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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

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1 In the Matter of a Request for)
 2 a Conditional Use Permit for)
 3 Non-Farm Use for Charles Duncan)

Conditional Use Permit 18-86
 Findings & Decision

4 This matter came on for a hearing before the Klamath County
 5 Board of Commissioners on May 19, 1986, in the Klamath County
 6 Commissioners' hearing room. The hearing was held pursuant to
 7 notice given in conformity with the Land Development Code and
 8 related ordinances. The applicant and Planning Department staff
 9 were present, as well as legal counsel.

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

FINDINGS OF FACT:

- 13 1. The applicant requested a Conditional Use Permit to
 14 allow a non-farm parcel on 20.4 acres in the EFU-C (Exclusive
 15 Farm Use-Cropland) zone.
- 16 2. The property is generally located 3/4 mile north of the
 17 Malin Highway and east of Pope Road, basically in the Dodd's
 18 Hollow area near Merrill, Oregon, and more particularly described
 19 as being located in Section 33 of Township 41, Range 11.
- 20 3. The plan designation is Agricultural, with the zoning
 21 being EFU-C. Adjacent zoning and/or surrounding zoning is EFU-C
 22 and FR (Forest Range).
- 23 4. The property consists of 20.4 acres, is rectangular in
 24 shape, and consists of a house, well, and other outbuildings.
- 25 5. Access to the property will be off of Pope Road.
- 26 6. Sewer is provided to the property by septic tank, and
 27 the property is served by Pacific Power and Light. Site has an
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1 existing well for water.

2 CONCLUSIONS:

3 1. The proposed use is compatible with farm use as defined
4 in this Code and consistent with the agricultural land use policy
5 adopted by the Legislative Assembly in ORS 215.243. The proposed
6 20.4 acre parcel does not have any effect on surrounding agricul-
7 tural uses.

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

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

16 4. The parcel and the access to it has been designed so as
17 not to interfere with accepted farming practices on the surround-
18 ing land.

19 5. The location, design, and operating characteristics of
20 the proposed use are in conformance with the Klamath County
21 Comprehensive Plan.

22 6. The location, size, design, and operating characteristics
23 of the proposed use will be compatible with, and will not adversely
24 affect the livability or appropriate development of the abutting
25 properties and the surrounding neighborhood.

26 THEREFORE, IT IS HEREBY ORDERED that the request for a
27 Conditional Use Permit on the subject property herein described
28 ///

9977

1 is hereby granted.

2 Dated this 5 Day of June, 1986.

3 KLAMATH COUNTY BOARD OF COMMISSIONERS

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5
6 Jim Rogers
Jim Rogers, Chairperson

7 Out of Office Today

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9 Roger Hamilton, Commissioner

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11 Carroll Zon Gerbert
Carroll Zon Gerbert, Commissioner

12 APPROVED AS TO FORM:

13
14 Robert D. Boivin
15 Robert D. Boivin, County Legal Counsel

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of June A.D., 19 86 at 3:02 o'clock P M., and duly recorded in Vol. MS6
of Deeds on Page 9975.

FEE NONE

Return: Commissioners Journal

Evelyn Biehn, County Clerk
By Sam Smith

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