

BOARD OF COUNTY COMMISSIONERS

Klamath Falls, Oregon

IN THE MATTER FOR)
CHANGE OF ZONE NO.)
77-15, BY:)
BILL BAILEY)

O R D E R

THIS MATTER having come on for hearing upon the application of Bill Bailey for a change of zone No. 77-15, for a change from RA (Residential-Agricultural) to M-2 (Medium Manufacturing). 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 zone for certain real property described as being 1 3/4 acres in size and more particularly described as lot 16 of Ewauna Park, 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.

1 Findings of Fact:

2 1. On August 9, 1977, before the Planning Commission,
3 Staff from the Planning Department pointed out to the Planning
4 Commission from Klamath County Exhibit "C", that the proposed
5 site for a change of zone was Lot 16 of Ewauna Park Subdivision.

6 2. The Applicant also pointed out to the Planning
7 Commission that the proposed site for change of zone from RA
8 (Residential-Agricultural) to M-2 (Medium Manufacturing), was
9 approximately 3 3/4 acres in size and was located on the South-
10 east corner of Laverne Street and Midland Highway.

11 3. Testimony from Applicant, indicated to the Planning
12 Commission on August 9, 1977, that he had access from Laverne
13 Street as well as Old Midland Highway.

14 4. Testimony from Applicant indicated to the Planning
15 Commission that the proposed site for change of zone from RA
16 (Residential-Agricultural) to M-2 (Medium Manufacturing) was
17 not suitable for residential or for agriculture uses, as the
18 land itself was made up of rock and therefore could not be
19 farmed.

20 5. Testimony indicated to the Planning Commission
21 on August 9, 1977, site was 3 3/4 acres in size and therefore
22 could accomodate the proposed use under the M-2 (Medium Manu-
23 facturing) zone.

24 6. The Applicant, being Mr. Bailey, testified that
25 he had been paying taxes on proposed property at a commercial
26 rate since 1960 and therefore understood property to be of
27 commercial value.

28 7. Testimony from Planning Department Staff and also

1 the Applicant pointed out to the Planning Commission that to
2 the North and across Laverne Street that the land was zoned
3 M-2 (Medium Manufacturing). Land to the East and abutting
4 site, was zoned M-3 (Heavy Manufacturing). Land to the West
5 of proposed site and across the Southern Pacific Railroad
6 was zoned M-3 (Heavy Manufacturing).

7
8 8. Testimony indicated to the Planning Commission,
9 that with all the manufacturing zones in the surrounding area
10 that this proposed change of zone would have no adverse affect
11 on adjoining properties.

12 9. Testimony from Applicant indicated to the Planning
13 Commission on August 9, 1977, that the proposed use was for
14 manufacturing roof trusses and that the Applicant did have a
15 buyer for the property.

16 10. Goal 1 of L.C.D.C. pertains to this zone change
17 in that the Midland Area Committee felt that the proposed site
18 was a good area for manufacturing uses.

19 11. Goal 9 of L.C.D.C. pertains to this zone change
20 in that this change of zone would contribute to the economy of
21 the County and also allow the appropriate labor and materials
22 to be a part of the economy of the County.

23 12. Goal 14 pertains to this change of zone in that
24 this proposed use, that being building of trusses would allow
25 growth of houses withing the Urban Area.

26 Conclusions of Law:

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

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

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

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

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

16 NOW, THEREFORE, IT IS HEREBY ORDERED that the
17 application of Bill Bailey for a change of zone from RA
18 (Residential-Agricultural) to M-2 (Medium Manufacturing) on
19 real property described as Lot 16 and being 3 3/4 acres in
20 size of Ewauna Park, should be granted.

21 DONE AND DATED THIS 30th day of May, 1978

22
23 Nell Kuonen
24 Nell Kuonen
Chairman

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

27 By: Robert L. Linn
County Legal Counsel

28 Floyd L. Wynne
Floyd Wynne
Commissioner

Lloyd Gift
Lloyd Gift
Commissioner

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 31st day of
May A.D., 19 78 at 8:59 o'clock A M., and duly recorded in Vol. N78
of Deeds on Page 11467.

FEE None

WM. D. MILNE, County Clerk

By: Donna D. Shelach Deputy