

BOARD OF COUNTY COMMISSIONERS

Klamath County, Oregon

IN THE MATTER OF APPLICATION)
FOR C.L.U.P. MAP CHANGE FOR)
ZONE CHANGE No. 78-9, HOY D.)
JOHNSON)

O R D E R

THIS MATTER having come on for hearing upon the application of Hoy D. Johnson for an amendment to the Comprehensive Land Use Plan Map change accompanying Zone Change No. 78-9, 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 April 25, 1978, 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 to the Board of County Commissioners approval, following action by the Planning Commission. A public hearing before the Board of County Commissioners was regularly held on May 17, 1978, wherefrom the testimony, reports and information produced, it appeared the record below was accurate and complete on the application for a change in the Comprehensive Land Use Plan for certain real property described as a parcel of land approximately .96 acres in size and located on the north side of Beverly Drive, and more particularly described as Tax Lot 1000, Section 34, Township 36S, Range 9 E.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.

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1 FINDINGS OF FACT:

2 1. Testimony on April 25, 1978, indicated to the Planning
3 Commission that site was approximately .96 acres in size and was
4 located on the north side of Beverly Drive, with proposed site
5 being Tax Lot 1000.

6 2. On April 25, 1978, that within the surrounding area there
7 were mixed housing, such as single-family dwellings and mobile
8 homes.

9 3. It was pointed out to the Planning Commission that there
10 were other urban density uses to the north and west of which abutt
11 the proposed site.

12 4. It was pointed out by the applicant to the Planning
13 Commission that public facilities were available, such as water
14 which would be by a private line. Individual septic tanks will be
15 utilized for the septic system.

16 5. On April 25, 1978, before the Planning Commission testi-
17 mony was provided to indicate that access would be off of Beverly
18 Drive which is a paved County Road of which road appears to be
19 able to carry the kind of traffic that would be generated by the
20 proposed use.

21 6. L.C.D.C. Goal No. 1 was addressed in that the North
22 Suburban Area Committee approved proposed Comprehensive Land Use
23 Plan change.

24 7. L.C.D.C. Goal No. 10, Housing Goal, was addressed in
25 that, this particular Comprehensive Land Use Plan change would
26 allow more lots for the availability of housing.

27 CONCLUSIONS OF LAW:

28 1. The property affected by the Comprehensive Land Use Plan

1 change is adequate in size and shape to facilitate those uses
2 normally allowed in conjunction with such zoning.

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

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

10 4. That the proposed Comprehensive Land Use Plan change
11 is in keeping with any land use plans duly adopted and does, in
12 effect, represent the highest, best and most appropriate uses of
13 the land affected.

14 5. That the proposed Comprehensive Land Use Plan change is
15 in keeping with land uses and improvements, trends in land develop-
16 ment, density of land development, and prospective needs for
17 development in the affected area.

18 NOW, THEREFORE, IT IS HEREBY ORDERED that the application for
19 Comprehensive Land Use Plan Map change for Hoy D. Johnson from
20 Suburban Density to Urban Density on certain real property describ-
21 ed as Tax Lot 1000, Section 34, Township 38S, Range 9 E.W.M.,
22 Klamath County, Oregon, is hereby granted.

23 DONE AND DATED THIS 11th day of August, 1978.

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Neil Kuonen
Chairman

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Floyd Wynne
Floyd Wynne
Commissioner

Lloyd Gift
Lloyd Gift
Commissioner

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10 APPROVED AS TO FORM:

11 *Robert L. Bolvin*
12 Bolvin, Bolvin & Aspell
13 County Legal Counsel

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15 STATE OF OREGON; COUNTY OF KLAMATH; ss.

16 for record at request of Klamath County
17 this 1st day of September A. D. 1978 at 9:34 o'clock A. M., and
18 duly recorded in Vol. 578 of Deeds on Page 19711

19 W. D. MILNE, County Clerk

By *Ernest A. Heloch*

20 *Commissioner Journal*

No Fee