

17032

Klamath County, Oregon

In the Matter of )  
Conditional Use Permit ) Klamath County Planning  
39-82 for Barbara MacKay ) Findings of Fact and Order

This request is for a Conditional Use Permit under Klamath County Ordinance 48 to create a non-farm parcel on land classified as agricultural. The Planning Commission reviewed the request at a hearing on August 24, 1982 and recommended approval. The application was reviewed by the Board of County Commissioners on October 4, 1982. Based on the record of the hearing below, the Board of County Commissioners makes the following findings of fact and conclusions of law:

FINDINGS OF FACT:

1. The property in question is forty acres in size and consists of the NE 1/4, NE 1/4, of Section 31, Township 37, Range 11.
2. There are two mobile homes on the property.
3. Applicant wishes to sell a five-acre parcel which includes one of the mobile homes.
4. The property is adjacent to the Yonna Woods Subdivision and to other parcels of ten to forty acres.
5. The property is predominantly SCS Class IV soils.
6. Applicant has stated that he raises berries, has a fifty tree apple orchard and has three acres of permanent pasture.
7. None of the agricultural uses are on the proposed five-acre parcel.

14901

CONCLUSIONS OF LAW:

1. This land is compatible with farming uses and is consistent with the intent and purpose of the agricultural land use policies.

2. Does not interfere seriously with accepted farming practices.

3. Does not materially alter the stability of the overall land use pattern of the area.

4. Is situated on generally unsuitable land for the production of farm crops and livestock.

5. Complies with other conditions as the governing body of the County considers is necessary.

Therefore, it is hereby ordered that the property described as the NE 1/4, NE 1/4, of Section 31, Township 37, Range 11 be granted a Conditional Use Permit to allow for the partitioning of a five-acre non-farm parcel.

Done and Dated this 5<sup>th</sup> Day of November, 1982.

Hoyd L. Wynne  
Chairman

Theris A. Chape  
Commissioner

Neil Kuonen  
Commissioner

APPROVED AS TO FORM:  
Boivin & Boivin

By Robert D. Boivin

STATE OF OREGON: COUNTY OF KLAMATH :ss  
I hereby certify that the within instrument was received and filed for record on the 29 day of Oct, A.D., 19 82 at 10:05 o'clock A M, and duly recorded in Vol MB2, of Deeds on page 14900.

COMMISSIONERS JOURNAL  
Fee \$ No Fee

EVELYN BIEHN COUNTY CLERK  
by Joyce McQuinn Deputy