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Vol. 77 Page 21894

BOARD OF COUNTY COMMISSIONERS
Klamath County, Oregon

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

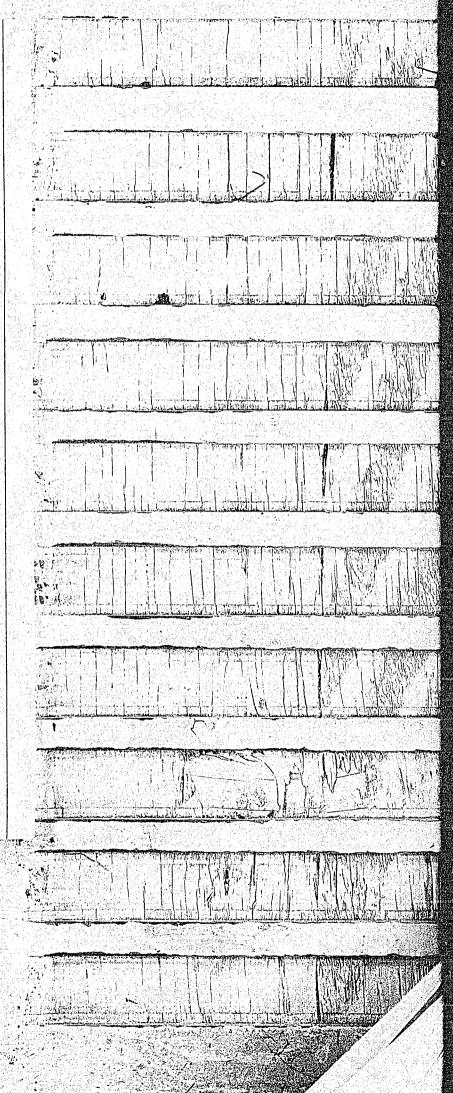
ORDER

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



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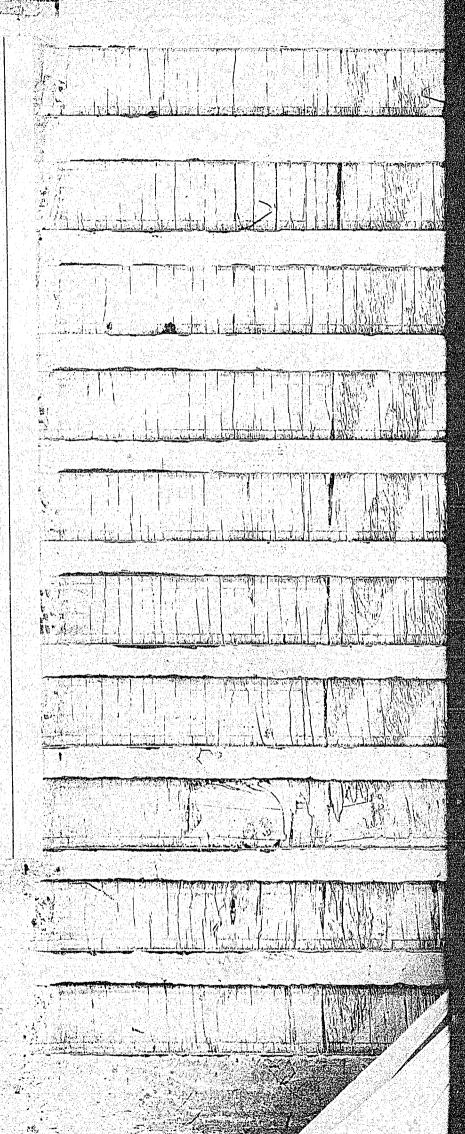
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is generally located at the northwest corner of the intersection of Cottage and Wiard Streets, more particularly described as Lot 12, Pleasant Home Tracts, located in the SE¹/₂ NW¹/₂, Section 2, T39S, R9EWM, Klamath County, Oregon.

- 2. Testimony from the Planning Department staff and the applicant showed that the subject property consisted of approximately 15,500 square feet which would be adequate in size for the proposed four-plex dwelling.
- 3. Access to the site would be off of Cottage Street which is a County paved street and which deadends some 300 feet to the west. There is not a great deal of traffic on this street and the Planning Commission found that it would be adequate to accommodate the increased traffic that would be associated with the proposed use.
- 4. The applicant testified that she has other rental units in the area and that they were always filled. She stated that she receives a number of inquiries regarding rental units even when she is not advertising hers. She submitted written evidence in the form of a Herald and News article which showed that a HUD study completed 5 years earlier had revealed a need for an additional 1000 apartment units, about 600 of the units have been built to date.
- 5. The Planning Commission noted that there is a MHP (Mobile Home Park) approximately 325 feet west of the site and a RD-3000 zone approximately 350 feet east of the site. They found that this is the trend in the area and that the proposed zone change represented the highest, best and most appropriate use for the subject property.

ORDER NO. 77-12 Page 2



Conclusions of Law:

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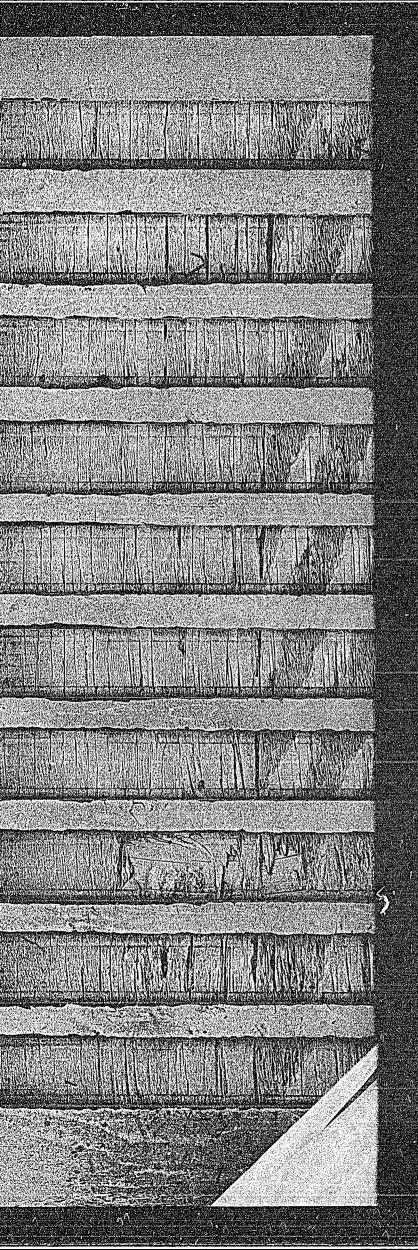
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- The property affected by the change of zone is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning;
- 2. The property affected by the proposed change of zone is properly related to streets and highways 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 or only limited 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 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 LUCILE F. KEPNER for a change in zone from RD-10,000 (Residential Single Family) to RD-3,000 (Residential Multiple Family) on real property described as Lot, 12, Pleasant Home Tracts, Klamath County, Oregon, is hereby granted.

DONE AND DATED THIS 8 DAY OF new (1), 1977.

ORDER NO. 77-12 Page 3



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Conclusions of Law:

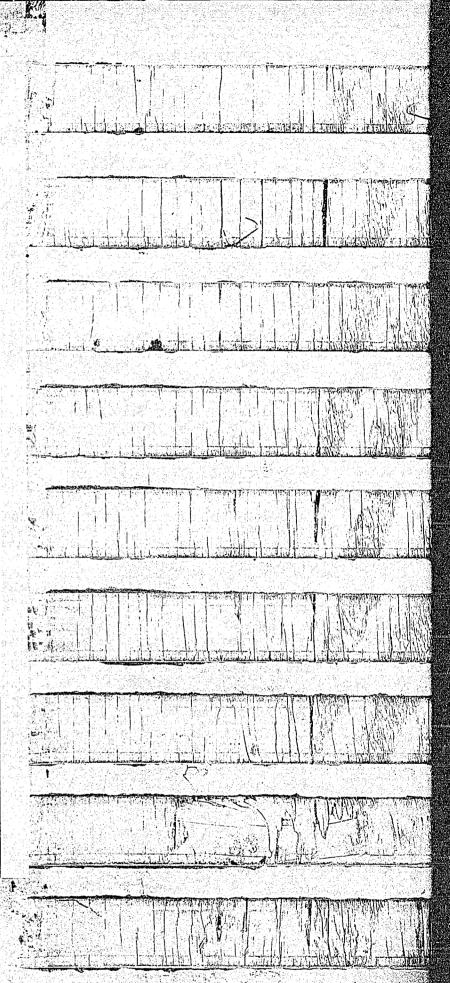
- 1. The property affected by the change of zone is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning;
- 2. The property affected by the proposed change of zone is properly related to streets and highways to adequately serve the type of traffic generated by such uses that may be permitted therein;
- 3. The proposed change of zone will have no adverse effect or only limited 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 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 LUCILE F. KEPNER for a change in zone from RD-10,000 (Residential Single Family) to RD-3,000 (Residential Multiple Family) on real property described as Lot, 12, Pleasant Home Tracts, Klamath County, Oregon, is hereby granted.

DONE AND DATED THIS BODAY OF Morenday, 1977.

ORDER NO. 77-12

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21.857 APPROVED AS TO FORM: Boivin, Boivin & Aspell County Legal Counsel 1300 CK- 1 1/2 1/3 STATE OF OREGON; COUNTY OF KLAMATH; ss. Filed for record or xxxxxxxxx this 14th day of November 6 D 1977 at 8:56 clack AM, and duly recorded in Voi. M77, of Deeds 84 Furnethan Letych No Fee ORDER NO. 77-12 Page 4