

BEFORE THE KLAMATH COUNTY PLANNING DIRECTOR
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE REQUEST FOR) ORDER
LP 62-92 for Lorraine Peters)

THIS matter came before the Planning Director on December 28, 1992. All exhibits and other contents therein is incorporated by this reference into this matter.

This hearing was held pursuant to notice given in conformity with the Klamath County Planning Land Development Code and related Statutes. The Department of Fish and Wildlife sent a letter stating concerns about the wildlife habitat.

FINDINGS OF FACT:

1. The Applicant is requesting a partition to divide 800 acres into parcels of 40 acres, 120 acres, and 640 acres.
2. The property is located east of Round Lake Road and north of State Highway 66. and more particular described as being in a portion of Section 10, 15, 16, and 21 of T39S, R8 EWM.
3. The number of lots for this proposal consist of 3, which is approximately 800 acres.
3. The authority for the proposed partition is found in sections 45.040 and 56.020 of Articles 45 and 56 of the Klamath County Land Development Code.
4. The zoning for the land partition is zoned Non-Resource, (N/R). The areas zoned Non-Resource are areas where there are predominantly soil capability of class VII and VIII. The non-resource zoning is also where areas are identified as not important fish and wildlife habitat.
5. The minimum lot size for the N/R zone is a 20 acre minimum and all three lots are at least two times larger than the minimum required, with the largest lot being 32 times larger than the minimum required.
6. Klamath County Exhibit F, Map indicates a medium to low deer winter range, and that there are portions within each parcel of the partition that one could build in and not be in the deer winter range and therefore would not be a significant adverse affect to the area.
7. There have been other partitions in the area with parcel size of 20 acres. The 20 acre lots are also within the deer winter range.
8. The proposed partition is within the Keno Rural Fire Protection District.

9. Access to the three parcels is via Round Lake Road, with proposed easements to parcel 1.

10. Sewerage will be by a septic tank system and water by individual wells.

11. The bulk of the vegetation in the area is made up of Juniper and sagebrush. The proposal is located on generally unsuitable land for the production of forest products and the topo is that of rolling with outcrops of rock.

12. The division of the property allows for permitted uses within the Non-Resource and meets the lot size criteria.

ORDER:

Therefore based on the above information and exhibits, the Klamath County Planning Director approves this application. Correct notice was given to surrounding property owners and no communication in opposition was given to application. Notice was sent out to agencies and received a letter from Fish and Wildlife, who had concerns in reference to the low/medium deer winter range overlay.

DATED THIS 28th DAY OF December, 1992

Carl Shuck
Carl Shuck Planning Director

NOTICE OF APPEAL RIGHTS

You are hereby notified this decision may be appealed to the Klamath County Board of Commissioners within 7 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 _____ the 30th day
of Dec. A.D., 19 92 at 2:22 o'clock P M., and duly recorded in Vol. M92,
of _____ Deeds on Page 31084.

FEE none

Evelyn Biehn - County Clerk

By Pauline Muelendore

Return: Commissioners Journal