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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 77-7)
BOBBY L. AUSTIN)

ORDER

THIS MATTER having come on for hearing upon the application of BOBBY L. AUSTIN for a change in zone from RA (Residential Agriculture) to RD 3000 (Multiple Family Residential). 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 Klamath County Planning Department Staff and other persons in attendance, the Planning Commission, a public hearing before the Board of County Commissioners was regularly held August 30, 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 zone change on certain real property described as being 37,349 square feet in size and consisting of Lots 16 and 17 in Block 9 in Pleasant View Tracts generally located at the southeast corner of the intersection of Fargo Street and 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, Klamath County Zoning Ordinance.

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1 FINDINGS OF FACT:

2 1. The Planning Department Staff testified that the
3 subject property consisted of Lots 16 and 17 of Block 9 in Pleasant
4 View Tracts generally located at the southeast corner of the inter-
5 section of Fargo Street and Shasta Way and more particularly
6 described in Exhibit "A", attached hereto.

7 2. The Planning Department Staff and the applicant
8 testified that there are other multiple density residential zones
9 in the immediate area. To the north, across Shasta Way, is a mobile
10 home park (MHP); across Fargo Street, to the west, is a duplex
11 (RD 3000); and approximately 3/10th of a mile west, on Shasta Way,
12 is a fourplex and a triplex.

13 3. The Planning Department Staff testified that the
14 subject property had a total of 37,349 square feet which would be
15 sufficient to accomodate the proposed three (3) fourplexes and 24
16 parking spaces for them.

17 4. The applicant submitted written evidence to the
18 Planning Commission to prove need for the development. This
19 consisted of a letter from Edward W. Rasner, Executive Director,
20 Klamath Housing Aurtority, showing that of 76 one-bedroom rental
21 units, 96% were occupied and 6 three-bedroom rental units, 100%
22 were occupied. With the letter was an attachment entitled,
23 "Analysis of the Demand for Housing in the Klamath County Housing
24 Market Area". This study states that approximately 119 new rental
25 units will be needed annually in the Klamath Falls area. Mr.
26 Bagett, a witness and deedholder to the subject property, testified
27 that between 3 and 10 people a week stop at his store to ask if
28 there are any rentals available in the area. Because of the amount

1 of inquiries, he stated that there was a definite need for more
2 rental housing in the area.

3 5. The applicant testified that there are no other
4 vacant properties in the immediate area that would be suitable for
5 his purposes.

6 6. The Planning Department Staff testified that access
7 to the site would be from Fargo Street and Shasta Way. These are
8 improved County roads that would be adequate to handle the slight
9 increase in traffic that would be generated by the proposed use.

10 7. The applicant and Planning Department Staff testified
11 that there are other multiple density residential zones in the area
12 and that the trend in the area has been towards this type of
13 housing.

14 8. The Planning Commission found that since these are
15 the last vacant lots in the area there would be limited adverse
16 effect on the surrounding properties by the granting of this zone
17 change.

18 CONCLUSIONS OF LAW:

19 1. The property affected by the change of zone is adequate
20 in size and shape to facilitate those uses normally allowed in con-
21 junction with such zoning;

22 2. The property affected by the proposed change of zone
23 is properly related to streets and highways to adequately serve the
24 type of traffic generated by such uses that may be permitted there-
25 in;

26 3. The proposed change of zone will have no adverse
27 effect or only limited adverse effect on any property or the per-
28 mitted uses thereof within the affected area.

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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 A M., and duly recorded in Vol. N77, of Deeds on Page 18826.

FEE no Fee

WM. D. MILNE, County Clerk

By Bernethad I. Leitch Deputy