34797

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2 IN THE MATTER OF MAJOR)
3 PARTITION NO. 75-83 FOR)   O R D E R
   MAUREEN ADAMS   )
4 _____)

5   This Major Partition came before the Land Partitioning

6 Review Board on October 19, 1984. Testimony and information was

7 produced at the hearing by the applicant, planning staff, and

8 other persons in attendance. The Land Partitioning Review Board

9 recommended approval of this request to the Board of Commissioners.

10   On February 27, 1984, this Major Partition came before the

11 Board of Commissioners. Testimony, reports, and information was

12 produced at the hearing by planning staff, the applicant, and

13 other persons in attendance. The Board of Commissioners made a

14 motion of denial.

15   The Board of Commissioners established the following

16 Findings of Fact:

17   FINDINGS OF FACT:

18   1. The Board of Commissioners found the site to be

19 located in the SE 1/4, SW 1/4 of Section 22, Township 39, Range 8,

20 Tax Lot 901, which was made part of the record.

21   2. The Board of Commissioners found that the applicant was

22 Maureen Adams, as indicated on the staff report, which was made

23 part of the record.

24   3. It was determined from the staff report that the

25 applicant had made application to split approximately 20.47 acres

26 into two parcels, with parcel 1 being 7.47 acres, and parcel 2

27 being 13 acres in size.

28   4. In reviewing the record of February 27, 1984, the

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1 Chairman of the Board of Commissioners asked for anyone from the
2 audience who was in favor on the partition and there was none.

3   5. The record did indicate that there was opposition to the
4 parcelization from adjoining property owners.

5   6. It was pointed out by opposition that Mrs. Adams
6 testified that they always have subdividing in mind when they buy
7 property.

8   7. The record of February 27, 1984 before the Board of
9 Commissioners indicated that the "In-Order-To-Comply" statement
10 from under Goal #3(6) (b) that the County was to "amend the
11 criteria for reviewing partitions in the agricultural zones to
12 assure that the proposed parcel is typical of other farm units
13 (not parcels) in a defined area." The Planning Department
14 inventory of ownership patterns in proposed agricultural zones
15 established that the majority of acreages were well in excess of
16 40 acres.

17   8. It was also pointed out from the farm unit inventory map
18 that the partitioning of 20.47 acres into a 7.47- and a 13-acre
19 parcel was not compatible with the overall farm unit sizes in the
20 area. This map indicated that a 320-acre farm unit size was the
21 predominant farm unit size in the area.

22   9. The record of February 27, 1984 also indicated that the
23 Comprehensive Plan Atlas states on Pate VIII-31, "According to the
24 Extension Service, it is safe to say that any parcels of
25 agricultural land 20 acres or less, especially those near urban
26 areas, are being developed for urban use. Generally the 20-acre
27 parcel is no longer considered a viable farm unit."

28   10. The applicant did not testify.

MJP 75-83
-2-

1   The following Conclusions of Law are based on the foregoing

2 Findings of Fact:

3   CONCLUSIONS OF LAW:

4   1. Based on the testimony and information and reports

5 provided by the Planning Department staff and opposition at said

6 hearing, the request for partitioning 20.47 acres does not seem

7 to be within the intent of spirit of the State Planning Goals or

8 the adopted Klamath County Comprehensive Plan.

9   Now, therefore, it is hereby ordered that Major Partition

10 No. 75-83 for Maureen Adams is to be denied.

11   DONE AND DATED THIS ___16 Th___ DAY OF ___march___, 19_84_.

12

13   BOARD OF COUNTY COMMISSIONERS

14

15   _Roger Hamilton_

16   Chairman

17   _Carrell Zu Gebert_

18   Commissioner

19

20   Commissioner

21   Return: Commissioners Journal

22

23 APPROVED AS TO FORM:

24

25 Boivin & Boivin

26

27

28 MJP 75-83
   -3-

STATE OF OREGON: COUNTY OF KLAMATH:ss
I herby certify that the within instrument was received and filed for
record on the_23rd_ day of March   A.D., 19_84_at_4:18_ o'clock _P_M,
and duly recorded in Vol.._M84_, of_____Deeds_____ on page_4753_.

                              EVELYN BIEHN, COUNTY CLERK

Fee: $_None_   by: _Pam Smith_   ,Deputy