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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE NO. 79-55)
BY ROSINA M. McRORIE)

O R D E R

THIS MATTER having come on for hearing upon the applica-
tion of Rosina M. McRorie for a Comprehensive Land Use Plan
change from Residential Recreational to Commercial General and
Suburban Density as indicated by Applicant's plot plan marked
Applicant's Exhibit No. 1, and a zone change from SP-1 (Rural
Residential) to C-5 (Commercial Highway) and RA (Residential
Agricultural) as indicated by Applicant's plot plan marked
Applicant's Exhibit No. 1, by the Klamath County Planning Commis-
sion, on real property described as Township 40, Range 7,
Section 1, Tax Lot 1900. Public hearings having been heard by
the Klamath County Planning Commission on December 11, 1979,
and February 26, 1980, 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 April 11, 1980, 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 intro-
duced at the hearing before the Planning Commission that the

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1 application for a change of Comprehensive Land Use Plan and
2 zone change for the subject property, should be granted.

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

6 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP
7 CHANGE:

8 1. The Board of County Commissioners found property for
9 change in zone to be located in the town of Keno and south of
10 Highway No. 66.

11 2. The Board of County Commissioners found site for
12 change in Comprehensive Land Use Plan and zone to be approximately
13 3.3 acres in size and rectangular in shape.

14 3. The Board of County Commissioners found site for
15 change in Comprehensive Land Use Plan and zone to have access off
16 of State Highway No. 66. The state highway appears to be able
17 to carry the kind of traffic that would be generated by proposed
18 use.

19 4. The Board of County Commissioners found site for
20 change in Comprehensive Land Use Plan from Residential Recreation
21 to Commercial General to be approximately 1.1 acres or 205 feet
22 by 220 feet and abutting Highway No. 66.

23 5. The Board of County Commissioners found site to be
24 zoned C-5 (Commercial Highway) to be 205 feet by 220 feet or
25 approximately 1.1 acres in size and utilized for a future cafe.

26 6. The Board of County Commissioners found remaining
27 parcel to be approximately 440 feet by 205 feet or approximately
28 2.1 acres in size. This parcel lies south of lot for commercial
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1 use and will be utilized for a home site. This is per Applicant's
2 Exhibit No. 1, being the Plot Plan.

3 7. The Board of County Commissioners found per testimony
4 from Planning Commission Hearing that proposed use would be
5 supportive of the community of Keno.

6 8. The Board of County Commissioners found per testimony
7 of applicant that there was a need for the proposed use, and that
8 the commercial use being a cafe on the 1.1 acres would provide a
9 service to Keno.

10 9. The Board of County Commissioners found that notice
11 had been sent out to the surrounding property owners as well as
12 to the Keno Area Committee and to those agencies of concern,
13 therefore addressing L. C. D. C. Goal No. 1.

14 10. The Board of County Commissioners found change in
15 land use and zone would be a service and supportive towards the
16 community of Keno, therefore addressing L. C. D. C. Goal No. 2.

17 11. The Board of County Commissioners found total area
18 to be approximately 3.3 acres in size and it appeared per testi-
19 mony from the record set before the Planning Commission that
20 there were no trees of commercial value, therefore addressing
21 L. C. D. C. Goal No. 4.

22 12. The Board of County Commissioners found site for
23 change in Comprehensive Land Use Plan and zone would have a
24 septic tank for sewage and a well for water, therefore addressing
25 L. C. D. C. Goal No. 5.

26 13. The Board of County Commissioners found site of 1.1
27 acres in size would be utilized as a cafe and per testimony of
28 the record, proposed use would be supportive to the community
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1 of Keno, therefore addressing L. C. D. C. Goal No. 9.

2 14. The Board of County Commissioners found the
3 remaining acreage of 2.2 acres would be used for residential
4 use, therefore addressing L. C. D. C. Goal No. 10.

5 15. The Board of County Commissioners found per testimony
6 that site for change in Comprehensive Land Use Plan and zone had
7 public facilities such as telephone and electricity, and is
8 also within a school district and a fire district, therefore
9 addressing L. C. D. C. Goal No. 11.

10 16. The Board of County Commissioners found site for
11 change in Comprehensive Land Use Plan and zone has access off of
12 State Highway No. 66 and said highway appears to be able to
13 carry the kind of traffic that would be generated from proposed
14 use, therefore addressing L. C. D. C. Goal No. 12.

15 17. The Board of County Commissioners found site for
16 change in Comprehensive Land Use Plan and zone to be located
17 within the community of Keno where there are sources of energy,
18 and therefore possibly conserve energy, thus addressing L. C. D.
19 C. Goal No. 13.

20 18. The Board of County Commissioners found site for
21 change in Comprehensive Land Use Plan and zone in the community
22 of Keno where there is urban type development taking place,
23 therefore addressing L. C. D. C. Goal No. 14.

24 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP
25 CHANGE:

26 1. The property affected by the Comprehensive Land Use
27 Plan change is adequate in size and shape to facilitate
28 those uses normally allowed in conjunction with such zoning.

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

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

4. The proposed Comprehensive Land Use Plan change is in keeping with any land use plans duly adopted and does, in effect, represent the highest, best and most appropriate use of the land affected.

5. The proposed Comprehensive Land Use Plan change is in keeping with land uses and improvements, trends in land development, density of land development, and prospective needs for development in the affected area.

FINDINGS OF FACT FOR ZONE CHANGE:

1. The Board of County Commissioners found property for change in zone to be located in the town of Keno and south of Highway No. 66.

2. The Board of County Commissioners found site for change in Comprehensive Land Use Plan and zone to be approximately 3.3 acres in size and rectangular in shape.

3. The Board of County Commissioners found site for change in Comprehensive Land Use Plan and zone to have access off of State Highway No. 66. The state highway appears to be able to carry the kind of traffic that would be generated by proposed use.

1 4. The Board of County Commissioners found site for
2 change in Comprehensive Land Use Plan from Residential Recreation
3 to Commercial General to be approximately 1.1 acres or 205 feet
4 by 220 feet and abutting Highway No. 66.

5 5. The Board of County Commissioners found site to be
6 zoned C-5 (Commercial Highway) to be 205 feet by 220 feet or
7 approximately 1.1 acres in size and utilized for a future cafe.

8 6. The Board of County Commissioners found remaining
9 parcel to be approximately 440 feet by 205 feet or approximately
10 2.1 acres in size. This parcel lies south of lot for commercial
11 use and will be utilized for a home site. This is per Applicant's
12 Exhibit No. 1, being the Plot Plan.

13 7. The Board of County Commissioners found per testimony
14 from Planning Commission Hearing that proposed use would be
15 supportive of the community of Keno.

16 8. The Board of County Commissioners found per testimony
17 of applicant that there was a need for the proposed use, and that
18 the commercial use being a cafe on the 1.1 acres would provide a
19 service to Keno.

20 9. The Board of County Commissioners found that notice
21 had been sent out to the surrounding property owners as well as
22 to the Keno Area Committee and to those agencies of concern,
23 therefore addressing L. C. D. C. Goal No. 1.

24 10. The Board of County Commissioners found change in
25 land use and zone would be a service and supportive towards the
26 community of Keno, therefore addressing L. C. D. C. Goal No. 2.

27 11. The Board of County Commissioners found total area
28 to be approximately 3.3 acres in size and it appeared per testi-
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1 mony from the record set forth before the Planning Commission that
2 there were no trees of commercial value, therefore addressing
3 L. C. D. C. Goal No. 4.

4 12. The Board of County Commissioners found site for
5 change in Comprehensive Land Use Plan and zone would have a
6 septic tank for sewage and a well for water, therefore addressing
7 L. C. D. C. Goal No. 5.

8 13. The Board of County Commissioners found site of 1.1
9 acres in size would be utilized as a cafe and per testimony of
10 the record, proposed use would be supportive to the community
11 of Keno, therefore addressing L. C. D. C. Goal No. 9.

12 14. The Board of County Commissioners found the remaining
13 acreage of 2.2 acres would be used for residential use, therefore
14 addressing L. C. D. C. Goal No. 10.

15 15. The Board of County Commissioners found per testimony
16 that site for change in Comprehensive Land Use Plan and zone had
17 public facilities such as telephone and electricity, and is also
18 within a school district and a fire district, therefore addressing
19 L. C. D. C. Goal No. 11.

20 16. The Board of County Commissioners found site for
21 change in Comprehensive Land Use Plan and zone has access off of
22 State Highway No. 66 and said highway appears to be able to
23 carry the kind of traffic that would be generated from proposed
24 use, therefore addressing L. C. D. C. Goal No. 12.

25 17. The Board of County Commissioners found site for
26 change in Comprehensive Land Use Plan and zone to be located
27 within the community of Keno where there are sources of energy,
28 and therefore possibly concerve on energy, thus addressing
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1 L. C. D. C. Goal No. 13.

2 18. The Board of County Commissioners found site for
3 change in Comprehensive Land Use Plan and zone in the community
4 of Keno where there is urban type development taking place,
5 therefore addressing L. C. D. C. Goal No. 14.

6 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

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

24 NOW, THEREFORE, it is hereby ordered that the application
25 for the Comprehensive Land Use Plan change from Residential
26 Recreation to Commercial General and Suburban Density and zone
27 change from SP-1 (Rural Residential) to C-5 (Commercial Highway)
28 and RA (Residential Agricultural) for Rosina M. McRorie on the
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1 subject property, is hereby granted.

2 DONE AND DATED THIS 14th DAY OF May, 1980.

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Alvin A. Cheyne
Chairman

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Nell Kuonen
Member

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Harold L. Kynne
Member

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12 APPROVED AS TO FORM:

13 Boivin & Boivin

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 20th day of May A. D. 1980 at 11:00 A. M., and

duly recorded in Vol. M80, of deeds on Page 9194

By Wm D. MILNE, County Clerk
Bernice A. Helach

No Fee

Commissioners Journal