

KLAMATH COUNTY, OREGON

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2
3 IN THE MATTER OF THE APPLICATION)
4 FOR CONDITIONAL USE PERMIT NO.)
5 18-82 FOR GREG GRESHAM)

O R D E R

6 THIS MATTER having come on for hearing upon the applica-
7 tion of Greg Gresham for a Conditional Use Permit for non-farm
8 use on resource land and a second residence on real property
9 described as a portion of Section 32, Tax Lots 501 and 502,
10 Township 35, Range 7. Public hearing having been heard by the
11 Klamath County Planning Commission on May 25, 1982, wherefrom
12 the testimony and information produced at the hearing by the
13 applicant, Planning Staff and others in attendance the Planning
14 Commission recommended approval. Following action by the
15 Planning Commission, a public hearing before the Board of County
16 Commissioners was held on July 19, 1982, wherefrom the testimony
17 at said hearing it appeared that the record below was accurate
18 and complete at the hearing before the Planning Commission and
19 that the application should be granted.

20 The Board of County Commissioners makes the following
21 Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

22
23 1. The Board of County Commissioners finds the applicant
24 to be Greg Gresham.

25 2. The Board of County Commissioners finds that the
26 general location of site is southeast of the intersection of
27 State Highway No. 427 and Day School Road.

28 3. The Board of County Commissioners finds that the

15639

1 size of the property involved for change in land use is
2 approximately 64 acres in size.

3 4. The Board of County Commissioners finds that the
4 ground is relatively flat and sparsely covered with native
5 grasses where the ground is not irrigated.

6 5. The Board of County Commissioners finds, based on
7 testimony given that site is not suitable for raising forest
8 products in any economical fashion and site does not have
9 commercial forest species on site as of now.

10 6. The Board of County Commissioners finds site for
11 Conditional Use Permit would be for a homesite on resource land
12 and a second homesite on the property.

13 7. The Board of County Commissioners finds that per
14 testimony, that access would be off of Day School Road, a County
15 road. This road appears to be able to carry the kind of traffic
16 that would be generated by the proposed use.

17 8. The Board of County Commissioners finds per testimony
18 that the effect on adjacent and surrounding properties would be
19 minimal to none in that it does not adversely effect agriculture
20 or forestry uses.

21 9. The Board of County Commissioners finds per testimony
22 that there is adequate water and that approval from the Department
23 of Environmental Quality for septic systems would be necessary
24 in order to develop the property.

25 10. The Board of County Commissioners finds that change
26 in land use would not have an adverse effect on wildlife on Goal
27 No. 5 elements.

28 11. The Board of County Commissioners finds that

1 notification had been sent to all those agencies of concern.

2 12. The Board of County Commissioners finds site to
3 be predominantly Class IV soils.

4 13. The Board of County Commissioners finds site to
5 have a Timber Site Productivity Class of of V, however, site
6 from a vegetation standpoint was sagebrush and grasses.

7 14. The Board of County Commissioners finds site for
8 change in use, is not in an historic area nor has any natural
9 resources.

10 15. The Board of County Commissioners finds site to be
11 in the Chiloquin-Agency Lake Fire District.

12 16. The Board of County Commissioners finds site to
13 have public facilities such as electricity and telephones and
14 also is within the Chiloquin School District.

15 17. The Board of County Commissioners finds per testi-
16 mony that the proposed dwelling is compatible with farm uses,
17 consistent with the intent of the agricultural land use policy
18 in Oregon, would not materially alter the stability of the
19 overall land use pattern of the area, and is situated on gener-
20 ally unsuitable land for the production of crops and livestock
21 due to drainage problems, lack of irrigation where homesite will
22 be located, and small parcel size.

23 18. The Board of County Commissioners finds site is
24 adequate in size and shape to house the proposed activity, and
25 said activity will fit in with the surrounding neighborhood.

26 19. The Board of County Commissioners finds there was
27 no evidence presented in opposition to this application.

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1 CONCLUSIONS OF LAW:

2 1. The Board of County Commissioners concludes that
3 this Conditional Use Permit permits orderly and beneficial
4 development, while protecting the character of the neighborhoods
5 and communities, and the social and economic stability of the
6 County.

7 2. The Board of County Commissioners concludes that this
8 Conditional Use Permit supports the protection and preservation
9 of the County's space and recreational resource while providing
10 for appropriate development.

11 3. The Board of County Commissioners concludes that
12 this Conditional Use Permit will further the goals and policies
13 of the Klamath County Comprehensive Plan.

14 NOW, THEREFORE, it is hereby ordered that the application
15 for the Conditional Use Permit for a non-farm dwelling on
16 resource land and for a second dwelling for Greg Gresham on the
17 subject property is hereby granted.

18 DONE AND DATED THIS 22nd DAY OF November, 1982

19 Joseph L. Nymore
20 Chairman

21 Philip A. Cheyne
22 Commissioner

23 Neil Kuonen
24 Commissioner

25
26
27 APPROVED AS TO FORM:
28 BOIVIN & BOIVIN,
BY Robert L. Boivin

C.U.P. 18-82

Page -4-

STATE OF OREGON: COUNTY OF KLAMATH :ss
I hereby certify that the within instrument was received and filed for
record on the 23rd day of November A.D., 1982 at 4:26 o'clock P. M.
and duly recorded in Vol M82, of Deeds on page 15638.

EVELYN BIEHN COUNTY CLERK
by Bernetha A. Leloch Deputy

Fee \$ None

Commissioners Journal