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Vol. <sup>mm</sup> 76 Page 8840

BEFORE THE BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE APPLICATION FOR )  
 COMPREHENSIVE LAND USE PLAN MAP )  
 CHANGE ASSOCIATED WITH THE APPLICATION )  
 FOR ZONE CHANGE NO. 76-1 DAVID )  
 VANDENBERG FOR EKO INVESTMENT )

O R D E R

THIS MATTER having come on for hearing upon the application of DAVID VANDENBERG for EKO INVESTMENT for Comprehensive Land Use Plan change accompanying Zone Change 76-1 for a change from Urban Density Residential to Multiple Density Residential designation, a description of the real property being a lot approximately one and one-fourth acres in size generally located on the southeast corner of Cannon Avenue and Fargo Street, more particularly described as Lots 7-24 of Block 8, St. Francis Park, Klamath County, Oregon, and a public hearing on the application having been heard by the Klamath County Planning Commission on April 27, 1976, where from the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning Department Staff and others in attendance, the Planning Commission recommended to the Board of Commissioners for approval of the application. Following action by the Planning Commission, a public hearing was regularly held before the Board of County Commissioners on May 12th, 1976, where from reviewing the record, the testimony, reports and information produced at the hearing it appeared that the record was accurate and complete and that the application should be granted, the Board of County Commissioners make 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 land use from Urban Density Residential to Multiple Density Residential in order to build apartment complex on Lots 7-24, Block 8 of St. Francis Park.
2. Phases III and IV of EKO Manor Apartments were planned in 1968 prior to zoning as a long-range planned development. Cannon Street was constructed by the developer and dedicated to the County at that time. The property for the site has been in the same ownership prior to zoning.
3. There is a need in the community for rental housing as shown in Applicant's Exhibits 16, 17, 18 and 24, exhibits being letters stating residential multiple family need from real estate and Klamath Housing authorities.
4. Traffic access, water and sewer facilities are adequate to serve the proposed development.

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5. The proposed development is the highest and best use of the property.

6. There is no other property available any closer to facilities for multiple residential needs that is properly zoned.

Conclusions of Law:

1. The property affected by the Comprehensive Land Use Plan change is adequate in size and shape to facilitate those uses normally allowed in conjunction with such uses.

2. The property affected by the proposed Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change represents the highest, best and most appropriate use of the land affected.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of DAVID VANDENBERG for EKO INVESTMENT for amendment to the Comprehensive Land Use Plan accompanying Zone Change No. 76-1, requesting a change from Urban Density Residential to Multiple Density Residential, on that real property described as a lot approximately one and one-fourth acres in size generally located on the southeast corner of Cannon Avenue and Fargo Street, more particularly described as Lots 7-24 of Block 8, St. Francis Park, Klamath County, Oregon, is hereby granted.

DONE AND DATED THIS 15th day of June, 1976.

Raymond P. Thorne  
Chairman  
Raymond Williams  
County Commissioner  
Loyd Giff  
County Commissioner

APPROVED AS TO FORM:  
Boivin and Boivin  
County Legal Counsel

By Boivin and Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 15th day of JUNE A.D., 1976 at 2:17 o'clock P M., and duly recorded in Vol M 76, of DEEDS on Page 8840.

FEE NONE

WM. D. MILNE, County Clerk

By Hazel Drayle Deputy