

54572

BEFORE THE BOARD OF COUNTY COMMISSIONERS
Klamath County, Oregon

IN THE MATTER OF APPLICATION
FOR CHANGE OF ZONE No. 77-32,
Babe Heidenreich

C R D E R

THIS MATTER having come on for hearing upon the application of Babe Heidenreich for a Change of Zone No. 77-32, for a change from RA (Residential-Agricultural) to C-5 (Commercial Highway) Zone and where a public hearing having been heard by the Klamath County Planning Commission on January 24, 1978, wherefrom the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning Department Staff and other persons in attendance, the Planning Commission recommended approval of the application. Following action by the Planning Commission, a public hearing before the Board of County Commissioners was regularly held on March 7, 1978, wherefrom the testimony, reports and information produced at the hearing below that the record appeared accurate and complete and that the application for Change of Zone for certain real property described as Lot 29, Township 36S., Range 12 E.W.M., Section 14, Tax Lot 1500 and generally located north of the Lakeview Highway and east of Godowa Springs Road, 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:

1. The testimony produced at the hearing indicated to the

1 Planning Commission that the subject site was located in Beatty,
2 Oregon and also located north of Klamath Falls-Lakeview Highway
3 and east of Godown Springs Road.

4 2. Testimony also indicated to the Planning Commission that
5 the parcel of land for Change of Zone from RA (Residential-Agri-
6 cultural) to C-5 (Commercial Highway) Zone was approximately
7 58,410 square feet in size and rectangular in shape.

8 3. Applicant testified that proposed site was a corner lot
9 and that access would be off State Highway 140 as well as a County
10 road being Godown Springs Road.

11 4. Testimony indicated that the two roads for access, one
12 being the Klamath Falls-Lakeview Highway and the other Godown
13 Springs Road were paved and therefore could carry the kind
14 of traffic that would be generated by said uses.

15 5. Applicant pointed out the Commercial activities in the
16 surrounding area and with those uses being a Grocery Store,
17 Tavern, Service Station. This showed that the trend was towards
18 Commercial activities.

19 6. Testimony produced at the hearing before the Planning
20 Commission indicated that the existing Post Office is in Beatty,
21 Oregon and had only 102 boxes and that the approximate population
22 was 350 and that there was a waiting list and therefore indicated
23 a need for such change in Zone.

24 7. Planning Commission received a letter from the Area
25 Committee indicating that they did not object to the change
26 and therefore LCDC Goal No. 1, Citizen Involvement was met.

27 8. With improvements to the Commercial area in Beatty,
28 Oregon, this met Goal No. 9 of LCDC which is to generate employ-

1 ment and to improve the economy of the State.

2 9. Testimony produced at the hearing, indicated that by
3 providing an area for postal services, this would pertain to
4 Goal No. 11, in that this allows development of public facilities
5 that appears to be needed in the Beatty, Oregon area.

6 CONCLUSIONS OF LAW:

7 1. The property affected by the Change of Zone is adequate
8 in size and shape to facilitate those uses normally allowed in
9 conjunction with such zoning.

10 2. The property affected by the proposed Change of Zone is
11 properly related to streets and highways to adequately serve the
12 type of traffic generated by such uses that may be permitted
13 therein.

14 3. The proposed Change of Zone will have no adverse effect
15 or only limited adverse effect on any property or the permitted
16 uses thereof within the affected area.

17 4. That the proposed Change of Zone is in keeping with any
18 land use plans duly adopted and does, in effect, represent the
19 highest, best and most appropriate uses of the land affected.

20 5. That the proposed Change of Zone is in keeping with
21 land uses and improvements, trends in land development, density
22 of land development, and prospective needs for development in
23 the affected area.

24 NOW, THEREFORE IT IS HEREBY ORDERED that the application
25 of Babe Heidenreich for a Change of Zone from RA (Residential-
26 Agricultural) to C-5 (Commercial Highway) Zone on real property
27 described as Lot 29, Township 36S, Range 12 E.W.M., Section 14,
28 Tax Lot 1500 of Beatty, Oregon is hereby granted.

19734

DONE AND DATED THIS 31st day of August, 1978.

Nell Kuonen

Nell Kuonen
Chairman

Floyd L Wynne

Floyd Wynne
Commissioner

Lloyd Gift

Lloyd Gift
Commissioner

APPROVED AS TO FORM:
Boivin, Boivin and Aspell

BY: *Robert L. Boivin*
County Legal Counsel

ORDER No. 77-12

STATE OF OREGON, COUNTY OF KLAMATH, ss.

I hereby certify that the within instrument was received and filed for record on the 2th day of September A.D. 1978 at 9:34 o'clock P.M., and duly recorded in Vol. 878 of Deeds on Page 19711.

FEE \$None

WM. D. MILNE, County Clerk

By *Barbara Whitlock*

Deputy