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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

In the Matter of a Request for)
a Conditional Use Permit for)
Non-Farm Use for S-H Ranch)

Conditional Use Permit 41-85

Findings & Decision

Order # 163

This matter came on for a hearing before the Klamath County Board of Commissioners on December 11, 1985, in the Klamath County Commissioner's Hearing Room. The hearing was held pursuant to notice given in conformity with the Land Development Code and related ordinances. The applicant and Planning Department staff were present, as well as legal counsel.

The Board of Commissioners, after reviewing the evidence, exhibits, and testimony presented, made the following Findings of Fact:

FINDINGS OF FACT:

1. The applicant requested a Conditional Use Permit to allow a non-farm parcel, being 3.5 acres, in the EFU-CG (Exclusive Farm Use-Cropland Grazing) zone.

2. The property is generally located 1½ miles west of Dairy, Oregon and all south of State Highway 140 in the area known as Pine Flat and more particularly described as Tax Lot 300 located in Section 32 of Township 38, Range 11½.

3. The plan designation is Agricultural, with the zoning being EFU-CG. Adjacent zoning and/or surrounding zoning is EFU-CG.

4. The property consists of 3.5 acres, is rectangular in shape, and consists of a well and a hay shed.

5. Access to the property will be via State Highway 140.

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1 This highway appears to be able to handle the kind of traffic
2 that will be generated at that location.

3 6. Sewer would be provided to the property by septic tank,
4 and the property is served by Pacific Power and Light. Site has
5 an existing well for water.

6 CONCLUSIONS:

7 1. The proposed use is compatible with farm use as defined
8 in this Code and consistent with the agricultural land use policy
9 adopted by the Legislative Assembly in ORS 215.243. The proposed
10 3.58 acre parcel does not have any effect on surrounding agricul-
11 tural uses.

12 2. The proposed use does not interfere seriously with
13 accepted farming practices on adjacent land devoted to farm use
14 since it does not use agriculturally productive land and is to
15 be used solely for a non-farm dwelling and not for any other use
16 which would affect accepted farming practices.

17 3. The proposed use does not materially alter the stability
18 of the overall land use pattern of the area, and access to the
19 property will not interrupt any overall land use pattern.

20 4. The parcel and the access to it have been designed so as
21 not to interfere with accepted farming practices on the sur-
22 rounding land.

23 5. The use is conditionally permitted in the zone in which
24 it is proposed to be located.

25 6. The location, design, and operating characteristics of
26 the proposed use are in conformance with the Klamath County
27 Comprehensive Plan.

28 7. The location, size, design, and operating

1 characteristics of the proposed use will be compatible with, and
2 will not adversely affect the livability or appropriate devel-
3 opment of the abutting properties and the surrounding neighbor-
4 hood.

5 CONDITIONS:

6 1. Applicant will need to survey the property as recom-
7 mended by the Public Works Department.

8 THEREFORE, IT IS HEREBY ORDERED that the request for a
9 Conditional Use Permit on the subject property herein described
10 is hereby granted with conditions.

11 Dated this 9th Day of January, 1986.

12 KLAMATH COUNTY BOARD OF COMMISSIONERS

13
14 Carroll Zorn Gerbert
15 Carroll Zorn Gerbert, Chairperson

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17 Roger Hamilton
18 Roger Hamilton, Commissioner

19
20 Jim Rogers
21 Jim Rogers, Commissioner

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23
24
25 APPROVED AS TO FORM:

26 Robert D. Boivin
27 Robert D. Boivin, County Legal Counsel
28

C.U.P. 41-85/5-H Ranch
Page 3

STATE OF OREGON COUNTY OF KLAMATH ss.

Filed for record at request of Klamath County Planning the 14th day
of January A.D. 19 86 at 9:30 o'clock A.M. and duly recorded in Vol. 186
of Deeds on Page 722

FEE NONE
Return: Commissioners' Journal
By Evelyn Rich. County Clerk
Tammy Smith