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BOARD OF COUNTY COMMISSIONERS

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KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)  
FOR ZONE CHANGE NO. 80-49 FOR )  
FRANK KILLINGER, APPLICANT )

O R D E R

THIS MATTER having come on for hearing upon the applica-  
tion of Frank Killinger for a zone change from RA (Residential  
Agricultural) to RD 10,000 (Single Family Residential), by the  
Klamath County Planning Commission, on real property described  
as a portion of Township 39, Range 9, Section 10, being Tax Lot  
4001. Public hearings having been heard by the Klamath County  
Planning Commission on October 28, 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 December 8, 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 introduced at the hearing before the Planning  
Commission that the application for a change of zone 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 FOR ZONE CHANGE:

1. The Board of County Commissioners found that the

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1 surrounding and existing Comprehensive Land Use Plan and zone  
2 classifications are Urban Density and RD 5,000 and RD 10,000  
3 (Single Family Residential).

4 2. The Board of County Commissioners found that the size  
5 and shape of the property for the proposed use for two mobile  
6 homes and one house is adequate to make three parcels as indicat-  
7 ed on Applicant's Exhibit No. 1, the Plot Plan.

8 3. The Board of County Commissioners found that the site,  
9 located east off of Bisbee Street and approximately 300 feet north  
10 of Laverne Avenue has access which is adequate to serve the anti-  
11 cipated traffic volume. The access is off of Bisbee Street by  
12 a thirty-foot easement.

13 4. The Board of County Commissioners found that there  
14 would be little effect on surrounding properties and that the  
15 trend in the area is towards smaller lots, RD 5,000 and RD 10,000  
16 (Single Family Residential).

17 5. The Board of County Commissioners found that the need  
18 for change is to conform zoning with the pre-existing use.

19 6. The Board of County Commissioners found that notifica-  
20 tion has been sent out to surrounding property owners, concerned  
21 agencies, the Herald and News, and the City of Klamath Falls,  
22 therefore addressing L. C. D. C. Goal No. 1.

23 7. The Board of County Commissioners found that the  
24 proposed zone change is consistent with the Urban Density Compre-  
25 hensive Land Use Plan designation and will conform to RD 10,000  
26 (Single Family Residential) zone standards.

27 8. The Board of County Commissioners found that recrea-  
28 tional facilities are available in the vicinity, therefore

1 addressing L. C. D. C. Goal No. 8.

2 9. The Board of County Commissioners found that the  
3 site is served by a full range of public facilities and services  
4 including fire protection, a school district, city water, a  
5 sanitary district, and electrical and telephone services, there-  
6 for addressing L. C. D. C. Goal No. 11.

7 10. The Board of County Commissioners found that the  
8 site has access off of a paved county road and a paved easement  
9 roadway, therefore addressing L. C. D. C. Goal No. 12.

10 11. The Board of County Commissioners found that the  
11 site is within the urbanized area of Klamath Falls, therefore  
12 addressing L. C. D. C. Goal No. 14.

13 CONCLUSIONS OF LAW FOR ZONE CHANGE:

14 1. The property affected by the change of 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 is in keeping with any  
22 land use plans duly adopted and does, in effect, represent the  
23 highest, best, and most appropriate use of the land affected.

24 4. The proposed change of zone will have no adverse  
25 effect or only limited adverse effect on any property or the  
26 permitted uses thereof within the affected area.

27 5. The proposed change of zone is in keeping with land  
28 uses and improvements, trends in land development, density of

1 land development, and prospective needs for development in the  
2 affected area.

3 NOW, THEREFORE, it is hereby ordered that the application  
4 for zone change from RA (Residential Agricultural) to RD 10,000  
5 (Single Family Residential) for Frank Killinger on the subject  
6 property, is hereby granted.

7 DONE AND DATED THIS 10<sup>th</sup> DAY OF February, 1981.

8  
9  
10 Neil Kuonen  
11 Chairman

12  
13 Hoyd L. Myrnes  
14 Member

15  
16 Alvin A. Heyman  
17 Member

18 APPROVED AS TO FORM:  
19 Boivin & Boivin

20 BY Alvin A. Heyman

21  
22 STATE OF OREGON; COUNTY OF KLAMATH; ss.  
23 Filed for record at request of Klamath County  
24 this 11th day of February A. D. 19 81 at 2:24 o'clock P. M., and  
25 duly recorded in Vol. N81, of Deeds on Page 2254  
26 By EVELYN BIEHN, County Clerk  
27 Donna H. Hetsch

28 No Fee

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