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BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER FOR CHANGE)
OF ZONE NO. 76-24, BY)
WADE CRAWFORD)

O R D E R

THIS MATTER having come on for hearing upon the application of Wade Crawford for a Change of Zone No. 76-24, for a change from AF (Agricultural-Forestry) to C-5 (Commercial Highway) zone. A public hearing having been heard by the Klamath County Planning Commission on June 28, 1977, wherefrom 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 to the Board of County Commissioners. Following action by the Planning Commission, a public hearing before the Board of County Commissioners was regularly held on August 22, 1977, wherefrom the testimony, it appeared that the record below was accurate and complete and it appears from the testimony, reports and information produced at the hearing below that the application for a change of zone for certain real property described as a tract of land situated in Section 21, Township 35S, Range 7E.W.M. and being Tax Lot 500 of the County Assessor's map 3507-2100, should be granted.

The Board of County Commissioners makes the following Findings of Fact and Conclusions of Law as required by Ordinance No. 17, the Klamath County Zoning Ordinance.

Findings of Fact:

78 MAY 30 PM 2 29

1 1. On June 28, 1977, before the Planning Commission,
2 the Planning Department Staff pointed out to the Planning
3 Commission from Klamath County Exhibit "C", Assessor's map,
4 that the location of the proposed site was located west of
5 Highway 97 and approximately 500 feet north of the William-
6 son River.

7 2. The Planning Department Staff also indicated
8 this site as being 2.13 acres in size and was a portion of
9 lots No. 7 and 41.

10 3. Testimony indicated to the Planning Commission by
11 the applicant that they had legal access off of Highway 97,
12 which is a paved highway, per access permit No. 6846.

13 4. Testimony before the Planning Commission,
14 indicated that Highway 97 and the existing access could handle
15 the type of traffic that would be generated by the proposed
16 change of zone, that being from Agriculture-Forestry to C-5
17 (Commercial Highway).

18 5. The existing access was that of the same access
19 utilized for the Williamson River Estates Subdivision. This
20 testimony was given to the Planning Commission per a letter
21 from the Highway Department.

22 6. Testimony from applicant on June 28, 1977, before
23 the Planning Commission indicated there was a need for this
24 Zone Change in that:

25 A. There had been an increase in traffic on
26 Highway 97 with no commercial uses in the
27 proposed area, that would take care of the
28 traffic's need.

B. That the proposed uses, such as laundromat and store would be available to people traveling.

7. Goal No. 1 of ECDC pertaining to this zone change in that the Area Committee Chairman testified before the Planning Commission on June 28, 1977, to indicate a need for this proposed zone change.

8. The Planning Department also read into the record before the Planning Commission a letter from the Chiloquin Area Committee, indicating that they approved this proposed zone change, which reflects Goal No. 1 of ECDC.

9. Testimony from applicant indicated to the Planning Commission that there were no other available lots for Commercial use in the immediate area.

Conclusions of Law:

1. The property affected by the proposed 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 any land use plans duly adopted and does, in effect, represent the highest, best and most appropriate use of the land affected.

5. That the proposed change of zone is in keeping with

1 land uses and improvements, trends in land development, density
 2 of land development, and prospective needs for development in
 3 the affected area.

4 NOW, THEREFORE, IT IS HEREBY ORDERED that the
 5 application of Wade Crawford for a change of zone from AF
 6 (Agriculture-Forestry) to C-5 (Commercial Highway) on certain
 7 real property described as a Tract of land situated in Section
 8 21, Township 35S, Range 7E.W.M., Klamath County, Oregon, is
 9 hereby granted.

10 DONE AND DATED THIS 30TH day of MAY
 11 1978.

12
 13 *Nell Kuonen*
 14 Nell Kuonen
 15 Chairman

16 *Floyd L. Wynne*
 17 Floyd Wynne
 18 Commissioners

19 *Lloyd Gift*
 20 Lloyd Gift
 21 Commissioners

22 STATE OF OREGON,)
 23 County of Klamath)
 24 Filed for record at request of

25 *Klamath County*
 26 on this 30th day of May A.D. 19 78
 27 at 2:12 o'clock P M, and duly
 28 recorded in Vol. 478 of Deeds
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Wm D. MILNE, County Clerk
 By *Richard J. Hill* Deputy

26 APPROVED AS TO FORM:
 27 Boivin, Boivin and Aspell

28 By: *Bradford H. Sp*