

BEFORE THE PLANNING DIRECTOR
KLAMATH COUNTY, OREGON

IN THE MATTER OF MNP 24-90 FOR
ADKINS CONSULTING ENGINEERS TO DIVIDE 517
ACRES INTO THREE PARCELS WITH ZONING BEING
FR AND CR

NATURE OF REQUEST

Applicant wishes to divide approximately 517 acres into three parcels with parcel 1 of 470 acres being zoned FR and the remaining two parcels of 16 and 31 acres being zoned CR.

The request was reviewed by the Planning Director on July 25, 1990, pursuant to Ordinances 44 and 45. This request was reviewed for conformance with Land Development Code Section 51.021 E.

LEGAL DESCRIPTION

The property is located in sections 18, 19, and 20 T 37S R 9E W.M. and is located at the SE corner of Algoma Rd. and Old Fort Rd., Algoma Area.

RELEVANT FACTS

The property is zoned CR and FR. The purpose of this partition is to divide the commercially zoned property from that zoned for resource use.

The site is within a structural fire protection district and is 10-12 minutes north of the nearest fire station.

Review of Planning Department mapping indicates the property is not within an area designated as a Goal 5 resource. The timber rating of Parcel 1, the resource zoned property, is Class V, a below average rating. The soils Land Capability Class rating is Class VI.

The minimum lot size of the FR zone per the acknowledged Land Development Code is 40 acres. The lot size of the resource zoned property is 470 acres.

FINDINGS

All evidence submitted as the Staff Report and exhibits indicate the approval criteria as set out in the Code has been satisfied. The Planning Director finds this application conforms to the criteria as set out in L.D.C. section 51.021 E:

A. The proposed partitioning is compatible with other lands zoned for the same use as the property zoned FR will be left intact by this partition and remain within resource use. That portion zoned for commercial use is partitioned in order to allow the conveyance of the existing commercial horse arena and stable facility.

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B. The proposed partitioning is consistent with the intent of the Plan as the proposed parcel sizes and uses are those permitted by the acknowledged Plan and Policies approved for the applied zonings.

C. The partitioning will not alter the existing land use pattern as physical development beyond that existing is not contemplated for the resultant parcels. The use of parcel 1; 470 acres zoned FR, will not be modified or altered by the partitioning of the commercial acreage. Neither will the existing use of property zoned for commercial use be altered by the partition before the Planning Director.

ORDER

Therefore, it is ordered the request of Adkins Consulting Engineers for MNP 24-90 is approved subject to Code requirements and Agency recommendations.

DATED THIS 25th DAY OF July, 1990



Carl Shuck, Planning Director

Notice of Appeal Rights

You are hereby notified that this decision may be appealed to the Klamath County Board of Commissioners by filing with the Planning Department a Notice of Appeal as set out in Section 33.004 of the Klamath County Land Development Code, together with the fee required within ten days of the date of mailing of this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 25th day
of July A.D., 19 90 at 3:25 o'clock P.M., and duly recorded in Vol. M90,
of Deeds on Page 14852.

FEE none

Evelyn Biehn - County Clerk

By Carline Mueller

Return: Commissioners Journal