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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON Vol. 1783, Page 16758

1
2 In the Matter of Request for)
3 Zone Change 18-83 for) Klamath County Planning
4 Stanley Radom, Applicant) Findings of Fact and Order
5

6 A hearing was held on this matter on September 15, 1983,
7 pursuant to notice given in conformity with Ordinance No. 45.1,
8 Klamath County, before the Klamath County Hearings Officer,
9 Jim Spindor. The applicant was present. The Klamath County
10 Planning Department was represented by Jonathan Chudnoff. The
11 Hearings Reporter was Karen Alberto.

12 Evidence was presented on behalf of the Department and on
13 behalf of the applicant. There were no adjacent property owners
14 present.

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

17 Klamath County Exhibit A, Staff Report
18 Klamath County Exhibit B, Assessor's Map
19 Klamath County Exhibit C, Plot Plan
20 Klamath County Exhibit D, Photos

21 The hearing was then closed, and based upon the evidence
22 submitted at the hearing, the Hearings Officer made the following
23 Conclusions of Law:

24 CONCLUSIONS OF LAW:

- 25 1. The proposed change of zone is in compliance with the
26 Klamath County Comprehensive Plan and the provisions of this Code.
27 2. The proposed change in zone adequately responds to site
28 specific conditions to minimize adverse affects upon surrounding

'83 SEP 29 PM 1 47

1 property that would be affected by the proposed change in that the
2 vast majority of the surrounding property already consists of
3 smaller lots in the F-III zone.

4 FINDINGS OF FACT:

5 The requested zone change has been granted based on the
6 following findings of fact:

7 1. The applicant requests a zone change from F-II to F-III
8 to allow partitioning of property into two parcels.

9 2. The property consists of 20.24 acres, mostly covered
10 with pine trees. The owner bought the land at two different times
11 and would like to partition the property to retain his status as
12 two parcels.

13 3. As can be seen on Klamath County Exhibit "B", the area
14 west and south of this property has been subdivided or partitioned
15 into lots, mostly in the 2-10 acre range. In addition, Elde Street
16 leads to another subdivision to the south, consisting of 163 lots
17 on 285.6 acres. This immediate area is developing for residential
18 use and is separated from the nearest farming areas by the County
19 highway.

20 4. The property consists of a wooded ridge with Class VI soils.
21 It receives no agricultural use. There is adjoining crop land to
22 the east, separated by a wire fence. The low density of develop-
23 ment allowed by the F-III zone would not adversely affect farm
24 operations.

25 5. The property has a timber site productivity rating of V,
26 capable of producing 50-85 cubic feet of timber per acre annually.
27 The property is mostly covered with pine trees. The small size of
28 the parcel, the small surrounding lots, and the distance from any

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1 other major timber producing property make commercial timber
2 management difficult on this property. The F-III zone requires
3 compatibility with forest uses while permitting low density resi-
4 dential use.

5 6. There are no inventoried Goal 5 resources on or adjacent
6 to the property. The present tree cover is adequate to screen
7 any development allowed by the F-III zone.

8 7. The potential low density development would not allow
9 significant impacts on air, water or land resource quality.

10 8. The roads are adequate to serve the low level of develop-
11 ment allowed by the F-III zone.

12 9. No one testified in opposition to the granting of the
13 zone change and there was no evidence that there would be any
14 detrimental effect to the public health, safety or welfare, or
15 any detrimental effect on abutting property owners.

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

18 That real property described as

19 "being generally located near Sprague River Highway
20 and Elde Street, about 7 miles northwest of Sprague
21 River, and more particularly described as Tax Lots
22 900 and 1100, located in the SW $\frac{1}{4}$ of Section 13,
Township 35, Range 9, Klamath County, Oregon,"

23 is hereby granted a Zone Change in accordance with the terms of
24 the Klamath County Zoning Ordinance No. 45.1, and, henceforth, will
25 be allowed a change of zone from F-II to F-III.

26 Entered at Klamath Falls, this 28th Day of Sept., 1983.

27 KLAMATH COUNTY HEARINGS DIVISION

28 G. D. Spindler

Hearings Officer

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STATE OF OREGON: COUNTY OF KLAMATH: ss
I hereby certify that the within instrument was received and filed for
record on the 29th day of Sept. A.D., 19 83 at 1:47 o'clock P. M,
and duly recorded in Vol M 83, of Deeds on page 16768.

Fee \$None

EVELYN BIEHN, COUNTY CLERK

by Pamela D. D. deputy