

BOARD OF COUNTY COMMISSIONERS

Klamath County, Oregon

IN THE MATTER OF APPLICATION)
FOR ZONE CHANGE 77-12)
LUCILE F. KEPNER)

O R D E R

THIS MATTER having come on for hearing upon the application of Lucile F. Kepner for a change in zone from RD-10,000 (Residential Single Family) to RD-3,000 (Residential Multiple 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 regularly held on 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 of zone for certain real property described as Lot 12, Pleasant Home Tracts, Klamath County, Oregon, 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, the Planning Department Staff testified that the subject property

1 is generally located at the northwest corner of the intersection
2 of Cottage and Wiard Streets, more particularly described as
3 Lot 12, Pleasant Home Tracts, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2,
4 T39S, R9EWM, Klamath County, Oregon.

5 2. Testimony from the Planning Department staff and
6 the applicant showed that the subject property consisted of ap-
7 proximately 15,500 square feet which would be adequate in size
8 for the proposed four-plex dwelling.

9 3. Access to the site would be off of Cottage Street
10 which is a County paved street and which deadends some 300 feet
11 to the west. There is not a great deal of traffic on this street
12 and the Planning Commission found that it would be adequate to
13 accomodate the increased traffic that would be associated with
14 the proposed use.

15 4. The applicant testified that she has other rental
16 units in the area and that they were always filled. She stated
17 that she receives a number of inquiries regarding rental units
18 even when she is not advertising hers. She submitted written
19 evidence in the form of a Herald and News article which showed
20 that a HUD study completed 5 years earlier had revealed a need
21 for an additional 1000 apartment units, about 600 of the units
22 have been built to date.

23 5. The Planning Commission noted that there is a MHP
24 (Mobile Home Park) approximately 325 feet west of the site and a
25 RD-3000 zone approximately 350 feet east of the site. They found
26 that this is the trend in the area and that the proposed zone
27 change represented the highest, best and most appropriate use
28 for the subject property.

1 Conclusions of Law:

2 1. The property affected by the change of zone is
3 adequate in size and shape to facilitate those uses normally
4 allowed in conjunction with such zoning;

5 2. The property affected by the proposed change of
6 zone is properly related to streets and highways to adequately
7 serve the type of traffic generated by such uses that may be
8 permitted therein;

9 3. The proposed change of zone will have no adverse
10 effect or only limited adverse effect on any property or the
11 permitted uses thereof within the affected area.

12 4. That the proposed change of zone is in keeping
13 with land uses and improvements, trends in land development
14 in the affected area.

15 5. That the proposed change of zone is in keeping
16 with any land use plans duly adopted and does, in effect, rep-
17 resent the highest, best and most appropriate use of the land
18 affected.

19 NOW, THEREFORE, IT IS HEREBY ORDERED that the ap-
20 plication of LUCILE F. KEPNER for a change in zone from
21 RD-10,000 (Residential Single Family) to RD-3,000 (Residential
22 Multiple Family) on real property described as Lot, 12, Pleasant
23 Home Tracts, Klamath County, Oregon, is hereby granted.

24 DONE AND DATED THIS 8th DAY OF November, 1977.
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Lloyd Giff
CHAIRMAN OF THE BOARD

Pete Kuonen
COUNTY COMMISSIONER

Hayden L. Wayne
COUNTY COMMISSIONER

APPROVED AS TO FORM:
Boivin, Boivin & Aspell
County Legal Counsel

By *Franklin J. Wayne*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at ~~xxxxxxx~~

this 14th day of November A. D. 1977 at 8:56 clock A.M. and
duly recorded in Vol. M77 of Deeds on Page 21894

Wm D. MILME, County Clerk

By *Bernetha S. Lettsch*

No Fee

ORDER NO. 77-12
Page 4