

## BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER OF APPLICATION)  
FOR COMPREHENSIVE LAND USE )  
PLAN MAP CHANGE FOR ZONE )  
CHANGE NO. 77-13, )  
DAVID W. SEUTTER )

O R D E R

THIS MATTER having come on for hearing upon the application of David W. Seutter for an amendment to the Comprehensive Land Use Plan accompanying Zone Change 77-13, for a change from Urban Density to Multiple Density on the Comprehensive Land Use Plan map. A public hearing having been heard by the Klamath County Planning Commission on August 9, 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 September 26, 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 Comprehensive Land Use Plan for certain real property described as being Lots 14 and 15 of Grace Park, should be granted.

The Board of County Commissioners made the following Findings of Fact and Conclusions of Law as required by Ord-

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1 nance No. 17, the Klamath County Zoning Ordinance.

2 Findings of Fact:

3 1. Testimony from the Klamath County Planning Staff  
4 on August 9, 1977, pointed out to the Planning Commission  
5 that the proposed site for the C.L.U.P. change from Urban  
6 Density to Multiple Density located on the south side of  
7 Marius Drive and approximately 100 feet east of Madison Street  
8 and approximately 120 feet north of Onyx Street.

9 2. The Planning Department Staff also pointed out  
10 to the Planning Commission August 9, 1977, that the site was  
11 also Lots 14 and 15 of Grace Park Subdivision, in the NW¼ of  
12 Section 12, Township 39S, Range 9E.W.M. of Klamath County,  
13 Oregon.

14 3. It was pointed out that the proposed site which  
15 is two (2) lots, approximately 27,964 square feet in area.

16 4. On August 9, 1977, testimony from applicant,  
17 per his plot plan, which was marked Applicant Exhibit's No. 1,  
18 indicated to the Planning Commission that applicant would  
19 have access onto Marius Drive.

20 5. It was pointed out by the applicant, being  
21 Mr. David Seutter, that Marius Drive was a gravelled County  
22 road and that it was capable of carrying the quantity of traffic  
23 that would be generated by the proposed use, that being for  
24 multiple use.

25 6. Testimony from applicant on August 9, 1977, that  
26 there were other multiple uses in the immediate area. Those  
27 multiple uses that were in the immediate area were to the north  
28 and across Marius Drive of the subject site and also immediately

1 adjacent to the property on the east side.

2 7. On August 9, 1977, the Planning Commission heard  
3 testimony from the applicant that this proposed C.L.U.P. change  
4 to Multiple Density would have only limited adverse effect as  
5 there were other multiple uses in the area.

6 8. Testimony from applicant, on August 9, 1977, in-  
7 dicated to the Planning Commission that there was a definite  
8 need for this C.L.U.P. change. The applicant produced a letter  
9 from the Klamath Housing Authority which was marked applicant's  
10 Exhibit No. 3, which indicated that there would be a need for  
11 1000 units by the end of 1977.

12 9. Goal No. 1 of LCDC which pertains to Citizen  
13 Involvement, states that this goal is to insure the opportunity  
14 for citizens to be involved in the Planning Process; therefore  
15 other citizens did testify at this particular C.L.U.P. change  
16 hearing indicating a need for this change.

17 10. Goal 9 of LCDC also pertains to this C.L.U.P. change  
18 in that this change allows the economy of the County to be  
19 improved by involving building and development to take place,  
20 meaning this involves the labor market.

21 11. Goal 10 of LCDC also pertains to this C.L.U.P.  
22 change from Urban Density to Multiple Density in that this  
23 change allows an availability for rentals that were not readily  
24 available before.

25 12. Goal 14 of LCDC also pertains to this C.L.U.P.  
26 change in that, the location of such change appears to be within  
27 the urban growth boundaries.

28 Conclusions of Law:

1           1. The property affected by the Comprehensive Land  
2 Use Plan change is adequate in size and shape to facilitate  
3 those uses normally allowed in conjunction with such zoning.

4           2. The property affected by the proposed Comprehensive  
5 Land Use Plan change is properly related to streets and high-  
6 ways to adequately serve the type of traffic generated by such  
7 uses that may be permitted therein.

8           3. The proposed Comprehensive Land Use Plan change  
9 will have no adverse effect or only limited adverse effect  
10 on any property or the permitted uses thereof within the  
11 affected area.

12           4. That the proposed Comprehensive Land Use Plan  
13 change is in keeping with land uses and improvements, trends  
14 in land development, and prospective needs for development  
15 in the affected area.

16           5. That the proposed Comprehensive Land Use Plan  
17 change is in keeping with any land use plans duly adopted and  
18 does, in effect, represent the highest, best and most appropriate  
19 use of the land affected.

20           NOW, THEREFORE, IT IS HEREBY ORDERED that the  
21 application for Comprehensive Land Use Plan map change for  
22 David W. Seutter from Urban Density to Multiple Density on  
23 certain real property described as lots 14 and 15 of Grace  
24 Park and located in Township 39, Range 95 W. M., Section 12,  
25 is hereby granted.



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DONE AND DATED THIS 30TH day of MAY

1978.

*Nell Kuonen*  
Nell Kuonen  
Chairman

*Floyd Wynne*  
Floyd Wynne  
Commissioner

*Lloyd Giff*  
Lloyd Giff  
Commissioner

APPROVED AS TO FORM:  
Boivin, Boivin and Aspell

By: *Boivin*

*Commissioners Journal*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of *Klamath County*

this 30th day of May A. D. 1978. at 2:28 clock P.M., and

July recorded in Vol. 178 of Deeds on Page 1378

Wm D. MILNE, County Clerk

*Bernice H. Deloach*

Notar