

49160

BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER FOR CHANGE)
OF ZONE NO. 77-19, BY)
BURTON E. GRAY)

O R D E R

THIS MATTER having come on for hearing upon the application of Burton E. Gray for a change of zone No. 77-19, for a change from RA (Residential-Agricultural) to RD 3,000 (Residential Multiple Family). A public hearing having been heard by the Klamath County Planning Commission on August 23, 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 zone for certain real property described as a portion of land situated in the South 1/4 of Lot 3, Section 3, Township 39S, Range 9E.W.M., Klamath County, Oregon, 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:

72 NOV 30 PM 2 39

1 1. On August 23, 1977, before the Planning Commission,
2 the Planning Department Staff pointed out that the parcel for
3 change of zone was located on the East side of Arthur Street
4 and approximately 175 feet North of Alva and approximately 354
5 feet South of Shasta Way.

6 2. It was pointed out that the parcel for change of
7 zone is 21,780 square feet in size and rectangular in shape,
8 this was pointed out from Klamath County Exhibit "C", the
9 Assessor's map.

10 3. Applicant's Plot Plan indicated that the Applicant
11 could develop the lot for multiple uses, that being three (3)
12 duplexes, and meet all property development standards under
13 Article 51, the RD 3,000 (Residential Multiple Family) zone of
14 Ordinance No. 17.

15 4. Applicant testified that Arthur Street is a paved
16 county road and can carry the quantity of traffic that would be
17 produced by the change of zone on the Applicant's parcel.

18 5. Applicant's Plot Plan, which was marked, Applicant's
19 Exhibit No. 3, indicated that his access would be onto Arthur
20 Street as well as via a 20 foot private lane which connects to
21 Alva Street.

22 6. Testimony from the Staff, indicated that in the
23 surrounding area were some single family dwellings, but to the
24 South and West of Arthur Street the trend appeared to be towards
25 that of multiple uses.

26 7. A letter from the Klamath Housing Authority dated
27 July 12, 1977, marked Applicant's Exhibit No. 4 indicated to
28 the Planning Commission that there was definitely a need for

1 this type of housing, that being duplexes.

2 8. On August 23, 1977, the Planning Commission did
3 not receive any testimony in opposition of this Comprehensive
4 Land Use Plan change.

5 9. Goal No. 1 of L.C.D.C. pertains to the zone change
6 in that citizens were notified of the hearing and had the
7 opportunity to testify.

8 10. Goal No. 9, the Economy of the State, pertains
9 to this zone change in that this change will provide for
10 development in the area and increase labor.

11 11. Goal No. 10 of the L.C.D.C. goals pertains to
12 this zone change in that this change provides for housing needs
13 and rentals at price ranges that would be compatible to other
14 multiple uses.

15 12. Goal 14 of L.C.D.C. pertains to the zone change
16 in that this use is within a proposed Urban Growth Boundary
17 Line.

18 Conclusions of Law:

19 1. The property affected by the change of zone is
20 adequate in size and shape to facilitate those uses normally
21 allowed in conjunction with such zoning.

22 2. The property affected by the proposed change of
23 zone is properly related to streets and highways to adequately
24 serve the type of traffic generated by such uses that may be
25 permitted therein.

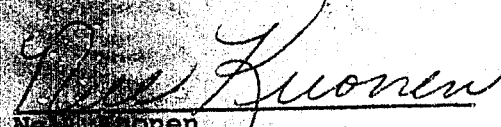
26 3. The proposed change of zone will have no adverse
27 effect or only limited adverse effect on any property or the
28 permitted uses thereof within the affected area.

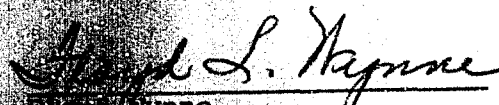
1 4. That the proposed change of zone is in keeping
 2 with land uses and improvements, trends in land development,
 3 density of land development, and prospective needs for develop-
 4 ment in the affected area.


5 5. That the proposed change of zone is in keeping
 6 with any land use plans duly adopted and does, in effect,
 7 represent the highest, best and most appropriate use of the
 8 land affected.

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the
 10 application of Burton E. Gray for a change of zone from
 11 RA (Residential-Agricultural) to RD 3,000 (Residential Multiple
 12 Family) on real property described as a portion of land situated
 13 in the South $\frac{1}{2}$ of Lot 3 of Home Acres of Section 3, Township
 14 39S, Range 9E.W.M., Klamath County, Oregon, is hereby granted.

15 DONE AND DATED THIS 30th day of May, 1978.

16 
 17 Neil Kuonen
 18 Chairman

19 
 20 David L. Wynne
 21 Commissioner

22 
 23 David Giff
 24 Commissioner


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

27 By: 
 28

ORDER NO. 77-19
 STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within Instrument was received and filed for record on the 30th day of
May A.D., 19 78 at 2:39 o'clock P. M., and duly recorded in Vol. N78
 of Deeds on Page 11393.

FEE None

WM. D. MILNE, County Clerk
 By:  Deputy