

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
 FOR ZONE CHANGE 78-6 FOR)
 C. E. PIERCE)

O R D E R

THIS MATTER having come on for hearing upon the application of C. E. Pierce for a Zone Change from RA (Residential Agriculture) to RD 10,000 (Single Family Residence) by the Klamath County Planning Commission, on real property described as Township 39, Range 9, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11, Tax Lot 2100. Public hearings having been heard by the Klamath County Planning Commission on May 23, 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 June 19, 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:

1 1. The Board of Commissioners found site for zone
2 change was located east of Homedale Road and north of Cypress
3 Villa Subdivision.

4 2. The Board of Commissioners found site for zone
5 change to be approximately 8.79 acres in size and basically
6 rectangular in shape.

7 3. The Board of Commissioners found site for zone change
8 would have access off of Homedale Road, which is a paved county
9 road and appears to be able to carry the kind of traffic that
10 would be generated by proposed use, that being Single Family
11 Residences. Additional access would be off of Perry Street,
12 which is paved.

13 4. The Board of Commissioners found that properties to
14 the south and southwest were developed as Single Family Sub-
15 divisions and therefore use would be compatible and would have no
16 adverse effect on abutting properties.

17 5. The Board of Commissioners found that, per record,
18 property owners had been notified of scheduled hearings, thus
19 addressing LCDC Goal No. 1, Citizen Involvement.

20 6. The Board of Commissioners found site for change
21 of zone was in conformance with the Comprehensive Land Use Plan,
22 thus addressing LCDC Goal No. 2, Land Use Planning.

23 7. The Board of Commissioners found, per record and
24 testimony of applicant, that there is a definite need for lots in
25 the 10,000 square feet size, thus addressing LCDC Goal No. 10,
26 Housing.

27 8. The Board of Commissioners found site for zone
28 change would be within any urban growth boundary line that will

1 be established at a later date in time when all land use studies
2 have been completed.

3 CONCLUSIONS OF LAW:

4 1. The property affected by the change of zone is
5 adequate in size and shape to facilitate those uses normally al-
6 lowed in conjunction with such zoning;

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

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

14 4. That the proposed change of zone is in keeping with
15 land uses and improvements, trends in land development, density
16 of land development and prospective needs for development in the
17 affected area.

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

21 NOW, THEREFORE, it is hereby ordered that the applica-
22 tion for zone change from RA (Residential Agriculture) to
23 RD 10,000 (Single Family Residence) for C. E. Pierce on the
24 subject property is hereby granted.

25 DONE AND DATED THIS 29 DAY OF December, 1978.

26 Robert L. Brown Harold L. Figure Frank R. Bluff
27 Chairman Member Member

28 APPROVED AS TO FORM:
Boivin, Boivin & Aspell
By: Robert L. Brown

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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 3rd day of
January A.D., 1979 at DEEDS o'clock AM., and duly recorded in Vol. 478
of DEEDS on Page 112.

FEE none

WM-D. MILNE, County Clerk

By: Jacqueline D. Milne