

79275

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE NO. 79-35 BY)
CORA L. GORDINHO, APPLICANT)

O R D E R

THIS MATTER having come on for hearing upon the application of Cora L. Gordinho for a zone change from RA (Residential Agricultural) to RD 8,000 (Single Family Residential), by the Klamath County Planning Commission, on real property described as Township 39, Range 9, SE SW of Section 2, Tax Lot 1200. Public hearings having been heard by the Klamath County Planning Commission on September 11, 1979, 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 November 6, 1979, wherefrom the testimony at said hearing it appeared that the record below was accurate and complete and it appeared from the testimony, reports and exhibits introduced at the hearing before the Planning Commission that the application for a 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:

FINDINGS OF FACT FOR ZONE CHANGE:

1. The Board of County Commissioners found site for

1 change in zone from RA (Residential Agricultural) to RD 8,000
2 (Single Family Residential) to be located in Township 39, Range 9,
3 Section 2 of Klamath County, and located at the intersection of
4 Hope Street and Hilyard Avenue.

5 2. The Board of County Commissioners found site for
6 change in zone is rectangle in shape and approximately .89 acres
7 in size.

8 3. The Board of County Commissioners found property
9 for change in zone has access to Hope Street as well as Hilyard
10 Avenue. Both roads are paved and appear to be adequate to accept
11 the anticipated traffic volume.

12 4. The Board of County Commissioners found site for
13 change in zone would be minimal as surrounding uses are resident-
14 ial in the existing RD (Single Family Residential) zones.

15 5. The Board of County Commissioners found that the
16 trend of land use in area was to smaller lots with residential
17 use being for mobile homes.

18 6. The Board of County Commissioners found proposed
19 use would be mobile home use on three lots; lot sizes being
20 76' x 172'; 80' x 173'; and 75' x 156'; as indicated per Appli-
21 cant's Exhibit No. 1.

22 7. The Board of County Commissioners found per appli-
23 cant's testimony and Applicant's Exhibits Nos. 2 and 3, which
24 were letters dated September 7, 1979, that there was a need for
25 the lots as well as the mobile home usage.

26 8. The Board of County Commissioners found that
27 notification had been sent out to surrounding property owners as
28 well as to the media and those agencies of concern, therefore

1 addressing L. C. D. C. Goal No. 1.

2 9. The Board of County Commissioners found site for
3 change of zone as being urban density under the existing Compre-
4 hensive Land Use Plan, and therefore no change in the existing
5 Comprehensive Land Use Plan was needed, therefore addressing
6 L. C. D. C. Goal No. 2.

7 10. The Board of County Commissioners found site for
8 change in zone to be for urban type use and was not an economical
9 agricultural unit, therefore addressing L. C. D. C. Goal No. 3.

10 11. The Board of County Commissioners found site for
11 change in zone would increase the economy of the area as more
12 sites for residential purposes would be utilized, therefore
13 addressing L. C. D. C. Goal No. 9.

14 12. The Board of County Commissioners found site for
15 change in zone to RD 8,000 (Single Family Residential) would allow
16 applicant to increase housing which applicant indicated that there
17 was a need for such housing, therefore addressing L. C. D. C.
18 Goal No. 10.

19 13. The Board of County Commissioners found site had
20 public facilities, those facilities being electricity, water,
21 sewer, and telephone, and also within the South Suburban Fire
22 District, therefore addressing L. C. D. C. Goal No. 11.

23 14. The Board of County Commissioners found site for
24 change in zone has access off of Hilyard Avenue and Hope Street.
25 Both streets are paved and allows traffic to and from site,
26 therefore addressing L. C. D. C. Goal No. 12.

27 15. The Board of County Commissioners found site for
28 change in zone is close to an area where energy sources are

1 located and thus help conserve on energy, therefore addressing
2 L. C. D. C. Goal No. 13.

3 16. The Board of County Commissioners found site was
4 within an area that has been developed from an urban standpoint
5 and appears to be within an urbanized area, therefore addressing
6 L. C. D. C. Goal No. 14.

7 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

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

25 NOW, THEREFORE, it is hereby ordered that the applica-
26 tion for the zone change from RA (Residential Agricultural) to
27 RD 8,000 (Single Family Residential) for Cora L. Gordinho on the
28

1 subject property, is hereby granted.

631

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
DONE AND DATED THIS 9th DAY OF January, 1957.

Alvin A. Thayer
Chairman

Neil Kuonen
Member

Harold L. Myrnes
Member

APPROVED AS TO FORM:
Boivin, Boivin & Aspell

By Charles Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 14th day of January A. D. 19 80 at 2:23 o'clock P. M., a.

fully recorded in Vol. M80, of Deeds on Page 687

No Fee

Wm D. MILNE, County Clerk

By Bernard A. Hotchkiss