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Vol. <sup>m</sup> 77 Page <sup>clerk</sup> 18813

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 77-7 )  
by BOBBY L. AUSTIN )

ORDER

77 901 4 AUG 25

THIS MATTER having come on for hearing upon the applica-  
tion of BOBBY L. AUSTIN for an amendment to the Comprehensive Land  
Use Plan accompanying Zone Change No. 77-7 for a change from Urban  
Density Residential to Multiple Density Residential on the Compre-  
hensive Land Use Map. A public hearing having been heard by the  
Klamath County Planning Commission on June 28, 1977, where from  
the testimony, reports and information produced at the hearing by  
the applicant, members of the Planning Department Staff and other  
persons in attendance, the Planning Commission recommended approval  
on July 19, 1977, of the proposed change. Following action by the  
Planning Commission, a public hearing before the Board of County  
Commissioners was regularly held on August 30, 1977, where from the  
testimony it appeared that the record below was accurate and complete  
and it appearing from the testimony, reports and information produced  
at the hearing below that the application for change of Comprehensive  
Land Use Plan for certain real property described as Lots 16 and 17  
of Block 9 in Pleasant View Tracts generally located at the south-  
east corner of the intersection of Shasta Way and Fargo Street and  
more particularly described in Exhibit "A", attached hereto and by  
reference made a part hereof, should be granted.

The Board of Commissioners made the following Findings of



1 Fact and Conclusions of Law as required by Ordinance No. 17,  
2 Klamath County Zoning Ordinance.

3 FINDINGS OF FACT:

4 1. The Planning Department Staff testified that the  
5 subject property consists of Lots 16 and 17 of Block 9 in Pleasant  
6 View tracts generally located at the southeast corner of Shasta  
7 Way and Fargo Street and more particularly described in Exhibit  
8 "A", attached hereto.

9 2. The applicant and Planning Department Staff testified  
10 that the subject property is currently vacant. Across Fargo Street  
11 is a duplex (zoned RD 3000), and approximately 3/10ths of a mile  
12 west of the property is a fourplex and a triplex. To the north,  
13 across Shasta Way, is a mobile home park (zoned MHP), two (2)  
14 commercial (C-2) zones and some RD-10000 zoning (Single Family  
15 Residential). The vicinity consists of older, conventional housing  
16 with some mobile homes intermixed.

17 3. The Planning Department Staff testified that the  
18 combined lots had a total of 37,349 square feet which would be  
19 sufficient to accomodate the proposed three (3) fourplexes. The  
20 requirement for a MDR (Multiple Density Residential) designation  
21 with a RD-3000 zone is 3000 square feet for every dwelling.

22 4. Testimony was presented to the Planning Commission  
23 that indicated a need for additional MDR (Multiple Density  
24 Residential) housing in the Klamath Falls area. Mr. Austin sub-  
25 mitted a letter from Edward W. Rasner, Executive Director, Klamath  
26 Housing Authority, showing that of 76 one-bedroom rental units,  
27 96% were occupied; of 49 two-bedroom rental units, 100% were oc-  
28 cupied. Mr. Austin also submitted an attachment to the letter



1 entitled "Analysis of the Demand for Housing in the Klamath County  
2 Housing Market Area" which showed that approximately 119 new rental  
3 units will be needed in the Klamath Falls area annually. It also  
4 states, "projected household growth would justify the construction  
5 of at least 50 new subsidized units".

6 Mr. Bagett, deedholder of the property, testified that  
7 between three and ten people a week inquire at his store to ask if  
8 he knows of any rentals in the area. He stated that there is a  
9 definite need for more rental housing in the area.

10 5. The applicant testified that there were no other  
11 vacant properties in the immediate area and there were no properties  
12 in the area designated as MDR (Multiple Density Residential) that  
13 were suitable for his purposes. He felt that the highest and best  
14 use of the existing vacant lots would be for multiple density  
15 housing.

16 6. Access to the property would be from Fargo Street and  
17 Shasta Way which are improved County roads that would be adequate  
18 to handle the increased traffic. The Planning Commission found that  
19 since these are the last vacant lots in the area the traffic on the  
20 above mentioned streets would only be increased slightly and, there-  
21 fore, there would be little adverse effect.

22 7. The Planning Department Staff and the applicant  
23 testified that other multiple density units were located in the  
24 area and that the trend in the area seemed to be towards such  
25 housing.

26 CONCLUSIONS OF LAW:

27 1. The property affected by the Comprehensive Land Use  
28 Plan change is adequate in size and shape to facilitate those uses

1 normally allowed in conjunction with such uses.

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

5 3. The proposed CLUP change will have no adverse effect  
6 or only limited adverse effect on any property or the permitted uses  
7 thereof within the affected area.

8 4. The proposed CLUP change is in keeping with land uses  
9 and improvements, trends in land development, density and prospective  
10 needs for development in the affected area.

11 5. The proposed CLUP change represents the highest, best  
12 and most appropriate use of the land affected.

13 NOW, THEREFORE, IT IS HEREBY ORDERED that the application  
14 of BOBBY L. AUSTIN for amendment to the Comprehensive Land Use Plan,  
15 accompanying Change of Zone 77-7, requesting a change from URD  
16 (Urban Density Residential) to MDR (Multiple Density Residential), or  
17 the real property described in Exhibit "A", attached hereto and by  
18 reference incorporated herein, is hereby granted.

19 DONE AND DATED THIS 30 day of September, 1977.

21  
22  
23 *Lloyd Gift*  
Lloyd Gift  
Chairman

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26 *Nell Kuonen*  
Nell Kuonen  
Commissioner  
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18817

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4 APPROVED AS TO FORM:  
5 Boivin, Boivin and Aspell  
6 County Legal Counsel  
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By: Harry W. Brown



18817-A

EXHIBIT "A"  
BOBBY L. AUSTIN  
CLUP-ZC 77-7

A parcel of land approximately 37,349 square feet in size generally located on the southeast corner of Fargo Street and Shasta Way and more particularly described as Lots 16 and 17 in Block 9 in Pleasant View Tracts, Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 4th day of October A.D., 19 77 at 9 :25 o'clock P M., and duly recorded in Vol M77 of Deeds on Page 18813.

FEE no fee

WM. D. MILNE, County Clerk

By Bernetha D. Letich Deputy