

BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER OF APPLICATION)
FOR COMPREHENSIVE LAND USE)
PLAN MAP CHANGE FOR ZONE)
CHANGE NO. 77-19, BURTON E.)
GRAY)

O R D E R

THIS MATTER having come on for hearing upon the application of Burton E. Gray for an amendment to the Comprehensive Land Use Plan accompanying Zone Change 77-19, 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 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 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 a portion of land being in the South 1/4 of Lot 3, Section 3, Township 39S, Range 9E.W.M., Klamath County, Oregon, generally located on the East side of Arthur Street, approximately 175 feet North of Alva Street, should be granted.

The Board of County Commissioners makes the following

78 MAY 30 PM 2 39

1 Finding of Fact and Conclusions of Law as required by Ordinance
2 No. 17, the Klamath County Zoning Ordinance.

3 Findings of Fact:

4 1. On August 23, 1977, before the Planning Commission,
5 the Planning Department Staff pointed out, the subject parcel
6 for change in the Comprehensive Land Use Plan was located on
7 the East side of Arthur Street and approximately 175 feet North
8 of Alva Street and approximately 354 feet South of Shasta Way.

9 2. The Planning Department Staff also pointed out
10 to the Planning Commission on August 23, 1977, that the parcel
11 is approximately 21,780 square feet in size and is rectangular
12 in shape.

13 3. Applicant produced a plot plan on August 23, 1977
14 before the Planning Commission, with the plot plan indicating
15 Applicant's access as being from Arthur Street as well as a
16 20 foot width private lane which connects to Alva Street.

17 4. Testimony indicated that the proposed site related
18 to streets in that, parcel for Comprehensive Land Use Plan change
19 butted up against Arthur Street on the East side of Arthur
20 Street and that Arthur Street was paved and could carry the
21 quantity of traffic that would be produced by change in the
22 Comprehensive Land Use Plan.

23 5. Testimony from Applicant, pointed out to the
24 Planning Commission that the lot was basically a flat lot
25 and the vegetation was that of weeds. Landscaping would be
26 of shrubs to improve the site.

27 6. Applicant's Plot Plan which was marked Applicant's
28 Exhibit No. 3, indicated to the Planning Commission that the

1 Applicant could place three duplexes on subject parcel,
2 meaning Applicant could meet the setbacks of the Multiple
3 Residential Use.

4 7. Applicant's Exhibit No. 3, the Plot Plan, also
5 indicated, Applicant could meet the required parking spaces as
6 required by the Section 109.005 of Ordinance. No. 17.

7 8. Testimony about trends in area, indicated to the
8 Planning Commission, that there are multiple uses in the area
9 especially to the West of Arthur Street and South of proposed
10 site.

11 9. A letter from the Klamath Housing Authority dated
12 July 12, 1977, marked Applicant's Exhibit No. 4 indicated to
13 the Planning Commission that there was definitely a need for
14 this type of housing, that being duplexes.

15 10. Testimony from Applicant indicated to the Planning
16 Commission that this change in the Comprehensive Land Use Plan
17 represented the best and most appropriate use in the land in
18 that the change would allow improvements and development on site.

19 11. On August 23, 1977, the Planning Commission did
20 not receive any testimony in opposition of this Comprehensive
21 Land Use Plan change.

22 12. Goal No. 1 of L.C.D.C. pertains to this Compre-
23 hensive Land Use Plan change in that citizens were notified of
24 hearing and had the opportunity to testify.

25 13. Goal No. 9, the Economy of the State, pertains
26 to this Comprehensive Land Use Plan change in that this change
27 will provide for development in the area and increase labor.

28 14. Goal No. 10 of the L.C.D.C. goals pertains to this

1 Comprehensive Land Use Plan change in that this change provides
2 for housing needs and rentals at price ranges that would be
3 compatible to other multiple uses.

4 15. Goal 14 of L.C.D.C. pertains to the change in the
5 Comprehensive Land Use Plan in that this use is within a proposed
6 Urban Growth Boundary Line.

7 Conclusions of Law:

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

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

15 3. The proposed Comprehensive Land Use Plan change
16 will have no adverse effect or only limited adverse effect on
17 any property or the permitted uses thereof within the affected
18 area.

19 4. That the proposed Comprehensive Land Use Plan change
20 is in keeping with land uses and improvements, trends in land
21 development, and prospective needs for development in the affect-
22 ed area.

23 5. That the proposed Comprehensive Land Use Plan
24 change is in keeping with any land use plans duly adopted and
25 does, in effect, represent the highest, best and most appropriate
26 use of the land affected.

27 NOW, THEREFORE, IT IS HEREBY ORDERED that the
28 application for Comprehensive Land Use Plan map change for

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1 Burton E. Gray from Urban Density to Multiple Density on certain
2 real property described as a portion of land situated in the
3 South $\frac{1}{2}$ of Lot 3 of Home Acres of Section 3, Township 39S,
4 Range 9E.W.M., Klamath County, Oregon, is hereby granted.

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

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8 Nell Kuonen
Chairman

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10 Frank L. Wayne
Commissioner

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12 Lloyd Giff
Commissioner

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STATE OF OREGON
County of Klamath
Filed for record at request of

Klamath County
on this 30th day of May A.D. 19 78
at 2:39 o'clock P. M. and duly
recorded in Vol. 1175 of Deeds
Page 11397

Wm D. Miller County Clerk

By Bernard R. Rode Deputy

Fee None

APPROVED AS TO FORM:
Bolvin, Bolvin and Aspell

By: [Signature]
County Legal Counsel