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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR ZONE CHANGE 80-10 BY)
CURTIS BANEY)

O R D E R

THIS MATTER having come on for hearing upon the application of Curtis Baney for a zone change from RD 8,000 (Single Family Residential) to RD 500, by the Klamath County Planning Commission, on real property described as Township 39, Range 9, NW $\frac{1}{4}$ of Section 3, Tax Lot 5100. Public hearings having been heard by the Klamath County Planning Commission on March 25, 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 May 14, 1980, 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 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:

1. The Board of Commissioners found site to be

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1 located west side of Arthur Street and next to the Cimarron
2 Apartments.

3 2. The Board of Commissioners found that the parcel
4 in size and shape for change in zone would be an addition to
5 the already existing apartments.

6 3. The Board of Commissioners found that the size
7 and shape could also be utilized for parking and therefore
8 would have no negative effects on the surrounding property.

9 4. The Board of Commissioners found that proper
10 notification had been given to the surrounding property
11 owners as well as to those agencies of concern, therefore
12 addressing L.C.D.C. Goal No. 1.

13 5. The Board of Commissioners found that the
14 proposed site for change in zone was in conformance with the
15 Comprehensive Land Use Plan, that being Multiple Residential,
16 therefore addressing L.C.D.C. Goal No. 2.

17 6. The Board of Commissioners found that the
18 trends in the area were that of multiple zones such as RD 500
19 and RD 1500, therefore addressing L.C.D.C. Goal No. 2.

20 7. The Board of Commissioners found site for change
21 in zone could possibly affect the economy in that the increase
22 in lot size would allow addition to existing units as for
23 more parking, therefore addressing L.C.D.C. Goal No. 9.

24 8. The Board of Commissioners found per testimony
25 that the change in zone to RD 500 could increase the units
26 and therefore add housing thus addressing L.C.D.C. Goal No. 10.

27 9. The Board of Commissioners found site for change
28 in zone has public facilities such as electricity, water,

1 sewer, also within a fire district and a school district
2 therefore addressing L.C.D.C. Goal No. 11.

3 10. The Board of Commissioners found that there
4 is an existing access off of Arthur Street to site for change
5 in zone therefore addressing L.C.D.C. Goal No. 12.

6 11. The Board of Commissioners found site for change
7 in zone to be close to sources of energy such as gas, electricity
8 therefore addressing L.C.D.C. Goal No. 13.

9 12. The Board of Commissioners found that site for
10 change was within an urban area where there are public
11 facilities to support proposed use, therefore addressing
12 L.C.D.C. Goal No. 14.

13 CONCLUSIONS OF LAW:

14 1. The property affected by the change in zone is
15 adequate in size and shape to facilitate those uses normally
16 allowed in conjunction with such zoning.

17 2. The property affected by the proposed change of
18 zone is properly related to streets and highways to adequately
19 serve the type of traffic generated by such uses that may be
20 permitted therein.

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

24 4. That the proposed change of zone is in keeping
25 with land uses and improvements, trends in land development,
26 density of land development and prospective needs for
27 development in the affected area.

28 5. That the proposed change of zone is in keeping

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1 with any land use plans duly adopted and does, in effect,
2 represent the highest, best and most appropriate use of the
3 land affected.

4 NOW, THEREFORE, it is hereby ordered that the
5 application for the zone change from RD 8,000 (Single Family
6 Residential) to RD 500 (Multiple Family Residential) for
7 Curtis Baney on the subject property is hereby granted.

8 DONE AND DATED THIS 5th DAY OF June, 1980.

10
11 Alvin A. Thyme
12 Chairman of the Board
13 Neil Brown
14 County Commissioner
15 Hayden L. Nye
16 County Commissioner

17 AS APPROVED TO FORM:
18 BOIVIN & BOIVIN

19 By: William Brown
20 County Legal Counsel

21 STATE OF OREGON; COUNTY OF KLAMATH; ss.

22 Filed for record at request of Klamath County

23 this 9th day of June A. D. 19 80 at 11:54 clock A.M., and

24 duly recorded in Vol. M80, of Deeds on Page 10483

25 W. D. MILNE, County Clerk

26 Exhibit to Deed

27 No Fee