

BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

51799

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1 In the Matter of Request for)
2 Conditional Use Permit No. 14-85)
3 to Allow Two Non-Farm Parcels for)
George and Nobuko Asai, Applicants)

Klamath County Planning
Findings of Fact and Order
ORDER NO. 101

4 A hearing was held on this matter on May 8, and June 12, 1985,
5 pursuant to notice given in conformity with Ordinance No. 45.2,
6 Klamath County, before the Klamath County Board of Commissioners.
7 The applicant was represented by Dru Hobbs. The Klamath County
8 Planning Department was represented by Carl Shuck.

9 Evidence was presented on behalf of the Department and on
10 behalf of the applicants. There were no adjacent property owners
11 present, nor anyone in opposition.

12 The following exhibits were offered, received, and made a
13 part of the record:

14 Klamath County Exhibit A, Staff Report

15 Klamath County Exhibit B, Assessor's Map

16 Klamath County Exhibit C, Letter from Highway Division

17 Klamath County Exhibit D, Letter from Soil Conservation Service

18 The hearing was then closed, and based upon the evidence
19 submitted at the hearing, the Board of Commissioners made the
20 following Findings of Fact and Conclusions of Law:

21 FINDINGS OF FACT:

22 1. The request herein is to allow two non-farm parcels of
23 the two 11.72 acre parcels to be partitioned upon approval of this
24 permit. The property in question is located at the junction of
25 Highway 62 and Highway 422 South, with access being per the State
26 access permit approval.

27 2. The area to the east and south is mostly in rural home-
28 sites of 2½ to 10 acres. To the north are larger (20+ acre)

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1 tracts of unusual brushland. There is irrigated pasture to the
2 west.

3 3. The property is in an area of brushy, sparsely wooded
4 ridges. There is no timber management in the area, nor are any
5 other forest uses defined by Goal 4 established on or adjacent to
6 this property.

7 4. A spetic system for the property would be subject to review
8 and approval by the Klamath County Health Department.

9 5. The property is within the Chiloquin-Agency Lake Fire
10 District, with fire stations at Chiloquin and Agency Loop Road,
11 approximately 3½ miles away.

12 6. The Conditional Use Permit is granted subject to the
13 following condition:

14 CONDITION:

15 a. The development for the two parcels is to be clustered
16 and to be located on the soils that are least agriculturally
17 productive.

18 CONCLUSIONS OF LAW:

19 1. The proposed use is conditionally permitted in the zone
20 within which it is proposed to be located.

21 2. The location, size, design, and operating characteristics
22 of the proposed use are in conformance with the Klamath County
23 Comprehensive Plan.

24 3. The location, size, design, and operating characteristics
25 of the proposed use will be compatible with and will not have a
26 significant adverse effect on the appropriate development and
27 use of abutting property and the surrounding neighborhood.

28 4. The granting of this Conditional Use Permit is consistent

1 with the goals of the LCDC.

2 The Board of County Commissioners, based on the foregoing
3 Findings of Fact, accordingly orders as follows:

4 That real property described as

5 "being generally located at the junction of
6 Highways 62 and 422 South, and being more parti-
7 cularly described as a portion of Government Lots
24 and 25 of Section 8, Township 35, Range 7, Klamath
County, Oregon,"

8 is hereby granted a Conditional Use Permit with the condition
9 as stated hereinabove and in accordance with the terms of the
10 Klamath County Zoning Ordinance No. 45.2, and, henceforth, will
11 be allowed to establish two non-farm parcels of 11.72 acres in
12 size each in the EFU-CG zone.

13 Entered at Klamath Falls, Oregon, this 3rd Day of July, 1985.

14 KLAMATH COUNTY BOARD OF COMMISSIONERS

15
16 Carroll Zon Gerbert
17 Carroll Zon Gerbert, Chairperson

18
19 Jim Rogers
20 Jim Rogers, Commissioner

21
22 Out of Office
23 Roger Hamilton, Commissioner

24 Approved as to Form:

25 Robert D. Boivin
26 Robert D. Boivin, County Legal Counsel

27
28 C.U.P. 14-85
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 6th day
of August A.D., 19 85 at 10:00 o'clock A M., and duly recorded in Vol. M85
of Deeds on Page 12378.

FEE NONE

Evelyn Biehn County Clerk
By Patricia Smith

Ret: Commissioners' Journal