

KLAMATH COUNTY, OREGON

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2
3 IN THE MATTER OF THE APPLICATION)
4 FOR ZONE CHANGE NO. 80-54 FOR)
LARRY DILLON, APPLICANT)
5 L)

O R D E R

6 THIS MATTER having come on for hearing upon the applica-
7 tion of Larry Dillon for a zone change from RA (Residential
8 Agricultural) to RD 10,000 (Single Family Residential), by the
9 Klamath County Planning Commission, on real property described
10 as Township 39, Range 9, NW¼, NW¼ of Section 14, being Tax Lot
11 1100. Public hearings having been heard by the Klamath County
12 Planning Commission on November 25, 1980, wherefrom the testimony,
13 reports, and information produced at the hearing by the applicant,
14 members of the Planning Department Staff and other persons in
15 attendance, the Planning Commission recommended approval to the
16 Board of County Commissioners. Following action by the Planning
17 Commission, a public hearing before the Board of County Commis-
18 sioners was regularly held on December 29, 1980, wherefrom the
19 testimony at said hearing it appeared that the record below was
20 accurate and complete and it appeared from the testimony, reports
21 and exhibits introduced at the hearing before the Planning
22 Commission that the application for a zone change for the subject
23 property, should be granted.

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

FINDINGS OF FACT FOR ZONE CHANGE:

27
28 1. The Board of County Commissioners finds that the

1 existing and surrounding Comprehensive Land Use Plan classifica-
2 tions are Urban Density.

3 2. The Board of County Commissioners finds that the size
4 and shape of the property is 30,000 square feet and rectangular
5 in shape.

6 3. The Board of County Commissioners finds that the
7 location is the northeast corner of the intersection of Summers
8 Lane and Bartlett Avenue in Lot 6, Villa St. Clair, and also
9 located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 14, Township 39, Range 9.

10 4. The Board of County Commissioners finds that the
11 property access to site was adequate to handle the anticipated
12 traffic volume from the proposed use, that being single-family
13 residential.

14 5. The Board of County Commissioners finds that the land
15 use trends in the area is urban density, and the effect of the
16 proposed change on surrounding properties would be little.

17 6. The Board of County Commissioners finds that notifica-
18 tion was sent out regarding the zone change to surrounding property
19 owners as well as to those agencies of concern, therefore address-
20 ing L. C. D. C. Goal No. 1.

21 7. The Board of County Commissioners finds that the exist-
22 ing land use designation of site for change in zone is Urban
23 Density. This is the same classification in and around the
24 surrounding area. This type of classification is for single-family
25 residential, therefore addressing L. C. D. C. Goal No. 2.

26 8. The Board of County Commissioners finds that the site
27 for change is utilized for residential and is in a subdivision,
28 therefore addressing L. C. D. C. Goal No. 3.

1 9. The Board of County Commissioners finds site for
2 change in zone is in a subdivision and has been developed for
3 residential uses. Site for change does not fall into any of
4 the Items A through L of Goal No. 5, therefore addressing L. C.
5 D. C. Goal No. 5.

6 10. The Board of County Commissioners finds that site
7 for change could possibly help the economy of the area if addi-
8 tional house is built on lot, that is if partitioned, therefore
9 addressing L. C. D. C. Goal No. 9.

10 11. The Board of County Commissioners finds with applie
11 cant's change in zone, and if partitioned, an additional house
12 could be placed on lot 100 feet by 100 feet, therefore addressing
13 L. C. D. C. Goal No. 10.

14 12. The Board of County Commissioners finds that the lot
15 is in an area where there are public facilities and services,
16 such as water, sewer, telephone, as well as bus service,
17 therefore addressing L. C. D. C. Goal No. 11.

18 13. The Board of County Commissioners finds that Summers
19 Lane and Bartlett Street allow traffic to site for change in
20 zone. Both Summers Lane and Bartlett Street are paved county
21 roads, therefore addressing L. C. D. C. Goal No. 12.

22 14. The Board of County Commissioners finds that the
23 site for change is close to sources of energy which will help
24 conserve energy, therefore addressing L. C. D. C. Goal No. 13.

25 15. The Board of County Commissioners finds that the
26 site for change is inside the proposed Urban Growth Boundary
27 Line, therefore addressing L. C. D. C. Goal No. 14.

28 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

4 2. The property affected by the proposed change of
5 zone is properly related to streets and highways to adequately
6 serve the type of traffic generated by such uses that may be
7 permitted therein.

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

11 4. The proposed change of zone is in keeping with any
12 land use plans duly adopted and does, in effect, represent the
13 highest, best, and most appropriate use of the land affected.

14 5. The proposed change of zone is in keeping with land
15 uses and improvements, trends in land development, density of
16 land development, and prospective needs for development in the
17 affected area.

18 NOW, THEREFORE, it is hereby ordered that the application
19 for zone change from RA (Residential Agricultural) to RD 10,000
20 (Single Family Residential) for Larry Dillon on the subject
21 property, is hereby granted.

22 DONE AND DATED THIS 9th DAY OF March, 1981

23

24

25

Chairman

26

27 APPROVED AS TO FORM:
BOIVIN AND BOIVIN

Member

28

BY Robert L. Boivin

Member

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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 March A.D., 1981 at 8:35 o'clock A M., and duly recorded in

Vol M81 of Deeds on page 4436.

EVELYN BIEHN
COUNTY CLERK

Fee \$ None

By Debra A. Jensen deputy