

BEFORE THE BOARD OF COMMISSIONERS/PLANNING COMMISSION
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE DRAFT ORDINANCE 44.23)
TO ADD LONG LAKE QUARRY SITE TO MINERAL) ORDER
AGGREGATE INVENTORIES.)

THIS legislative matter came before a joint hearing of the Planning Commission and Board of Commissioners on March 31, 1992, and was continued until April 15, 1992, in the County Commissioners Hearing Room in Klamath Falls, Oregon. The Planning Department was represented by Linda Lang, Associate Planner, Carl Shuck, Planning Director, and the recording secretary, Karen Burg. Draft Ordinance 44.23 and all exhibits submitted and testimony received were considered in arriving at this decision.

The hearings were held pursuant to notice given in conformity with the Klamath County Planning Land Development Code and related Statutes. Testimony in favor of this ordinance was received from the following members of the Oregon State Highway Department: Mark DeVoney, Russ Frost, and Mike Stinson. Those who testified in opposition were Ted DeVore, Jim Pepper, Susan Cahill, and Lord Maitreya.

Klamath County Commissioners Mr. Ed Kentner and Mr. Wes Sine visited the site location on April 9, 1992. Klamath County Commissioner Mr. Harry Fredricks also visited the site prior to the second hearing.

FINDINGS OF FACT:

1. The site is owned by the Oregon State Highway Department.
2. The property is located in portions of sections 11 and 12 of 139S R8E W.M. and more particularly described as being located at the junction of Balsam Drive and Long Lake Road. The site is approximately 10.5 acres in size and is zoned RS(Suburban Residential), a zone for residential uses such as single family dwellings and manufactured homes.
3. The Klamath County Land Development Code requires that the impact area be a minimum of 1000 feet and the existing permitted uses are as close as 300 feet from the boundaries of the site.
4. The quarry site would be visible from several homes. Blasting could effect their water wells, and cause structural damage. Also, that there would be an increase in truck and other equipment traffic causing dust and noise problems.

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5. Property values would be affected because of the sites proximity to the homes. Any removal of the Junipers in the area would create an eye sore.


6. The use of the site for a quarry would seriously conflict with the existing residential uses.

CONCLUSION AND ORDER:

Draft Ordinance 44.23 is hereby rejected as use of site as a quarry would have a serious negative impact on the residences in this suburban residential area.

DATED THIS 27th DAY OF May, 1992

Approved as to Form and Content:

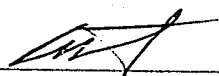

Reginald R. Davis, County Counsel

BOARD OF COMMISSIONERS

Out of Office Today

HARRY FREDRICKS, CHAIRMAN


ED KENTNER, COMMISSIONER


WES SINE, COMMISSIONER

NOTICE OF APPEAL RIGHTS

You are hereby notified this decision may be appealed to the Land use Board of Appeals within 21 days following the mailing of this order. Failure to do so in a timely manner may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 2nd day of June A.D., 19 92 at 2:44 o'clock P M., and duly recorded in Vol. M92 of Deeds on Page 11896.

FEE none

Evelyn Biehn . County Clerk

By Darlene M. Mendenhall

Return: Commissioners Journal