

3881

## BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

Vol. 1553 Page 1

1  
2  
3 IN THE MATTER OF THE APPLICATION)  
4 FOR ZONE CHANGE NO. 81-15 FOR )  
ELIZABETH BOORMAN, APPLICANT )  
5 )

O R D E R

6 THIS MATTER having come on for hearing upon the application  
7 of Elizabeth Boorman for a zone change from RD 10,000 (Single  
8 Family Residential) to RD 5,000 (Single Family Residential), by  
9 the Klamath County Planning Commission, on real property describ-  
10 ed as Township 39, Range 9, SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, being Tax Lot  
11 7100. Public hearings having been heard by the Klamath County  
12 Planning Commission on July 7, 1981, 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 was regularly held before the Board  
18 of County Commissioners on August 14, 1981, wherefrom the testi-  
19 mony 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 site for

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1 change in zone to be located at the corner of Cottage Street and  
2 Homedale Street, being in the South Suburban area.

3 2. The Board of County Commissioners finds site for  
4 change in zone to be approximately 15,600 square feet in size  
5 and therefore meets the property development standards of the  
6 RD 5,000 (Single Family Residential) zone.

7 3. The Board of County Commissioners finds that the  
8 subject property for change in zone would have access off of  
9 Cottage Street.

10 4. The Board of County Commissioners finds that notifica-  
11 tion had been sent to neighboring property owners, concerned  
12 agencies, and the Herald and News, therefore addressing L. C. D.  
13 C. Goal No. 1.

14 5. The Board of County Commissioners finds that there  
15 were existing lots in the area that conform to that of the zone  
16 change request, as well as proposed use, therefore addressing  
17 L. C. D. C. Goal No. 2.

18 6. The Board of County Commissioners finds that site  
19 for change would not have negative effect on surrounding proper-  
20 ties, as proposed use would conform to the trends of the area,  
21 as there is a mixture of mobile homes and zones in the surround-  
22 ing area, therefore addressing L. C. D. C. Goal No. 2.

23 7. The Board of County Commissioners finds that recrea-  
24 tional facilities are available at Wiard Park and Shasta and  
25 Ferguson Schools, all less than a mile from subject property,  
26 therefore addressing L. C. D. C. Goal No. 8.

27 8. The Board of County Commissioners finds site for  
28 change would have an economic benefit for the property owner,

1 therefore addressing L. C. D. C. Goal No. 9.

2 9. The Board of County Commissioners finds that approval  
3 of this zone change and a subsequent partition would allow the  
4 creation of an additional building site in the Klamath Falls  
5 area, therefore addressing L. C. D. C. Goal No. 10.

6 10. The Board of County Commissioners finds the site to  
7 be adequately served by utilities, schools, and other facilities,  
8 therefore addressing L. C. D. C. Goal No. 11.

9 11. The Board of County Commissioners finds the site  
10 for zone change is a corner lot and fronts on a paved street,  
11 and appears to be able to carry the type of traffic that would  
12 be generated from proposed use.

13 12. The Board of County Commissioners finds site for  
14 change in zone to be located in an urban area which has facilities  
15 of energy close by, and also close to shopping areas which would  
16 help conserve energy, therefore addressing L. C. D. C. Goal No.  
17 13.

18 13. The Board of County Commissioners finds the site to  
19 be within the proposed urbanized area of Klamath Falls, therefore  
20 addressing L. C. D. C. Goal No. 14.

21 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

7 5. The proposed change of zone is in keeping with land  
8 uses and improvements, trends in land development, density of  
9 land development, and prospective needs for development in the  
10 affected area.

11 NOW, THEREFORE, it is hereby ordered that the application  
12 for zone change from RD 10,000 (Single Family Residential) to  
13 RD 5,000 (Single Family Residential) for Elizabeth Boorman on  
14 the subject property, is hereby granted.

15  
16 DONE AND DATED THIS 31<sup>st</sup> DAY OF August, 1981.

17  
18  
19 Chairman

20  
21 Harold L. Nye  
Commissioner

22  
23 Robert A. Cheyne  
Commissioner

24 STATE OF OREGON, )

25 County of Klamath )

26 red for record at request of

27 APPROVED AS TO FORM:

28 Boivin & Boivin

By Robert A. Boivin

ZC 81-15

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Commissioners Journal

in this 2nd day of Sept. A.D. 1981

at 8:49 o'clock A. M, and duly

recorded in Vol. M-81 of Deeds

page 15559

EVELYN BIEHN, County Clerk

By Robert A. Cheyne Deputy

Fee None