

BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

Vol. 1782 Page 15846

17513

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE MATTER OF THE APPLICATION)
FOR CONDITIONAL USE PERMIT NO.)
25-82 for W. R. LAVERNE)

O R D E R

THIS MATTER having come on for hearing upon the application of W. R. Laverne for a Conditional Use Permit for homesites on resource land per Ordinance 48 on real property described as a portion of Section 30, a portion of Tax Lot 400, Township 39, Range 11. Public hearing having been heard by the Klamath County Planning Commission on July 27, 1982, wherefrom the testimony and information produced at the hearing by the applicant, Planning Staff and others in attendance, the Planning Commission recommended approval. Following action by the Planning Commission, a public hearing before the Board of Commissioners was held on September 13, 1982, wherefrom the testimony at said hearing it appeared that the record below was accurate and complete at the hearing before the Planning Commission and that the application should be granted.

The Board of Commissioners makes the following Findings of Facts and Conclusions of Law:

FINDINGS OF FACT:

1. The Board of Commissioners finds the applicant to be W. R. Laverne.

2. The Board of Commissioners finds that the general location of site is the east side of Harpold Road and approximately three miles southwest of Bonanza.

3. The Board of Commissioners finds that the size of property involved for change in land use is approximately 14.2

1 acres and adequate in size and shape to accommodate the proposed
2 uses.

3 4. The Board of Commissioners find that the ground is
4 relatively level, with sagebrush and juniper making up the vege-
5 tation.

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

10 6. The Board of Commissioners found site for Conditional
11 Use Permit would be for a homesite in a rural setting.

12 7. The Board of Commissioners find that per testimony,
13 that access would be off of Harpold Road, a paved county road
14 and an easement. This road is paved and appears to be able to
15 carry the kind of traffic that would be generated by proposed use.

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

20 9. The Board of Commissioners found per testimony that
21 Department of Environmental Quality approval for septics would be
22 required in order to develop the property.

23 10. The Board of Commissioners find that change in land use
24 would not have an adverse effect on wildlife on Goal 5 elements.

25 11. The Board of Commissioners found notification had been
26 sent to all those of concern.

27 12. The Board of Commissioners found site to be predominant-
28 ly Class VI soils.

1 13. The Board of Commissioners found site to have a Timber
2 Site Productivity class of VII.

3 14. The Board of Commissioners found site for change in use,
4 not being in a historic area or having no significant natural
5 resources which would be adversely affected by the Conditional
6 Use Permit.

7 15. The Board of Commissioners found site to lie just
8 outside of the Bonanza Fire District in a low fire hazard area.

9 16. The Board of Commissioners found site to be close to
10 public facilities such as electricity and telephones.

11 17. The Board of Commissioners found per testimony that the
12 dwellings would be compatible with farm uses and consistent with
13 the intent and purposes of the expression of the Agricultural
14 Land Use Policy, would not interfere seriously with accepted
15 farming practices on adjacent lands, would not materially alter
16 the stability of the overall land use pattern of the area, and
17 were situated on generally unsuitable land for the production
18 of farm crops and livestock considering the sparse vegetation,
19 poor soil quality, small size of the tract, and its location
20 near areas of existing and potential residential development.

21 CONCLUSIONS OF LAW:

22 1. The Board of County Commissioners concludes that this
23 Conditional Use Permit permits orderly and beneficial development,
24 while protecting the character of neighborhoods and communities,
25 and the social and economic stability of the County.

26 2. The Board of County Commissioners concludes that this
27 Conditional Use Permit supports the protection and preservation
28 of the County's space and recreational resources while providing

1 for appropriate development.

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

5 NOW, THEREFORE, it is hereby ordered that the application
6 for the Conditional Use Permit for homesites on resource land per
7 Ordinance 48 for W. R. Laverne on subject property is hereby
8 granted.

9
10 DONE AND DATED THIS 22nd DAY OF November, 1982.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

APPROVED AS TO FORM:
BOIVIN AND BOIVIN

Robert Boivin

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 23rd day of November A.D. 19 82

at 4:26 o'clock P M, and duly

recorded in Vol. M82 of Deeds

Page 15646

EVELYN BIEHN, County Clerk

By *Bernetha A. Lohr* Deputy

Fee None