

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR KLAMATH COUNTYIN THE MATTER OF THE APPLICATION  
OF GEORGE AND ALICE THOMPSON  
FOR COMPREHENSIVE LAND USE  
PLAN AND ZONE CHANGECLUP/ ZC5-97  
ORDER

97 SEP -6 AM 10:42

This matter having come on for consolidated hearing before the Klamath County Planning Commission and the Board of County Commissioners on the 22<sup>nd</sup> day of July, 1997, for change in land use designation from NR (non-resource) to R (rural) and a zone change request from NR to R-5. Appearing for and on behalf of Klamath County was Kim Lundahl, appearing with applicants George and Alice Thompson was Bradford J. Aspell of Aspell, Della-Rose & Richard, their attorneys. The hearing was held pursuant to notice given in conformity with Klamath County Land Development Code and related statutes and ordinances. Klamath County Planning Department file and all exhibits and other contents therein together with exhibits offered at the hearing were admitted in the hearing without exception. No evidence was received and no persons testified in opposition to this application. Following the conclusion of testimony, the Planning Commission recommended approval of the comprehensive land use change and zone change subject to exceptions. The Board adopts the recommendations of the Planning Commission and makes the following findings of fact based upon the record in these proceedings.

## FINDINGS OF FACT

1. The property effected by this application designated non-resource under the comprehensive land use designation and NR under the Klamath County zoning ordinance.
2. Property consists of that portion of the southwest 1/4, southwest 1/4, Section 32, Township 39 South, Range 10 East Willamette Meridian lying east of Hill Road described as Tax Lot number 3910-32-2500 consisting of approximately 33 acres.
3. Access to the property is either off Hill Road or Chalet Vista Drive. Streets either currently in existence or proposed to be installed will adequately serve the residential uses provided by the zone change.
4. Fire suppression is provided by Klamath County Fire District 1; water by individual wells; sewer by individual septic systems; and power by Pacific Power & Light Co.
5. The property is not within a Goal 5 overlay.
6. The property has slopes of less 15% over the project site.
7. Applicant has demonstrated compliance with Klamath County Comprehensive Planning goals. The County adopts by incorporation applicants' CLUP paragraph (6).

8. The property effected is adequate in size, shape, configuration to facilitate residential uses. No significant adverse impact have been identified or implied by this zone change.

9. The standards of Ordinance 44.64 have been met.

10. Given existing residential densities within the surrounding area, and the slope and terrain of the site, it is determined that without further submission, no more than two lots shall be created from the subject parcel.

### CONCLUSIONS OF LAW

Based upon the foregoing, the Planning Commission recommends and the Board adopts the following Conclusions of Law:

1. The proposed change in the comprehensive plan from NR (non-resource) to R (rural) is in conformance with the comprehensive plan.

2. The proposed zone change from NR to R-5 meets the review criteria provided by Land Development Code Articles 47, 48 and Ordinance 44.64; provided that no more than two parcels of roughly equal dimensions be created.

### ORDER

Now therefore, the Board of County Commissioners for Klamath County, Oregon does hereby order that Comprehensive Land Use Plan and Zone Change be granted.

Dated this 4th day of September, 1997.

Board of County Commissioners

By: [Signature]

Al Switzer, Chairman

By: [Signature]

William R. Garraff, Commissioner

By: [Signature]

M. Steven West, Commissioner

Approved as to form.

[Signature]  
County Counsel

### 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 date of execution of this ORDER. Contact the Land Use Board of Appeals for information as how to file this appeal. Failure to do so in a timely manner may affect your right to appeal.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County B.O.C. the 8th day  
of Sept. A.D., 19 97 at 10:42 o'clock A. M., and duly recorded in Vol. M97  
of Deeds on Page 29258  
Return: Commissioners Journal By Bernetha G. Letsch, County Clerk  
Kathleen Rose

FEE

No Fee