

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
 FOR COMPREHENSIVE LAND USE PLAN)
 CHANGE AND ZONE CHANGE 78-14 FOR)
 HARRY YOCKEY)

O R D E R

THIS MATTER having come on for hearing upon the applica-
 tion of Harry Yockey for a Comprehensive Land Use Plan change
 from Urban Density to Multiple Density and a Zone Change from
 RD 10,000 (Single Family Residence) to RD 3,000 (Multiple Family
 Residence), by the Klamath County Planning Commission, on real
 property described as Township 39, Range 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2,
 Tax Lot 8900. Public hearings having been heard by the Klamath
 County Planning Commission on August 1, 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 September 26, 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
 Comprehensive Land Use Plan and Zone Change 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:

773 JAN 2 AM 8 45

1 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN
2 CHANGE:

3 1. The Board of County Commissioners found site to be
4 adequate in size and shape in that parcel size was 17,568 square
5 feet in size.

6 2. The Board of County Commissioners found site to have
7 adequate access which is off of Etna Avenue. Etna Avenue is a
8 paved road which appears to be able to carry the kind of traffic
9 that would be generated by proposed use.

10 3. The Board of County Commissioners found site would
11 have no adverse effects on surrounding properties as area had
12 similar uses plus being the trend of the area.

13 4. The Board of County Commissioners found adjacent
14 property owners had been notified in order to testify at hearings
15 thus addressing LCDC Goal No. 1, Citizen Involvement.

16 5. The Board of County Commissioners found proposed
17 use to be in conformance to surrounding land uses, that being
18 multiple use, thus addressing LCDC Goal No. 2, Land Use Planning.

19 6. The Board of County Commissioners found use would
20 increase the economy of the area, thus addressing LCDC Goal No.
21 9, Economy of the State.

22 7. The Board of County Commissioners found that pro-
23 posed use, being a duplex, would provide a housing need thus
24 addressing LCDC Goal No. 10, Housing.

25 8. The Board of County Commissioners found that site
26 for change in comprehensive land use plan had facilities, such
27 as water, electricity, sewer, telephone, fire protection, within
28 school district, thus addressing LCDC Goal No. 11, Public

1 Facilities and Services.

2
3 9. The Board of County Commissioners found site for
4 change in comprehensive land use plan was within a proposed
5 urbanized area, which will be established at a later point in
6 time after all land use studies have been completed.

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

9 1. The property affected by the change of comprehensive
10 land use plan is adequate in size and shape to facilitate those
11 uses normally allowed in conjunction with such zoning;

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

16 3. The proposed change of comprehensive land use plan
17 will have no adverse effect or only limited adverse effect on any
18 property or the permitted uses thereof within the affected area.

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

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

27 FINDINGS OF FACT FOR ZONE CHANGE:

28 1. The Board of County Commissioners found site to be
adequate in size and shape in that parcel size was 17,568 square

1 feet in size.

2 2. The Board of County Commissioners found site to have
3 adequate access which is off of Etna Avenue. Etna Avenue is a
4 paved road which appears to be able to carry the kind of traffic
5 that would be generated by proposed use.

6 3. The Board of County Commissioners found site would
7 have no adverse effects on surrounding properties as area had
8 similar uses plus being the trend of the area.

9 4. The Board of County Commissioners found adjacent
10 property owners had been notified in order to testify at hearings
11 thus addressing LCDC Goal No. 1, Citizen Involvement.

12 5. The Board of County Commissioners found proposed use
13 to be in conformance to surrounding land uses, that being
14 multiple use, thus addressing LCDC Goal No. 2, Land Use Planning.

15 6. The Board of County Commissioners found use would
16 increase the economy of the area, thus addressing LCDC Goal No.
17 9, Economy of the State.

18 7. The Board of County Commissioners found that pro-
19 posed use, being a duplex, would provide a housing need thus
20 addressing LCDC Goal No. 10, Housing.

21 8. The Board of County Commissioners found that site
22 for zone change had facilities, such as water, electricity, sewer,
23 telephone, fire protection, within school district, thus ad-
24 dressing LCDC Goal No. 11, Public Facilities and Services.

25 9. The Board of County Commissioners found site for
26 zone change was within a proposed urbanized area, which will be
27 established at a later point in time after all land use studies
28 have been completed.

1 CONCLUSIONS OF LAW FOR ZONE CHANGE:

2 1. The property affected by the change of zone is
3 adequate in size and shape to facilitate those uses normally
4 allowed in conjunction with such zoning;

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

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

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

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

19 NOW, THEREFORE, it is hereby ordered that the applica-
20 tion for the Comprehensive Land Use Plan change from Urban
21 Density to Multiple Density and Zone Change from RD 10,000 (Sin-
22 gle Family Residence) to RD 3,000 (Single Family Residence) for
23 for Harry Yockey on the subject property is hereby granted.

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

25 Neil Kucera
26 Chairman

27 APPROVED AS TO FORM:
Boivin, Boivin & Aspell

28 Harold L. Aspell
Member

By: Robert Brown

Harold L. Aspell
Member

ZC 78-14
Page 5

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 8:45 o'clock A.M., and duly recorded in Vol. M 72,
of DEEDS on Page 128.

FEE none

WM. D. LAMM, County Clerk

By: Joan L. Williams