

BEFORE THE BOARD OF COUNTY COMMISSIONERS
In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE)
APPLICATION FOR ZONE)
CHANGE NO. 75-19 BY)
WILLIAM R. WYNN)

O R D E R

THIS MATTER having come on for hearing upon the application No. 75-19 by WILLIAM R. WYNN for a change of zone from A (Light Agricultural) to RD 10,000 (Single Family Residential) on real property described as Exhibit A, attached hereto and by reference made a part hereof, and a public hearing on the application having been heard by the Klamath County Planning Commission on October 28, 1975, where from the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning staff, and others in attendance, the Planning Commission recommended approval of the application. Following action by the Planning Commission, a public hearing was held before the Board of County Commissioners on January 5, 1976, where from the testimony it appeared that the record was accurate and complete and it appearing from the reports and information produced at the hearing that there was substantial evidence for the action taken by the Planning Commission and that the application should be granted, the Board of Commissioners makes the following findings of fact and conclusions of law in accordance with Ordinance No. 17, the Klamath County Zoning Ordinance:

Findings of Fact:

1. Applicant seeks a change in zone from A (Light Agricultural) to RD 10,000 (Single Family Residential) for the purpose of building a home on a vacant lot .46 of an acre in size.
2. The A (Light Agricultural) zone specifies one acre minimum lot size as a property standard.
3. The Comprehensive Land Use Plan designates applicant's parcel as Urban Density Residential which is compatible with the RD 10,000 zone.
4. Applicant's property is located in a residential area, is irregular in shape, and bordered by an irrigation canal on the east.
5. Access to the property is off of Hilyard, a secondary street. Sewer service will be provided by South Suburban Sanitary District and water is available from Oregon Water Corporation.
6. Applicant applied for and received approval of the Planning Commission on November 12, 1975, for a variance in lot

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width, front and rear, to conform with the RD 10,000 zone development standards. Approval of the variance is contingent upon approval of the zone change by the Board of Commissioners.

Conclusions of Law:

1. The property affected by the change of zone is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning.

2. The property affected by the proposed change of zone is properly related to streets and highways to adequately serve the type of traffic generated by such uses that may be permitted therein.

3. The proposed change of zone will have no adverse effect or only limited adverse effect on any property or the permitted uses thereof within the affected area.

4. The proposed change of zone is in keeping with land uses and improvements, trends in land development, density of land development, and prospective needs for development in the affected area.

5. The proposed change of zone is in keeping with any land use plans duly adopted and does, in effect, represent the highest, best and most appropriate use of the land affected.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application by WILLIAM R. WYNN for a change of zone from A (Light Agricultural) to RD 10,000 (Single Family Residential) on real property described in Exhibit A, attached hereto and by reference made a part hereof, said application being numbered Zone Change 75-19, is hereby granted.

DONE AND DATED THIS 9th day of February 1976.

William R. Wynn
Chairman

James Williams
Commissioner

Lloyd Giff
Commissioner

APPROVED AS TO FORM
Boivin and Boivin
Legal Counsel

BY *Boivin and Boivin*

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(EXHIBIT "A") (Wynn)

ZONE CHANGE 75-19

A tract of land situated in the NE $\frac{1}{4}$ NW" of Section 12, T39S, R9EWM, Klamath County, Oregon, more particularly described as follows: Beginning at the West 1/16 corner common to sections 1 and 12 as shown on the recorded plat of VALLEY VIEW SUBDIVISION; thence easterly along the north line of said section 12 126.9 feet to the True Point of Beginning; thence S 00° 13' E 269.4 feet to the centerline of the Enterprise Irrigation; thence easterly and northerly along said centerline to its intersection with the north line of said section 12; thence westerly 70 feet, more or less, to the True point of beginning. Containing 0.46 acres more or less, with bearings based on the recorded plat of VALLEY VIEW SUBDIVISION.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Board of Commissioners
this 10th day of FEBRUARY A. D. 1976 at 8:54 P.M., and
duly recorded in Vol. 1176, of DEEDS on Page 1854

NO FEE

Wm D. MILNE, County Clerk

By *Hazel Drazie*