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BEFORE THE BOARD OF COUNTY COMMISSIONERS

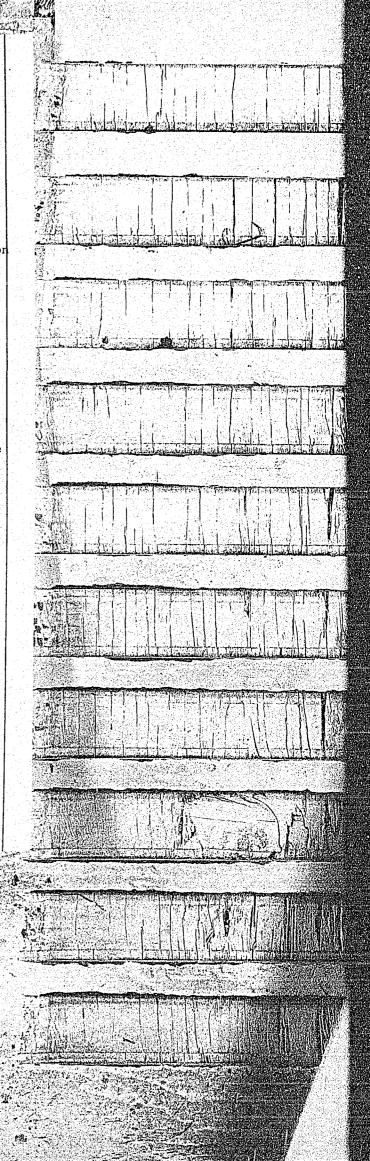
In and For the County of Klamath, State of Oregon

IN THE MATTER OF APPLICATION FOR ZONE CHANGE 77-14 Harrison Lindsey

ORDER

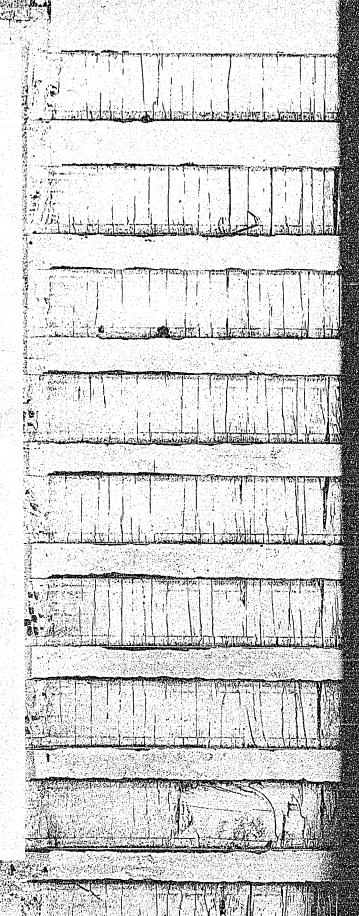
THIS MATTER having come on for hearing upon the application of Harrison Lindsey for a change in zone from RA (Residential Agriculture) to RD 10,000 (Residential Single Family). A public hearing having been heard by the Klamath County Planning Commission on July 26, 1977, where from the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning Department Staff and other persons in attendance, the Planning Commission recommended approval of the application. Following action by the Planning Commission, a public hearing before the Board of County Commissioners was regularily held September 6, 1977, where from the testimony it appeared that the record below was accurate and complete and it appearing from testimony, reports and information produced at the hearing below that the application for a change on certain real property described as being 28,980 square feet in size and generally located on the west side of Ivory Street approximately 214 feet south of Frieda Street, approximately 210 feet east of Hope Street, and approximately 683 feet north of Shasta Way 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 Fact and Conclusions of Law as required by Ordinance No. 17, the Klamath County Zoning Ordinance.



FINDINGS OF FACT:

- 1. On July 26, 1977, before the Planning Commission,
 Planning Deaprtment Staff testimony showed that the subject property
 consisted of lots 44 and 45 of Lewis Tracts, generally located on
 west side of Ivory Street 683 feet north of the intersection of
 Shasta Way and Ivory Street.
- 2. Testimony from the Planning Department stated that the Comprehensive Land Use Plan map designates the subject property as Urban Density and, therefore, requires no change.
- 3. The Planning Department Staff and the applicant testified that two dwellings are currently existing, one upon each lot, and therefore, no additional traffic would be generated.
- 4. The Planning Department Staff testified that the accesses to the lots are currently existing and access is to Ivory Street which is a County paved road that is adequate for the quantity and kind of traffic that would be generated by the proposed use.
- 5. Testimony from Andy Silani, Realtor, indicated to the Planning Commission that there is a need in the area for single family residences, such as would be created by this zone change.
- 6. The Planning Department Staff testified to the fact that the zoning in the area is predominately RD 10,000 and that the size and shape of the lots (69' x 210') would be the same as the lots surrounding the subject property, therefore, there would be little or no adverse affect on surrounding property.
- 7. The Planning Commission received testimony that this zone change would be a minimal change because there would be no change in the use of the land as the intended use is for residential purposes.



CONCLUSIONS OF LAW:

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- 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 by the proposed 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 change of zone will have no adverse effect on any property or the permitted uses thereof within the affected area.
- 4. That 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. That 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 of Harrison Lindsey for a change of zone from RA (Residential Agriculture) to RD 10,000 (Residential Single Family) on real property described in Exhibit A, attached hereto and by reference incorporated herein, is hereby granted.

DONE AND DATED THIS 30 day of September, 1977.