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11/30/2010 08:24:58 AM

Fee: NO FEE

*Return to Commissioner's Journal*

## BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

**IN THE MATTER OF FILE NUMBER CLUP/ZC 2-09****FINAL ORDER**

WHEREAS, Puckett Trust, et al applicants, requested approval of an amendment to the Comprehensive Plan designation and zoning on approximately 52 acres; and

WHEREAS, the subject properties are described as Tax Lot 200 in Section 31C, and Tax Lot 3000 in Section 31D, of Township 39 South, Range 8 East Willamette Meridian, and Tax Lot 200, in Section 6 of Township 40 South, Range 8 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on September 28, 2010 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Comprehensive Plan amendment and associated zone change in due form for consideration; and

WHEREAS, based on testimony entered and consideration of the whole record, and making the proposed Findings of Fact in the application submittal and Staff Report their own, the Klamath County Planning Commission concluded the application was in conformance with State Law, Klamath County Land Development Code and Comprehensive Plan, and forwarded a unanimous recommendation of Approval for Planning File CLUP/ZC 2-09 to the Board of County Commissioners; and

WHEREAS, based on testimony entered and after consideration of the whole record; and, with a unanimous recommendation from the Klamath County Planning Commission, the Klamath County Board of Commissioners acting within their authority accepted the Planning Commission's recommendation, and unanimously APPROVED Planning File CLUP/ZC 2-09.

*Re-record to correct legal on 2010-011898.*

## BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP/ZC 2-09

FINAL ORDER

WHEREAS, Puckett Trust, et al applicants, requested approval of an amendment to the Comprehensive Plan designation and zoning on approximately 52 acres; and

WHEREAS, the subject properties are described as Tax Lots 200 and 3000, in Section 31C of Township 39 South, Range 8 East Willamette Meridian, and Tax Lot 200, in Section 6 of Township 40 South, Range 8 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on September 28, 2010 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Comprehensive Plan amendment and associated zone change in due form for consideration; and

WHEREAS, based on testimony entered and consideration of the whole record, and making the proposed Findings of Fact in the application submittal and Staff Report their own, the Klamath County Planning Commission concluded the application was in conformance with State Law, Klamath County Land Development Code and Comprehensive Plan, and forwarded a unanimous recommendation of Approval for Planning File CLUP/ZC 2-09 to the Board of County Commissioners; and

WHEREAS, based on testimony entered and after consideration of the whole record; and, with a unanimous recommendation from the Klamath County Planning Commission, the Klamath County Board of Commissioners acting within their authority accepted the Planning Commission's recommendation, and unanimously APPROVED Planning File CLUP/ZC 2-09.

NOW, THEREFORE, THE KLAMATH COUNTY BOARD OF COMMISSIONERS  
ORDER AS FOLLOWS:

*The Klamath County Planning Director shall draft for adoption by the Board of County Commissioners an ordinance amending the Klamath County Comprehensive Plan - General Land Use Plan Map and Zoning Map to reflect the proposed revision to the plan designation and zoning changes as shown on attached Exhibit A.*

Dated this 5 day of Oct, 2010

FOR THE BOARD OF COMMISSIONERS

Cheryl Surkes  
Chairman

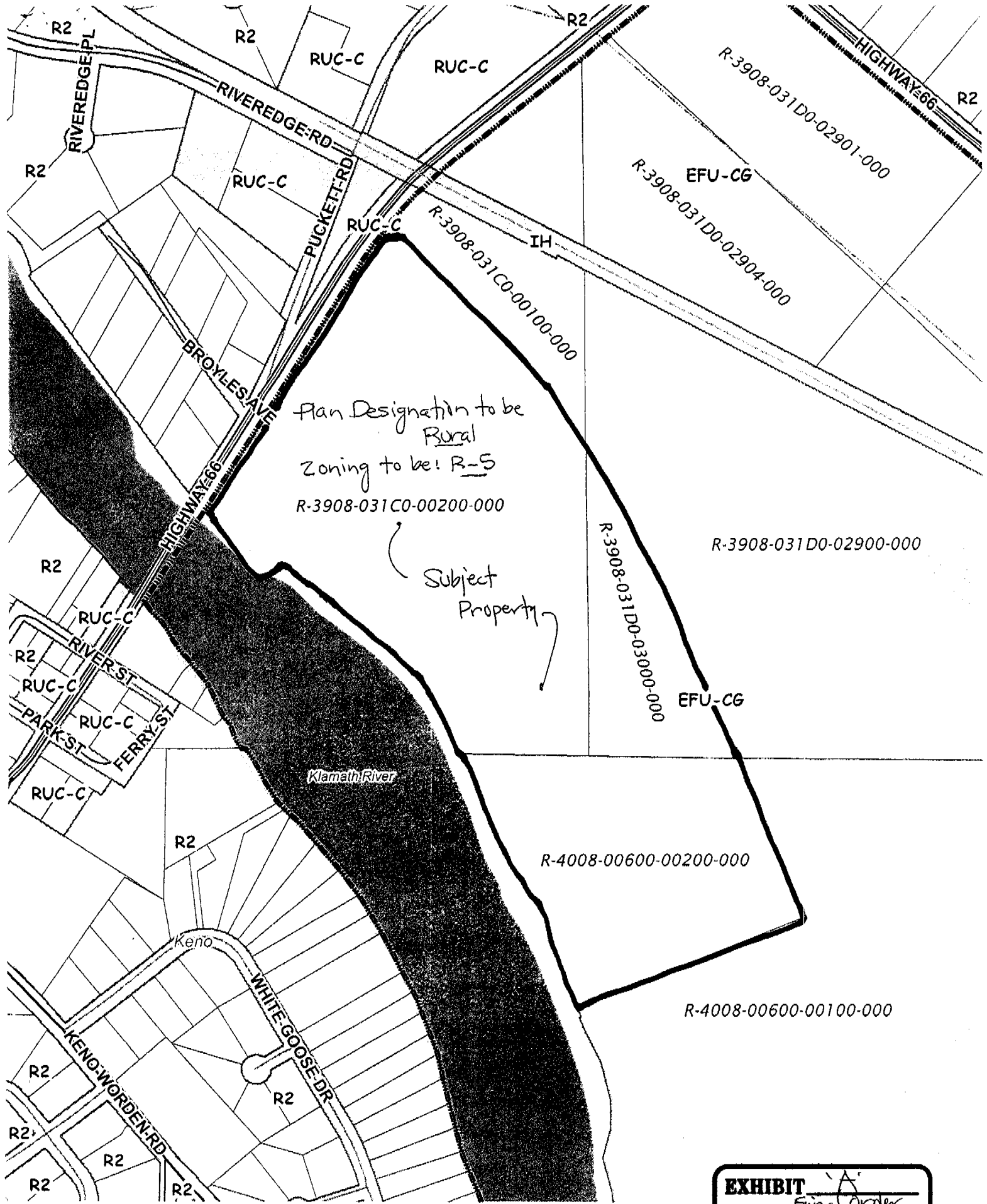
John Elliott  
Commissioner

[Signature]  
Commissioner

OPG 10/5/10  
County Counsel  
Approved as to form

**NOTICE OF APPEAL RIGHTS**

This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days following the date of the mailing of this order. Contact LUBA for information as how to file this appeal (LUBA by phone 1-503-373-1265 or mail at 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.



**EXHIBIT** A  
**FILE #** Final Order  
2-69