

60448

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BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE No. 77-23, BY)
ROBERT E. KLINE)

O R D E R

THIS MATTER having come on for hearing upon the application of Robert E. Kline for a Zone Change from RD 10,000 (Single-Family Residential) to RD 5,000 (Single-Family Residential) by the Klamath County Planning Commission, on real property described as Township 39S, Range 9 EWM, Section 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Public hearings having been heard by the Klamath County Planning Commission on September 13, 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 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 October 10, 1978, wherefrom the testimony, at said hearing it appeared that the record below was accurate and complete and it appears from the testimony, reports and exhibits introduced at the hearing before the Planning Commission that the application for a change of zone for the subject property, 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 FOR ZONE CHANGE:

1. The Board of County Commissioners found site for

1 change of zone to be located west of Madison Avenue and south of
2 Cottage Street.

3 2. The Board of County Commissioners found site for
4 change of zone to have access off of Madison Avenue which is a
5 paved street and appears to be able to carry the kind of traffic
6 that would be generated by such use.

7 3. The Board of County Commissioners found site for
8 change of zone that property is 9,200 square feet in size and
9 meets the property development standards of the RD 5,000 Zone.

10 4. The Board of County Commissioners found surrounding
11 area to be urban type development and therefore there would be
12 no adverse effect to abutting properties.

13 5. The Board of County Commissioners found that the
14 surrounding property owners had been notified of scheduled hear-
15 ings and that there was no adverse testimony, thus addressing
16 L.C.D.C. Goal No. 1, Citizen Involvement.

17 6. The Board of County Commissioners found proposed
18 site for change of zone was in conformance with the Comprehensive
19 Land Use Plan map, thus addressing L.C.D.C. Goal No. 2, Land Use
20 Planning.

21 7. The Board of County Commissioners found proposed
22 site for change of zone to be within any proposed Urban Growth
23 Boundary lines that may be established at a later date in time,
24 after all land use studies have been completed, thus addressing
25 L.C.D.C. Goal No. 14, Urbanization.

26 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

1 allowed in conjunction with such zoning;

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

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

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

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

16 NOW, THEREFORE, it is hereby ordered that the appli-
17 cation for a Zone Change from RD 10,000 (Single-Family Residential)
18 to RD 5,000 (Single-Family Residential) for Robert E. Kline on
19 the subject property, is hereby granted.

20 DONE AND DATED THIS 29th DAY OF December, 1978.

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APPROVED AS TO FORM:
Boivin, Boivin & Aspell

By: Robert E. Kline

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Eric L. Kline
Chairman

Harold L. Kline
Member

Harold L. Kline
Member

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 3rd day of
January, A.D., 1979 at 8:44 o'clock A.M. and duly recorded in Vol. M 79,
of DEEDS on Page 65.

FEE none

WM. H. MILLER, County Clerk

By: Jacqueline L. Mettler Deputy