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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for )  
Minor Partition No. 14-82 for )  
Clifford and Diana Chappell, )  
Applicants )

Klamath County Planning  
Findings of Fact and Order

A hearing was held on this matter on February 10, 1982, pursuant to notice given in conformity with Ordinance No. 45, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Jonathan Chudnoff. The Hearings Reporter was Barbara Thomson.

Evidence was presented on behalf of the Department and on behalf of the applicant.

The following exhibits were offered, received and made a part of the record:

- Klamath County Exhibit A, Staff Report
- Klamath County Exhibit B, Tentative Map of Partition
- Klamath County Exhibit C, CLUP and Zoning Map
- Klamath County Exhibit D, Code Requirements
- Klamath County Exhibit E, Public Works Department's Comments
- Applicant's Exhibit No. 1, Authorization to Act as Agent Form

The hearing was then closed, and based upon the evidence submitted at the hearing, the Hearings Officer made the following Findings of Fact:

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FINDINGS OF FACT:

1. The proposed tentative plan of the applicant is to partition approximately 21,000 square feet into two parcels for residential use; both lots currently have houses on them. The applicant's property is within a platted subdivision. The plan is in conformance with the Klamath County Comprehensive Plan.
2. Said proposed tentative plan is in conformance with all applicable provisions of this code, other county codes and ordinances, and Oregon law.
3. No creation of a street or road is required as a part of applicant's proposed plan.
4. There is nothing in the record to indicate the proposed plan will prohibit the extension of any dedicated streets or roads.
5. The applicant's property is situated in the unincorporated territory of Klamath County, Oregon, namely, on the north side of Cannon Avenue, Klamath Falls, Oregon.
6. The proposed partition is adjacent to Cannon Avenue, however, it will not conflict with said street.
7. The parcels in applicant's proposed plan are located and laid out to properly relate to adjoining or nearby lots or parcel lines, utilities, streets and other existing or planned facilities as can be seen by applicant's map (Klamath County Exhibit B).
8. The applicant's property is physically suitable for the type and proposed density, which is for two-family residences, one on each parcel, and conforms to existing zone standards.
9. The applicant's property is not in any residential,

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1 commercial or industrial subdivision, planned unit development or  
2 approved land partition, that will be approved after the effective  
3 date of this code.

4 10. The applicant's proposal is not for a retirement lot  
5 and a lot for the child of the owner in an exclusive farm use  
6 zone.

7 11. The granting of this minor partition is consistent  
8 with the goals of the L.C.D.C.

9 The Hearings Officer, based on the foregoing Findings of  
10 Fact, accordingly orders as follows:

11 That real property described as the  
12 "parcel of land generally located on the north  
13 side of Cannon Avenue, approximately 210 feet  
14 west of its intersection with Altamont Drive,  
15 and more particularly described as Lot 22, Block  
1, 1st Addition to Altamont Acres in Township  
39, Range 9, Section 3, Tax Account No. 3909  
0331-3500, Klamath County, Oregon"  
16 is hereby granted a Minor Partition in accordance with the terms  
17 of the Klamath County Zoning Ordinance No. 45, and henceforth,  
18 will be allowed to partition said parcel into 7500 square feet  
19 and 13,500 square feet for residential use.

20  
21 Entered at Klamath Falls, Oregon, this 12<sup>th</sup> day of  
22 February, 1982.

23  
24 KLAMATH COUNTY HEARINGS DIVISION  
25  
26

*[Signature]*

Hearings Officer  
Nunc Pro Tunc

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
I hereby certify that the within instrument was received and filed for record on the

23 day of April A.D., 1982 at 9:12 o'clock A M., and duly recorded in  
Vol M 82, of Deeds on page 4980.  
Fee \$ No Fee

Commissioners Journal

EVELYN JEHNN

By *[Signature]* COUNTY CLERK

deputy