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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

Vol. 181 Page 578

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2
3 IN THE MATTER OF THE APPLICATION)
4 FOR COMPREHENSIVE LAND USE PLAN)
5 CHANGE AND ZONE CHANGE NO. 80-32)
6 BY WALTER REMSTEDT)

O R D E R

7 THIS MATTER having come on for hearing upon the applica-
8 tion of Walter Remstedt for a Comprehensive Land Use Plan from
9 Urban Density and Multiple Density to Multiple Density and a zone
10 change from RD 500 (Multiple Family Residential) and RD 1500
11 (Multiple Family Residential) to SP-16 (Planned Unit Development),
12 by the Klamath County Planning Commission, on real property
13 described as Lots 25 through 48 in Block 5 and Lots 7 through 24
14 in Block 8 of St. Francis Park. Public hearings having been
15 heard by the Klamath County Planning Commission on July 8, 1980,
16 and July 29, 1980, wherefrom the testimony, reports, and informa-
17 tion produced at the hearing by the applicant, members of the
18 Planning Department Staff and other persons in attendance, the
19 Planning Commission recommended approval to the Board of County
20 Commissioners. Following action by the Planning Commission, a
21 public hearing before the Board of County Commissioners was
22 regularly held on September 9, 1980, wherefrom the testimony
23 at said hearing it appeared that the record below was accurate
24 and complete and it appeared from the testimony, reports and
25 exhibits introduced at the hearing before the Planning Commission
26 that the application for a change of Comprehensive Land Use Plan
27 and zone change for the subject property, should be granted.

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

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1 No. 17, the Klamath County Zoning Ordinance;

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP
3 CHANGE:

4 1. The Board of County Commissioners found that the
5 property is currently used for multiple-family dwellings and that
6 this use would continue.

7 2. The Board of County Commissioners found that the
8 purpose of this zone change is to allow for the future conversion
9 of the apartments to condominiums, adding to the housing stock
10 available for owner occupancy, therefore addressing L. C. D. C.
11 Goal No. 10.

12 3. The Board of County Commissioners found that access
13 to the property is from Fargo, Cannon, and Gettle Streets, all
14 of which are paved and adequate to handle traffic to and from the
15 site, addressing L. C. D. C. Goal No. 12.

16 4. The Board of County Commissioners found that notice
17 of the hearings on this matter was sent to neighboring property
18 owners and concerned agencies, therefore addressing L. C. D. C.
19 Goal No. 1.

20 5. The Board of County Commissioners found that the
21 present land use plan designation for the property is Multiple
22 Density and Urban Density, and that the proposed use is consistent
23 with these, therefore addressing L. C. D. C. Goal No. 2.

24 6. The Board of County Commissioners found that the site
25 is served by public water and sewer systems as well as electrical
26 and telephone service and is within a fire protection district,
27 therefore addressing L. C. D. C. Goal No. 6.

28 7. The Board of County Commissioners found that the

1 problem of flooding on adjoining property was not affected by
2 the proposed zone change and that the flooding issue as a whole
3 is being addressed by the newly formed Klamath County Drainage
4 District, therefore addressing L. C. D. C. Goal No. 7.

5 8. The Board of County Commissioners found that the
6 property is within the developed portion of the Klamath Falls
7 urban area, therefore addressing L. C. D. C. 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 uses
12 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 development,
26 density of land development, and prospective needs for development
27 in the affected area.

28 / / /

FINDINGS OF FACT FOR ZONE CHANGE:

581

1. The Board of County Commissioners found that the property is currently used for multiple-family dwellings and that this use would continue.

2. The Board of County Commissioners found that the purpose of this zone change is to allow for the future conversion of the apartments to condominiums, adding to the housing stock available for owner occupancy, therefore addressing L. C. D. C. Goal No. 10.

3. The Board of County Commissioners found that access to the property is from Fargo, Cannon, and Gettle Streets, all of which are paved and adequate to handle traffic to and from the site, therefore addressing L. C. D. C. Goal No. 12.

4. The Board of County Commissioners found that notice of the hearings on this matter was sent to neighboring property owners and concerned agencies, therefore addressing L. C. D. C. Goal No. 1.

5. The Board of County Commissioners found that the present land use plan designation for the property is Multiple Density and Urban Density, and that the proposed use is consistent with these, therefore addressing L. C. D. C. Goal No. 2.

6. The Board of County Commissioners found that the site is served by public water and sewer systems as well as electrical and telephone service and is within a fire protection district, therefore addressing L. C. D. C. Goal No. 6.

7. The Board of County Commissioners found that the problem of flooding on adjoining property was not affected by the proposed zone change and that the flooding issue as a whole

1 is being addressed by the newly formed Klamath County Drainage
 2 District, therefore addressing L. C. D. C. Goal No. 7.

3 8. The Board of County Commissioners found that the
 4 property is within the developed portion of the Klamath Falls
 5 urban area, 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 Urban Density and
 26 Multiple Density to Multiple Density and zone change from RD 500
 27 (Multiple Family Residential) and RD 1500 (Multiple Family
 28 Residential) to SP-16 (Planned Unit Development) for
 CLUP & ZC 80-32
 Page -5-

Walter Remstedt on the subject property, is hereby granted.

DONE AND DATED THIS 7th DAY OF January, 1981.

Rue Kuonen
Chairman

Member

Alvin A. Thayer
Member

APPROVED AS TO FORM:
Bolvin & Bolvin

By Robert D. Brown

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. 481, of Deeds on Page 578.

EVELYN DIEHN, County Clerk

By Leslie H. Hetch

No Fee

commissioners Journal