

BEFORE THE KLAMATH COUNTY PLANNING COMMISSION
KLAMATH COUNTY, OREGON

1 IN THE MATTER OF REQUEST FOR)
2 CONDITIONAL USE PERMIT 11-88 FOR A)
3 NON-FARM DWELLING IN A FARM USE)
4 ZONE FOR BILL AND CAROL BLEW)

ORDER

5 I. NATURE OF APPLICATION

6 A hearing on this matter was held May 24, 1988, pursuant to
7 notice given in conformity with Ordinances No. 44 and 45. The
8 hearing was held before the Klamath County Planning Commission.

9 The request for a non-farm dwelling in an Exclusive Farm Use
10 zone was considered pursuant to Section 51.018(D)(1-4) of the
11 Land Development Code.

12 II. NAMES OF THOSE INVOLVED

13 The applicants, Bill and Carol Blew, were present and repre-
14 sented themselves. The Planning Department was represented by
15 Kim Lundahl, Senior Planner. The recording secretary was
16 Karen Burg. Deputy County Counsel, David Mannix, was in atten-
17 dance. There was no oral or written opposition presented at the
18 hearing.

19 III. LEGAL DESCRIPTION

20 The property is located in Section 6, Township 39S, Range 8E,
21 Round Lake area. Tax Lot number 3908-6DD-500.

22 IV. RELEVANT FACTS

23 The property has an agriculture plan designation with an
24 implementing zone of Exclusive Farm Use-Cropland/Grazing. The
25 property is ten acres in size. The property is wooded and not
26 under Farm Tax Deferral. The parcel has access via Round Lake
27 Road and an easement across intervening Weyerhaeuser property.
28 The SCS Soil Capability Classification is Class IV. The surround-
ing zoning is EFU-CG.

88 JUN 10 AM 11 27

1 The following exhibits were offered, received, and made a
2 part of the record:

3 Exhibit A, Staff Report

4 Exhibit B, Plot Plan

5 Exhibit C, Assessor's Map

6 V. RELEVANT APPROVAL CRITERIA

7 Applications for non-farm dwellings are considered pursuant
8 to Section 51.018(D)(1-5).

9 D. NON-FARM DWELLINGS: Single family dwelling not in con-
10 junction with farm use may be established subject to a
11 Conditional Use Permit and a finding that each such dwelling:

12 1. is compatible with farm use as defined in this Code
13 and consistent with the agricultural land use policy adopted by
14 the legislative assembly in ORS 215.243,

15 2. does not interfere seriously with accepted farming
16 practices on adjacent lands devoted to farm use,

17 3. does not materially alter the stability of the
18 overall land use pattern of the area,

19 4. is situated upon generally unsuitable land for the
20 production of farm crops and livestock, considering the terrain,
21 adverse soil or land conditions, drainage and flooding,
22 vegetation, location and size of the tract.

23 VI. FINDINGS

24 All evidence submitted and testimony given by the Planning
25 staff and the applicant show that approval criteria both from
26 Ordinance 44 and Ordinance 45, specifically Section
27 51.018(D)(1-5) has been satisfied.

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1 VII. CONCLUSIONS

2 The applicant has satisfied the review criteria in that
3 correct notice was given to the satisfaction of the Planning
4 Commission, all relevant Comprehensive Plan Policies were complied
5 with, and there were not violations to the Goal 3 agricultural
6 policies. The applicant stated this residence is to be used for a
7 non-farm dwelling and the Land Development Code Section
8 51.018(D)(1-5) was not violated for the following reasons:

9 D.1. That the proposed dwelling is compatible with farm use
10 as defined and ORS 215.243 is not being violated.

11 D.2. The dwelling does not interfere with farming practices
12 on adjacent land.

13 D.3. The dwelling does not alter the stability of the overall
14 land use pattern of the area.

15 D.4. The dwelling is situated upon generally unsuitable land
16 for the production of farm crops and livestock.

17 D.5. No finding.

18 VIII. ORDER

19 Therefore, it is hereby ordered that the request for a Condi-
20 tional Use Permit for a non-farm dwelling be approved for Bill and
21 Carol Blew.

22 The Conditional Use Permit shall not be final nor shall a
23 building permit for a non-farm dwelling be issued under this
24 section until the applicant provides the Planning Department with
25 evidence that the lot or parcel upon which the dwelling is pro-
26 posed to be located has been disqualified for valuation at true
27 cash value for farm use and that any additional tax or penalty

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1 imposed by the County Assessor has been paid.

2 Dated this 8 Day of June, 1988.

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4 Presiding Officer at the Planning Commission

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6 Susan H. Crismon

7 Secretary to the Planning Commission

8
9 Carl Shuck

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11 Approved as to Form and Content:

12 David Mannix 5/31/88

13 David Mannix, Deputy County Counsel

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16 STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 10th day
of June A.D., 1988 at 11:27 o'clock A M., and duly recorded in Vol. M88
of Deeds on Page 8980.

FEE None

Commissioners Journal

Evelyn Biehn County Clerk

By

Bernetha Schuch