical, therefore
5 addressing L. C. D. C. Goals Nos. 3 and 4.

6 7. The Board of County Commissioners found that notice
7 of the hearings on this matter was sent to neighboring property
8 owners and concerned agencies, therefore addressing L. C. D. C.
9 Goal No. 1.

10 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

21 4. The proposed change of zone is in keeping with any
22 land use plans duly adopted and does, in effect, represent the
23 highest, best, and most appropriate use of the land affected.

24 5. The proposed change of zone is in keeping with land
25 uses and improvements, trends in land development, density of
26 land development, and prospective needs for development in the
27 affected area.

28 NOW, THEREFORE, it is hereby ordered that the application
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1 for the Comprehensive Land Use Plan change from Agricultura- to
2 Residential Recreation and a zone change from AF (Agricultural
3 Forestry) to SP-1 (Rural Residential) for John B. Anderson,
4 on the subject property, should be granted.

5 DONE AND DATED THIS 7th DAY OF January, 1981.

6
7 Russ Kroonen
8 Chairman

9
10 Member

11
12 Alvin T. Cheyne
13 Member

14
15 APPROVED AS TO FORM:
16 Bolvin & Bolvin

17 BY Robert Bolvin

18 STATE OF OREGON; COUNTY OF KLAMATH; ss.

19 Filed for record at request of Klamath County
20 this 12th day of January A. D. 19 81 at 2:58 o'clock P. M., and
21 duly recorded in Vol. M81, of Deeds on Page 568.

22
23 No Fee

24 EVELYN BIEHN, County Clerk
By Bernetha A. Detrick

25 Commissioners Journal