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BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER OF APPLICATION)
FOR COMPREHENSIVE LAND USE)
PLAN MAP CHANGE FOR ZONE)
CHANGE NO. 77-21, VERNON)
HADDELAND)

O R D E R

THIS MATTER having come on for hearing upon the application of Vernon Haddeland for an amendment to the Comprehensive Land Use Plan accompanying Zone Change 77-21, for a change from Suburban Density to Urban Density on the Comprehensive Land Use Plan map. A public hearing having been heard by the Klamath County Planning Commission on September 27, 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 January 16, 1978, 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 Tax Lot 2400, located approximately 122 feet west of the southwest corner of Laverne Avenue and Bisbee Street, and more particularly described as being located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 39S, Range 9E.W.M.,

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1 Klamath County, Oregon, should be granted.

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

5 Findings of Fact:

6 1. On September 27, 1977, before the Planning Commission
7 the Planning Department Staff pointed out to the Planning
8 Commission the the proposed site for the Comprehensive Land
9 Use Plan change was located approximately 122 feet west of the
10 southwest corner of Laverne Avenue and Bisbee Street.

11 2. The Planning Department Staff indicated to the
12 Planning Commission that the proposed site for change of
13 Comprehensive Land Use Plan was approximately 23,580 square
14 feet in size and is rectangular in shape, and flat topo wise.

15 3. Testimony by the Applicant as well as a Plot Plan,
16 marked Applicant's Exhibit No. 1, indicated to the Planning
17 Commission that by approving the Comprehensive Land Use Plan
18 change, this would allow lot of 23,580 square feet to be changed
19 to two (2) lots and 11,790 square feet each in size.

20 4. Testimony on September 27, 1977, indicated that the
21 proposed change of Comprehensive Land Use Plan from Suburban
22 Density to Urban Density is in keeping with land use trends in
23 the surrounding area, in that there are several single family
24 dwellings in the area and also smaller lots.

25 5. Klamath County Exhibit "C", the Assessor's map,
26 indicated to the Planning Commission on September 27, 1977,
27 that there were smaller lots to the north across Laverne Street
28 and east across Bisbee Street, indicating this appeared to be

1 the trend.

2 6. The Applicant testified about need in that, he as
3 a Landlord, has had several calls for a parcel of land they
4 could build on, especially parcels in the 11,000 to 10,000 square
5 foot size.

6 7. The Applicant also testified if he were to build
7 on the lot for change of Comprehensive Land Use Plan, he could
8 also rent out the house, as he has had several calls in response
9 to rental ads in the newspaper.

10 8. Testimony from the Applicant indicated to the
11 Planning Commission, that this proposed change in the Compre-
12 hensive Land Use Plan would not have an adverse effect on
13 abutting properties in that the area is that of single family
14 dwellings and mobile homes.

15 9. Testimony before the Planning Commission on September
16 27, 1977, indicated this proposed change in the Comprehensive
17 Land Use Plan, Suburban Density to Urban Density is a more
18 appropriate use of the land in that single family dwellings and
19 mobile homes are the principle users of the land and not the
20 keeping of horses, cows and sheep.

21 10. Goal No. 1 of L.C.D.C. pertains to this Comprehen-
22 sive Land Use Plan change in that people were notified of this
23 Comprehensive Land Use Plan change and had the opportunity to
24 testify at the Planning Commission hearing.

25 11. Goal 10 of L.C.D.C. pertains to this Comprehensive
26 Land Use Plan change in that the Applicant would be providing a
27 housing need for citizens in the urban area.

28 12. Goal 14 of L.C.D.C. pertains to this Comprehensive

1 Land Use Plan in that the location of such change of the property
2 appears to be within any Urban Growth Boundaries.

3 Conclusions of Law:

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

7 2. The property affected by the proposed Comprehensive
8 Land Use Plan change is properly related to streets and highways
9 to adequately serve the type of traffic generated by such uses
10 that may be permitted therein.

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

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

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

23 NOW, THEREFORE, IT IS HEREBY ORDERED that the
24 application for Comprehensive Land Use Plan map change for
25 Vernon Haddeland from Suburban Density to Urban Density on
26 certain real property described as Tax Lot 2400 and located in
27 the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 39S, Range 9E.W.M., Klamath
28 County, Oregon, is hereby granted.

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DONE AND DATED THIS 30TH day of MAY, 1978.

Nell Kuonen
Nell Kuonen
Chairman

Floyd L. Wynne
Floyd Wynne
Commissioner

Lloyd Giff
Lloyd Giff
Commissioner

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County
this 30th day of May A.D. 1978 at 2:29 o'clock P.M., and
 duly recorded in Vol. M78, of Books on Page 11383
By W. D. MILNE, County Clerk

No Fee

Commissioners Journal

APPROVED AS TO FORM:
Boivin, Boivin and Aspell
By: *Boivin*
County Legal Counsel