

10054

Vol. ^m 76 Page 1857

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

IN THE MATTER OF
APPLICATION FOR ZONE
CHANGE NO. 75-12 BY
AUGUST AND JUANITA
HAUPTMANN

ORDER

THIS MATTER having come on for hearing upon the application No. 75-12 by AUGUST AND JUANITA HAUPTMANN for a zone change from RD 10,000 (Residential Single Family) zone to RD 3,000 (Multiple Family Residential) zone on real property described as being Lot 2, Block 2, Bryant Tracts, Klamath County, Oregon, and a public hearing on the application having been heard by the Klamath County Planning Commission on October 28, 1975, and November 12, 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 regularly 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 the application should be granted, the Board of County 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 is requesting a change in zone from RD 10,000 (Residential Single Family) to RD 3,000 (Residential Multiple Family) in order to build a four-plex on property which he owns, namely, Lot 2, Block 2, Bryant Tracts, Klamath County, Oregon.
2. Applicant presented a plot plan of the four-plex, each unit containing 960 sq. ft., and with parking space for eight cars.
3. Applicant's property contains 14,000 square feet which is adequate in size, and applicant will comply with property development standards for the RD 3,000 zone.
4. Applicant's lot is an interior lot with access off of Shasta Way.
5. The area surrounding the subject property is generally residential in nature with adjacent properties being zoned RA to the west and south; RD 10,000 to the north and south; RD 7,000 to the south; and RD 3,000 to the east. The Eastside Bypass is approximately

550' to the west.

6. Applicant applied for and received approval of the Planning Commission for a variance in lot width to conform with the RD 3,000 standards, said variance being contingent upon approval of the zone change by the Board of County Commissioners.

7. Sewer service will be provided to the property by South Suburban Sanitary District and water is available from Oregon Water Corporation.

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 does in effect represent the highest, best and most appropriate use of the land and is in keeping with the intended purpose of ORS 215.055 and the Comprehensive Land Use Plan map and text.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application No. 75-12 by AUGUST AND JUANITA HAUPTMANN for a change of zone from RD 10,000 (Residential Single Family) to RD 3,000 (Residential Multiple Family), a description of the real property being Lot 2, Block 2, Bryant Tracts, Klamath County, Oregon, is hereby granted.

DONE AND DATED THIS
9th day of
February 1976.

APPROVED AS TO FORM:
Boivin and Boivin
Legal Counsel

BY [Signature]

[Signature]
Chairman

[Signature]
County Commissioner

[Signature]
County Commissioner

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 10th day of
FEBRUARY A.D., 1976 at 8:54 o'clock A. M., and duly recorded in Vol. M 76
of DEEDS on Page 1857.

FEE NONE

WM. D. MILNE, County Clerk

By [Signature] Deputy