

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)  
FOR COMPREHENSIVE LAND USE PLAN )  
CHANGE AND ZONE CHANGE 80-8 )  
BY JOHN SPECK )

O R D E R

THIS MATTER having come on for hearing upon the application of John Speck for a Comprehensive Land Use Plan change from Commercial General and Forestry to Multiple Density as indicated on Klamath County Exhibit C and a zone change from F (Forestry) and C-5 (Commercial Highway) to MHP (Mobile Home Park) as indicated on Klamath County Exhibit C, by the Klamath County Planning Commission, on real property described as Township 24, Range 8, NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 36 being Tax Lot 300. Public hearings having been heard by the Klamath County Planning Commission on March 11, 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 23, 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 the subject property, should be granted.

The Board of County Commissioners makes the following Findings of Fact and Conclusions of Law as required by

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1 Ordinance No. 17, the Klamath County Zoning Ordinance.

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN CHANGE

3 1. The Board of Commissioners found site to be  
4 located approximately one (1) mile south of the town of  
5 Crescent and abutting Highway 97 on the east side, being in  
6 the north end of Klamath County.

7 2. The Board of Commissioners found existing site  
8 for change in Comprehensive Land Use Plan and Zone to have an  
9 existing access off of State Highway 97.

10 3. The Board of Commissioners found site for change  
11 in Comprehensive Land Use Plan and Zone to be approximately  
12 4.2 acres in size and rectangular in shape.

13 4. The Board of Commissioners found that the  
14 surrounding property owners as well as those agencies of  
15 concern were notified and therefore addressed L.C.D.C. Goal  
16 No. 1.

17 5. The Board of Commissioners found site for change  
18 in Comprehensive Land Use Plan and Zone had an existing Mobile  
19 Home Park as well as an existing area utilized for commercial  
20 uses, therefore addressing L.C.D.C. Goal No. 2.

21 6. The Board of Commissioners found area for change  
22 in Comprehensive Land Use Plan and Zone for commercial uses  
23 would be approximately an area 200 x 300 feet or approximately  
24 1.5 acres in size, as indicated by Applicant's Exhibit No. 2,  
25 Plot Plan, again addressing L.C.D.C. Goal No. 2.

26 7. The Board of Commissioners found area for change  
27 in Comprehensive Land Use Plan and Zone for Multiple Use and  
28 Mobile Home Park to be approximately 2.7 acres in size as

1 indicated by Applicant's Plot Plan, Exhibit No. 2, therefore  
2 addressing L.C.D.C. Goal No. 2.

3 8. The Board of Commissioners found that with  
4 existing uses already on the approximately 4.2 acres, such  
5 as Mobile Home Park and Commercial Uses that change in land  
6 use would not affect the surrounding area, therefore addressing  
7 L.C.D.C. Goal No. 2.

8 9. The Board of Commissioners found vegetation  
9 of site for change in Comprehensive Land Use Plan and Zone  
10 was that of Bitterbrush plus Lodgepole scattered about and  
11 trees were not of commercial value, therefore addressing  
12 L.C.D.C. Goal No. 4.

13 10. The Board of Commissioners found site for change  
14 in Comprehensive Land Use Plan and Zone was not in a wildlife  
15 area, therefore addressing L.C.D.C. Goal No. 5.

16 11. The Board of Commissioners found per testimony  
17 that site for change in land use had an existing septic tank  
18 system, therefore addressing L.C.D.C. Goal No. 6.

19 12. The Board of Commissioners found site for change  
20 in Comprehensive Land Use Plan and Zone, especially the area  
21 of increase for Mobile Home Park, would help the economy of  
22 the Crescent area. The proposed area would add an additional  
23 16 lots, therefore addressing L.C.D.C. Goal No. 9.

24 13. The Board of Commissioners found per testimony  
25 from applicant that the additional lots for mobile home use  
26 would increase mobile home use in the area, therefore addressing  
27 L.C.D.C. Goal No. 10.

28 14. The Board of Commissioners found site for change

1 in Comprehensive Land Use Plan and Zone was close to public  
2 facilities such as Crescent Water District, Gilchrist School  
3 District, Crescent Fire District, and also found site had  
4 electricity and telephone facilities, therefore addressing  
5 L.C.D.C. Goal No. 11.

6 15. The Board of Commissioners found site had an  
7 existing access way off of State Highway 97 and that there  
8 were no objections from State Highway Department, therefore  
9 addressing L.C.D.C. Goal No. 12.

10 16. The Board of Commissioners found site for change  
11 in Comprehensive Land Use Plan and Zone was close to the  
12 community of Crescent where energy resources were located  
13 such as gas stations, electricity, therefore addressing  
14 L.C.D.C. Goal No. 13.

15 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN  
16 PLAN:

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

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

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

28 4. That the proposed Comprehensive Land Use Plan  
change is in keeping with any land use plans duly adopted and  
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1 does, in effect, represent the highest, best and most appro-  
2 priate use of the land affected.

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

7 FINDINGS OF FACT FOR ZONE CHANGE:

8 1. The Board of Commissioners found site to be  
9 located approximately one (1) mile south of the town of  
10 Crescent and abutting Highway 97 on the east side, being in  
11 the north end of Klamath County.

12 2. The Board of Commissioners found existing site  
13 for change in Comprehensive Land Use Plan and Zone to have an  
14 existing access off of State Highway 97.

15 3. The Board of Commissioners found site for change  
16 in Comprehensive Land Use Plan and Zone to be approximately  
17 4.2 acres in size and rectangular in shape.

18 4. The Board of Commissioners found that the  
19 surrounding property owners as well as those agencies of  
20 concern were notified and therefore addressed L.C.D.C. Goal  
21 No. 1.

22 5. The Board of Commissioners found site for change  
23 in Comprehensive Land Use Plan and Zone had an existing Mobile  
24 Home Park as well as an existing area utilized for commercial  
25 uses, therefore addressing L.C.D.C. Goal No. 2.

26 6. The Board of Commissioners found area for change  
27 in Comprehensive Land Use Plan and Zone for commercial uses  
28 would be approximately an area 200 x 300 feet or approximately

1 1.5 acres in size, as indicated by Applicant's Exhibit No. 2,  
2 Plot Plan, again addressing L.C.D.C. Goal No. 2.

3 7. The Board of Commissioners found area for change  
4 in Comprehensive Land Use Plan and Zone for Multiple Use and  
5 Mobile Home Park to be approximately 2.7 acres in size as  
6 indicated by Applicant's Plot Plan, Exhibit No. 2, therefore  
7 addressing L.C.D.C. Goal No. 2.

8 8. The Board of Commissioners found that with  
9 existing uses already on the approximately 4.2 acres, such  
10 as Mobile Home Park and Commercial Uses that change in land  
11 use would not affect the surrounding area, therefore addressing  
12 L.C.D.C. Goal No. 2.

13 9. The Board of Commissioners found vegetation  
14 of site for change in Comprehensive Land Use Plan and Zone  
15 was that of Bitterbrush and Lodgepole scattered about and  
16 trees were not of commercial value, therefore addressing  
17 L.C.D.C. Goal No. 4.

18 10. The Board of Commissioners found site for change  
19 in Comprehensive Land Use Plan and Zone was not in a wildlife  
20 area, therefore addressing L.C.D.C. Goal No. 5.

21 11. The Board of Commissioners found per testimony  
22 that site for change in land use had an existing septic tank  
23 system, therefore addressing L.C.D.C. Goal No. 6.

24 12. The Board of Commissioners found site for change  
25 in Comprehensive Land Use Plan and Zone, especially the area  
26 of increase for Mobile Home Park, would help the economy of  
27 the Crescent area. The proposed area would add an additional  
28 16 lots, therefore addressing L.C.D.C. Goal No. 9.



1 13. The Board of Commissioners found per testimony  
2 from applicant that the additional lots for mobile home use  
3 would increase mobile home use in the area, therefore addressing  
4 L.C.D.C. Goal No. 10.

5 14. The Board of Commissioners found site for change  
6 in Comprehensive Land Use Plan and Zone was close to public  
7 facilities such as Crescent Water District, Gilchrist School  
8 District, Crescent Fire District, and also found site had  
9 electricity and telephone facilities, therefore addressing  
10 L.C.D.C. Goal No. 11.

11 15. The Board of Commissioners found site had an  
12 existing access way off of State Highway 97 and that there  
13 were no objections from State Highway Department, therefore  
14 addressing L.C.D.C. Goal No. 12.

15 16. The Board of Commissioners found site for change  
16 in Comprehensive Land Use Plan and Zone was close to the  
17 community of Crescent where energy resources were located  
18 such as gas stations, electricity, therefore addressing  
19 L.C.D.C. Goal No. 13.

20 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

24 2. The property affected by the proposed change of  
25 zone is properly related to streets and highways to adequately  
26 serve the type of traffic generated by such uses that may be  
27 permitted therein.

28 3. That the proposed change of zone will have no

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adverse effect or only limited adverse effect on any property or the permitted uses thereof within the affected area.

4. The proposed change of zone 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. That the proposed change of zone 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.

NOW, THEREFORE, it is hereby ordered that the application for the Comprehensive Land Use Plan change from Forestry and Commercial General to Multiple Density, as indicated on Klamath County Exhibit C and zone change from F (Forestry) to MHP (Mobile Home Park) for John Speck on the subject property is hereby granted.

DONE AND DATED THIS 10<sup>th</sup> DAY OF June, 1980.

Charles A. Payne  
Chairman of the Board

Neil Kuonen  
County Commissioner

Hayd L. Kynne  
County Commissioner

APPROVED AS TO FORM:  
BOIVIN & BOIVIN

By: Robert D. Brown  
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 12th day of June A.D., 19 80 at 4:38 o'clock P M., and duly recorded in Vol. N80 of Deeds on Page 10840.

FEE None

WM. D. MILNE, County Clerk

By: Bernetha S. Leto Deputy