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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

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Conditional Use Permit 30-86
Findings & Decision

1 In the Matter of a Request for)
2 a Conditional Use Permit for)
3 Non-Farm Use for Richard Smith)
4)

5 This matter came on for a hearing before the Klamath County
6 Board of Commissioners on August 20, 1986, in the Klamath County
7 Commissioners' hearing room. The hearing was held pursuant to
8 notice given in conformity with the Land Development Code and
9 related ordinances. The applicant and Planning Department staff
10 were present, as well as legal counsel.
11 The Board of Commissioners, after reviewing the evidence,
12 exhibits, and testimony presented, made the following Findings of
13 Fact:

14 FINDINGS OF FACT:

- 15 1. The applicant requested a Conditional Use Permit to
16 allow a non-farm parcel on 1.33 acres in the EFU-CG (Exclusive
17 Farm Use-Cropland/Grazing) zone.
- 18 2. The property is generally located south of East Langell
19 Valley Road and west of the Bussey Drain near Lorella, and more
20 particularly described as being located in a portion of Section 1
21 of Township 40, Range 13, being Tax Lot 200.
- 22 3. The plan designation is Agricultural, with the zoning
23 being EFU-CG. Adjacent zoning and/or surrounding zoning is EFU-CG
24 and FR (Forest Range).
- 25 4. The property consists of 1.33 acres, is rectangular in
26 shape, and consists of a house, well, and other outbuildings.
- 27 5. Access to the property will be off of East Langell
28 Valley Road.
6. Sewer is provided to the property by septic tank, and

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1 the property is served by Pacific Power and Light. Site has an
2 existing well for water.

3 CONCLUSIONS:

4 1. The proposed use is compatible with farm use as defined
5 in this Code and consistent with the agricultural land use policy
6 adopted by the Legislative Assembly in ORS 215.243. The proposed
7 1.33 acre parcel does not have any effect on surrounding agricul-
8 tural uses.

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

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

17 4. The location, design, and operating characteristics of
18 the proposed use are in conformance with the Klamath County
19 Comprehensive Plan and is situated upon land unsuited for the
20 production of farm crops due to outbuildings and the characteristics
21 of the 1.33 acres.

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1 THEREFORE, IT IS HEREBY ORDERED that the request for a
 2 Conditional Use Permit on the subject property herein described
 3 is hereby granted.

4 Dated this 10th Day of September, 1986.
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KLAMATH COUNTY BOARD OF COMMISSIONERS

Jim Rogers
 Jim Rogers, Chairperson

Roger Hamilton
 Roger Hamilton, Commissioner

Carroll Zon Gerbert
 Carroll Zon Gerbert, Commissioner

16 APPROVED AS TO FORM:

Robert D. Boivin

18 Robert D. Boivin, County Legal Counsel
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of
 of September A.D. 19 86 at 2:23 o'clock P M., and duly recorded in Vol. M86
 of Deeds on Page 16417

FEE NONE

Return: Commissioners' Journal

Evelyn Biehn, County Clerk
 By Sam Smith