

1 BOARD OF COUNTY COMMISSIONERS

2 KLAMATH COUNTY, OREGON

3 IN THE MATTER OF THE APPLICATION)
4 FOR COMPREHENSIVE LAND USE PLAN)
5 CHANGE AND ZONE CHANGE 76-5 BY)
6 RICHARD T. KROPP FOR ALDO BALDUCCI)

7 THIS MATTER having come on for hearing upon the applica-
8 tion of Aldo Balducci for a Comprehensive Land Use Plan change
9 from Forestry to Commercial General and a Zone Change from F
10 (Forestry) to C-5 (Commercial Highway), by the Klamath County
11 Planning Commission, on real property described as Township 24,
12 Range 7, N $\frac{1}{2}$ SW $\frac{1}{2}$ of Section 17, being Tax Lot 200. Public hearings
13 having been heard by the Klamath County Planning Commission on
14 May 13, 1976, wherefrom the testimony, reports and information
15 produced at the hearing by the applicant, members of the Planning
16 Department Staff and other persons in attendance, the Planning
17 Commission recommended approval to the Board of County Commis-
18 sioners. Following action by the Planning Commission, a public
19 hearing before the Board of County Commissioners was regularly
20 held on June 22, 1976, wherefrom the testimony at said hearing
21 it appeared that the record below was accurate and complete and
22 it appears from the testimony, reports and exhibits introduced at
23 the hearing before the Planning Commission that the application
24 for a change of Comprehensive Land Use Plan and Zone Change for
25 the subject property should be granted.

26 The Board of County Commissioners makes the following
27 Findings of Fact and Conclusions of Law as required by Ordinance
28 No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN
CHANGE:

1 1. The Board of Commissioners found site for Compre-
2 hensive Land Use Plan, per record, was approximately two acres
3 in size and appeared to be adequate in both size and shape.

4 2. The Board of Commissioners found that Applicant had
5 an existing access to adjacent lot which would allow access to
6 proposed site.

7 3. The Board of Commissioners found that there was
8 existing commercial uses adjacent to proposed site and therefore
9 proposed Comprehensive Land Use Plan for a motel unit would have
10 no adverse effect on abutting properties.

11 4. The Board of Commissioners found, per record, that
12 surrounding property owners had been contacted and that the
13 Applicant had also contacted several people in the area and they
14 had no objections to his proposal, thus addressing LCDC Goal No.
15 1, Citizen Involvement.

16 5. The Board of Commissioners found site for proposed
17 Comprehensive Land Use Plan change, that existing timber on land
18 would not be considered a potential commercial-type use of land,
19 thus addressing LCDC Goal No. 4, Forest Lands.

20 6. The Board of Commissioners found site had water
21 available with enough to support the proposed 16 unit motel,
22 thus addressing LCDC Goal No. 6, Air, Water, Land Resource Quality.

23 7. The Board of Commissioners found site for change
24 in Comprehensive Land Use Plan would not be subject to natural
25 disasters and hazards, thus addressing LCDC Goal No. 7, Area Sub-
26 ject to Natural Disasters and Hazards.

27 8. The Board of Commissioners found that with pro-
28 posed use, that being a motel, would affect the economy of the

1 local area, thus addressing LCDC Goal No. 9, Economy of the State.

2 9. The Board of Commissioners found site had electri-
3 city to the site as well as telephone service, thus addressing
4 LCDC Goal No. 11, Public Facilities.

5 10. The Board of Commissioners found that State High-
6 way 58 allowed traffic to and from the site, thus addressing
7 LCDC Goal No. 12, Transportation.

8 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
9 CHANGE:

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

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

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

20 4. That the proposed change of Comprehensive Land Use
21 Plan is in keeping with land uses and improvements, trends in land
22 development, density of land development and prospective needs for
23 development in the affected area.

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

28 FINDINGS OF FACT FOR ZONE CHANGE:

1 1. The Board of Commissioners found site for change
2 of zone, per record, was approximately two acres in size and ap-
3 peared to be adequate in both size and shape.

4 2. The Board of Commissioners found that Applicant had
5 an existing access to adjacent lot which would allow access to
6 proposed site.

7 3. The Board of Commissioners found that there was
8 existing commercial uses adjacent to proposed site and therefore
9 proposed change of zone for a motel unit would have no adverse ef-
10 fect on abutting properties.

11 4. The Board of Commissioners found, per record, that
12 surrounding property owners had been contacted and that the
13 Applicant had also contacted several people in the area and they
14 had no objections to his proposal, thus addressing LCDC Goal
15 No. 1, Citizen Involvement.

16 5. The Board of Commissioners found site for proposed
17 change of zone, that existing timber on the land would not be
18 considered a potential commercial-type use of land, thus address-
19 ing LCDC Goal No. 4, Forest Lands.

20 6. The Board of Commissioners found site had water
21 available with enough to support the proposed 16 unit motel, thus
22 addressing LCDC Goal No. 6, Air, Water, Land Resource Quality.

23 7. The Board of Commissioners found site for change of
24 zone would not be subject to natural disasters and hazards, thus
25 addressing LCDC Goal No. 7, Area Subject to Natural Disasters and
26 Hazards.

27 8. The Board of Commissioners found that with proposed
28 use, that being a motel, would affect the economy of the local

1 area, thus addressing LCDC Goal No. 9, Economy of the State.

2 9. The Board of Commissioners found site had electri-
3 city to the site as well as telephone service, thus addressing
4 LCDC Goal No. 11, Public Facilities.

5 10. The Board of Commissioners found that State
6 Highway 58 allowed traffic to and from the site, thus addressing
7 LCDC Goal No. 12, Transportation.

8 CONCLUSIONS OF LAW FOR ZONE CHANGE:

9 1. The property affected by the change of zone is ade-
10 quate in size and shape to facilitate those uses normally allowed
11 in conjunction with such zoning;

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

16 3. The proposed change of zone will have no adverse
17 effect or only limited adverse effect on any property or the per-
18 mitted uses thereof within the affected area.

19 4. That the proposed change of zone is in keeping with
20 land uses and improvements, trends in land development, density
21 of land development and prospective needs for development in the
22 affected area.

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

26 NOW, THEREFORE, it is hereby ordered that the applica-
27 tion for the Comprehensive Land Use Plan change from Forestry to
28 Commercial General and Zone Change from F (Forestry) to C-5

1 (Commercial Highway) for Aldo Balducci on the subject property
2 is hereby granted.

3 DONE AND DATED THIS 29th DAY OF December 19 78.

4
5 Alfred L. Thompson
Chairman

6
7 Harold L. Thompson
Member

8
9 Harold L. Thompson
Member

10
11
12 APPROVED AS TO FORM:
Boivin, Boivin and Aspell

13 By: Robert L. Boivin

14
15 STATE OF OREGON; COUNTY OF KLAMATH; ss.

16 Filed for record ~~EXHIBIT~~

17 this 3rd day of JANUARY A. D. 19 79 at 8:45 o'clock AM., and

18 duly recorded in Vol. M 72, of DEEDS on Page 58

19 no fee Wm D. MILNE, County Clerk

20 By: Robert L. Boivin

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