



## **Board of Commissioners Appeal Hearing Agenda April 26, 2023 ~ 10:00am ~ Room 219**

- 1. To Watch A Live Stream Of This Meeting, Click The Link Below Or Go To  
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- 2. Call Order, Those Present, Flag Salute**

- 3. BOCC Items**

- 1. LP 32-22 APPEAL - THOMAS BOCCHI FOR MARGIE F. BOCCHI FAMILY TRUST**

Consideration of an appeal of the Conditions of Approval of a 3-parcel land division of 208 acres, specifically the conditions found in Public Works Comments. The subject property is zoned Low-Density Residential (RL) and located on the east side of Old Fort Road across from Collman Dairy Road.

Map: 3809-02200 Tax Lot – 02100; Map: R-3809-02700 Tax Lot – 00200; Map: 3809-027B0 Tax Lot - 00100.



- 2. CLUP 3-20 AND CUP 5-20 CITY OF CHILOQUIN**

Consideration of Oregon Land Use Board of Appeals (LUBA) Nos. 2021-093/094 a remand of CLUP 3-20 and CUP 5-20. The applicant requests approval of an exception to Statewide Planning Goal 4 to allow the development of a facultative lagoon storage and the reuse of effluent to irrigate forested land or a field of forage, and approval of a limited use overlay to restrict the use of the property to only that described above. The subject site is zoned Forestry (F) and located on the north side of HWY 422 approximately ½ mile west of HWY 97, near the City of Chiloquin. Map Tax Lot 3407-02800-00100 and 3407-02900-00700

The public hearing shall be limited to consideration of argument and evidence addressing only the elements of LUBA Nos. 2021-093/094 that were sustained, namely: the first subassignment of error contained within the first assignment of error (generally regarding possibility of loss of habitat due to fencing and Oregon Department of Fish and Wildlife review of the Mitigation Plan), the third subassignment of error contained within the first assignment of error (generally regarding possibility of odor during the freeze-thaw cycle of ponds), the second

assignment of error (limited to the portion of the second assignment of error that was sustained—generally regarding the County’s findings or lack of findings with respect to odor, screening and the suitability of the subject property given its size, shape, location, topography, the existence of improvements and natural features), the third assignment of error (Mitigation Plan addressing whether or not there are endangered or threatened plants or animals on the subject property), the fourth assignment of error (generally regarding the adequacy of findings of compliance with Klamath County Goal 5, Policy 12), the fifth assignment of error (limited to the portion of the fifth assignment of error that was sustained—findings related to odor), and the sixth assignment of error (the cost of dredging the proposed lagoons).

#### 4. Adjourn

The meeting facility is handicap accessible. Persons needing materials in alternate format or communication access, should telephone this office at 541-883-5100  (voice/TDD) or the ADA Coordinator at 541-883-4296  at least 48 hours in advance of the scheduled meeting.

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