

BEFORE THE PLANNING COMMISSION

KLAMATH COUNTY, OREGON

In the Matter of Request for)
CLUP & ZC 7-86 for James A.) Klamath County Planning
Smejkal) Findings of Fact and Order

This Comprehensive Land Use Plan and Zone Change No. 7-86 for James A. Smejkal came on for public hearing before the Klamath County Planning Commission on July 22, 1986. The applicant produced testimony, reports, and information concerning the application for Land Use Change from Forestry to Rural and a Zone Change from F (Forestry) to R-1 (Rural, 1 acre minimum).

On July 22, 1986, the Planning Commission; after reviewing testimony, reports, and information of the application; made a motion for approval. The Land Use Plan and Zone, therefore, will be Rural and R-1 on parcel as described for TRACT 1227 known as Tall Pine Estates.

FINDINGS OF FACT:

1. The property in question is generally located approximately 1 mile northeast of State Highway 58 and more particularly described as being in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Township 25, Range 8.

2. The Planning Commission found James A. Smejkal to be the applicant for the Land Use and Zone Change.

3. The Planning Commission moved to approve the Exceptions Document, indicating the site as being committed under OAR 660-04-028. (See attached Exceptions Document and TRACT 1227.)

4. The parcel is rectangular in shape and consists of approximately 120 acres.

5. Testimony indicated that the parcel for change had

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1 drainage that would run towards existing drains.

2 6. It was pointed out by the applicant, James A. Smejkal,
3 that the proposed use would be compatible with other adjacent uses
4 and the use would have no adverse impact on the surrounding area.

5 7. The Planning Commission made its motion to include the
6 L.C.D.C. Goals 1 thru 14 of the Staff Report to add their
7 findings.

8 8. It was noted that access to property would be able to
9 carry the kind of traffic that would be generated from the
10 proposed use.

11 9. The Planning Commission took testimony from James A.
12 Smejkal that the site had been subdivided with final plat
13 being finalized July 25, 1984, and that the property has been
14 sold and is no longer in one ownership.

15 The following Conclusions of Law are based on the foregoing
16 Findings of Fact:

17 CONCLUSIONS OF LAW:

18 1. The Planning Commission concludes that this change would
19 permit orderly and beneficial development, while protecting the
20 character of neighborhoods and communities, and the social and
21 economical stability of the County.

22 2. The Planning Commission concludes that this change
23 supports the protection of the County's space and resources while
24 providing for appropriate development.

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3. The Planning Commission concludes that this change will further the goals of and policies of the Klamath County Comprehensive Plan.

Now, therefore, it is hereby ordered that the application for James A. Smejkal is hereby approved.

DONE AND DATED THIS 19th Day of September, 1986.

KLAMATH COUNTY PLANNING COMMISSION

John Manfroe
John Manfroe, Chairman

Edward Livingston
Edward Livingston, Vice Chairman

Mildred Brooks
Mildred Brooks, Commission Member

Fran Gorham
Fran Gorham, Commission Member

Georgia Dehlinger
Georgia Dehlinger, Commission Member

Susan Crismon
Susan Crismon, Commission Member

Jon C. Elliott
Jon Elliott, Commission Member

Paul Zech
Paul Zech, Commission Member

APPROVED AS TO FORM:

Steve Sherman, Member

Robert D. Bolvin
BOLVIN & BOLVIN

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 19th day
of September A.D. 19 86 at 4:22 o'clock P.M., and duly recorded in Vol. M86
of Deeds on Page 17002.

FEE NONE

Evelyn Biehn, County Clerk
By Don Smith