

BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGONIN THE MATTER OF CLUP/ZC 4-93
FOR NOEL LIVINGSTON

ORDER

1. NATURE OF THE APPLICATION

A hearing on this application was held before the Board of County Commissioners JUNE 22, 1993, with the Planning Commission in an advisory role. The applicant was requesting a CLUP/ZC from FORESTRY/F to AGRICULTURE/EFU-G on 520 acres located one mile east of the Gerber Reservoir. The application was to be considered pursuant to Articles 47 and 48 of the Klamath County Land Development Code.

2. NAMES OF THOSE INVOLVED

The applicant was represented by Marilyn Livingston. The Planning Department was represented by Kim Lundahl, Senior Planner. The recording secretary was Karen Burg. Members of the Board of County Commissioners who participated in this hearing were: F. Jean Elzner and Wes Sine. The Planning Commission, with a quorum present, participated in an advisory manner. No opposition to this request was received from notified agencies or property owners.

3. LOCATION

Portions sections 4, 9, 10, 15, & 16 T 39S R 14E. Generally located one mile east of the Gerber Reservoir, 45 miles east of Klamath Falls.

4. RELEVANT FACTS

The applicant requested a CLUP/ZC from FORESTRY/F to AGRICULTURE/EFU-G on 520 acres.

The supporting documentation submitted by the applicant April 12, 1993 and on file with the Planning Department convinced the Planning Director that the original zoning of the property may have not been directly representative of the historic/present/future use of the subject property and that a

refinement of the official zoning map is warranted.

The Planning Commission and Board of County Commissioners have reviewed this documentation and heard the testimony of the applicants representative.

5. CONCLUSIONS AND ORDER


The Board of County Commissioners finds the application moot and finds the plan/zone designations of the property were not accurately applied.

Pursuant to GOAL 2, POLICY 10 of the Plan Policies Document, the Board Orders the plan/zone designations of the property changed to AGRICULTURE/EFU-G and the application fees refunded.

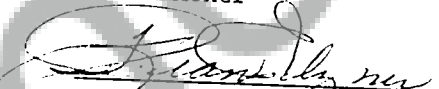
Correct notice was given and the intent of the statewide planning program has been met.

DATED this 25th day of June, 1993

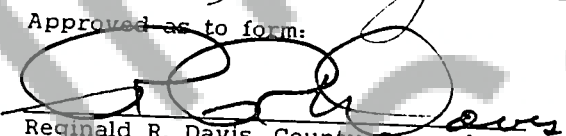
Commissioner



Commissioner



Approved as to form:



Reginald R. Davis, County Counsel


NOTICE OF APPEAL RIGHTS

You are hereby notified that this decision may be appealed to the Land Use Board of Appeals within 21 days following the mailing of this order. Contact the Klamath County Planning Department for information as how to file this appeal. 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 30th day of June A.D. 19 93 at 11:49 o'clock A.M., and duly recorded in Vol. M93 of Deeds on Page 15610.

FEE none
Return: Commissioners Journal

Evelyn Biehn
By  County Clerk