

11126

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

Vol. 1083 reg. 4986

1 In the Matter of Request for)
2 Minor Partition No. 11-82 for)
3 Dennis and Donald Potter,)
4 Applicants)

Klamath County Planning
Findings of Fact and Order

5 A hearing was held on this matter on February 10, 1982,
6 pursuant to notice given in conformity with Ordinance No. 45,
7 Klamath County, before the Klamath County Hearings Officer, Jim
8 Spindor. The applicant was present. The Klamath County Planning
9 Department was represented by Becky Achten. The Hearings Reporter
10 was Barbara Thomson.
11 Evidence was presented on behalf of the Department and on
12 behalf of the applicant.

13 The following exhibits were offered, received and made a
14 part of the record:
15

16 Klamath County Exhibit A, Staff Report
17 Klamath County Exhibit B, Tentative Map of Partition
18 Klamath County Exhibit C, CLUP and Zoning Map
19 Klamath County Exhibit D, Code Requirements
20 Klamath County Exhibit E, Letter from staff to Donald
21 Potter dated January 19, 1982
22 Klamath County Exhibit F, Public Works Department's
23 Comments
24

25 The hearing was then closed, and based upon the evidence
26 submitted at the hearing, the Hearings Officer made the following
27 Findings of Fact:
28

FINDINGS OF FACT:

1. The proposed tentative plan of the applicant is to petition a 20-acre lot into two 10-acre lots for residential use. The applicant's property is within a finally 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, approximately 11 miles east of Chiloquin, Oregon.

6. The proposed plan is adjacent to an easement within the subdivision in which the property is situated, however, it will not conflict with said easement.

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

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

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

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

That real property described as the

"parcel of land generally located 11 miles east of Chiloquin, Oregon, and approximately 1/2 mile north of the Sprague River Highway, and more particularly described as a portion of Section 36, Township 34, Range 8, Lot 18, Tract 1118, Tax Account No. 3408 3600-700, Klamath County, Oregon"

is hereby granted a Minor Partition in accordance with the terms of the Klamath County Zoning Ordinance No. 45, and, henceforth, will be allowed to partition said parcel into two 10-acre lots for residential use.

Entered at Klamath Falls, Oregon, this 12th day of FEBRUARY, 1982.

KLAMATH COUNTY HEARINGS OFFICER

D. J. L. de
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 4986

FEE \$ no fee Commissioners Journal by EVELYN BIEHN COUNTY CLERK
Joyce M. New Deputy