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KLAMATH COUNTY, OREGON

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2  
3 IN THE MATTER OF THE APPLICATION)  
4 FOR COMPREHENSIVE LAND USE PLAN )  
5 CHANGE AND ZONE CHANGE NO. 80-42) )  
6 BY BRONISLAW RECKOWSKI ) )

O R D E R

7 THIS MATTER having come on for hearing upon the applica-  
8 tion of Bronislaw Reczkowski for a Comprehensive Land Use Plan  
9 change from Urban Density to Multiple Density and zone change  
10 from RD 10,000 (Single Family Residential) to RD 3,000 (Multiple  
11 Family Residential), by the Klamath County Planning Commission,  
12 on real property described as a portion of Section 34, Township  
13 38, Range 9, being Tax Lot 9400. Public hearings having been  
14 heard by the Klamath County Planning Commission on September  
15 30, 1980, wherefrom the testimony, reports, and information  
16 produced at the hearing by the applicant, members of the  
17 Planning Department Staff and other persons in attendance, the  
18 Planning Commission recommended approval to the Board of County  
19 Commissioners. Following action by the Planning Commission, a  
20 public hearing before the Board of County Commissioners was  
21 regularly held on November 3, 1980, wherefrom the testimony at  
22 said hearing it appeared that the record below was accurate and  
23 complete and it appeared from the testimony, reports and exhibits  
24 introduced at the hearing before the Planning Commission that the  
25 application for a change of Comprehensive Land Use Plan and zone  
26 change for the subject property, should be granted.

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

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FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP  
CHANGE:

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3 1. The Board of County Commissioners found that the size  
4 and shape of the property is adequate to serve the proposed use  
5 for a new triplex.

6 2. The Board of County Commissioners found that the need  
7 for the change is to improve the property by removing three older  
8 structures and replacing them with a new triplex.

9 3. The Board of County Commissioners found that the  
10 Planning Department sent out notification as required by law,  
11 therefore addressing L. C. D. C. Goal No. 1.

12 4. The Board of County Commissioners found that the  
13 Comprehensive Land Use Plan designation will change from Urban  
14 Density to Multiple Density, and that the land use trend in the  
15 area is toward residential development. The surrounding Compre-  
16 hensive Land Use Plan and zone classifications are Urban Density  
17 and RD 10,000 (Single Family Residential); however, there will be  
18 no effect on surrounding properties, therefore addressing L. C. D.  
19 C. Goal No. 2.

20 5. The Board of County Commissioners found that the site  
21 for change could help the economy of the area from a building  
22 standpoint, therefore addressing L. C. D. C. Goal No. 9.

23 6. The Board of County Commissioners found that the site  
24 for change in use to Multiple Density could help the housing  
25 situation.

26 7. The Board of County Commissioners found that there  
27 are adequate public facilities to the site.

28 8. The Board of County Commissioners found that the

1 property access off of Derby Street has access and adequacy for  
2 the anticipated traffic volumes, therefore addressing L. C. D. C.  
3 Goal No. 12.

4 9. The Board of County Commissioners found that the site  
5 for change is located within an urban area and inside of the pro-  
6 posed Urban Growth Boundary, therefore addressing L. C. D. C.  
7 Goal No. 14.

8 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP  
9 CHANGE:

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

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

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

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

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

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FINDINGS OF FACT FOR ZONE CHANGE:

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1  
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3 1. The Board of County Commissioners found that the size  
4 and shape of the property is adequate to serve the proposed use  
5 for a new triplex.

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7 for the change is to improve the property by removing three older  
8 structures and replacing them with a new triplex.

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17 and RD 10,000 (Single Family Residential); however, there will be  
18 no effect on surrounding properties, therefore addressing L. C. D.  
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20 5. The Board of County Commissioners found that the site  
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28 8. The Board of County Commissioners found that the  
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CLUP & ZC 80-42

1 the anticipated traffic volumes, therefore addressing L. C. D. C.  
2 Goal No. 12.

3 9. The Board of County Commissioners found that the site  
4 for change is located within an urban area and inside of the pro-  
5 posed Urban Growth Boundary, therefore addressing L. C. D. C.  
6 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 any  
19 land use plans duly adopted and does, in effect, represent the  
20 highest, best, and most appropriate use of the land affected.

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

25 NOW, THEREFORE, it is hereby ordered that the application  
26 for the Comprehensive Land Use Plan change from Urban Density  
27 to Multiple Density and zone change from RD 10,000 (Single Family  
28 Residential) to RD 3,000 (Multiple Family Residential) for

Bronislaw Reczkowski on the subject property, is hereby  
granted.

DONE AND DATED THIS 8<sup>th</sup> DAY OF January, 1981.

Nell Kuonen  
Chairman

Hoyd L. Kynne  
Member

[Signature]  
Member

APPROVED AS TO FORM:  
Boivin & Boivin

By [Signature]

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 12th day of January A. D. 19 81 at 2:58 o'clock P. M., and  
duly recorded in Vol. M81, of Deeds on Page 557.

EVELYN BIEHN, County Clerk

By [Signature]

No Fee

Commissioners Journal