

18823

BOARD OF COUNTY COMMISSIONERS

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KLAMATH COUNTY, OREGON

1
2 IN THE MATTER OF THE APPLICATION)
3 FOR COMPREHENSIVE LAND USE PLAN)
4 CHANGE AND ZONE CHANGE NO.)
5 24-82 FCK LES SCHWAB TIRE CENTER)
6)

O R D E R

7 THIS MATTER having come on for hearing upon the application
8 of Les Schwab Tire Center for a Comprehensive Land Use Plan change
9 from Urban Density to General Commercial and a zone change from
10 RS to CG, by the Klamath County Planning Commission, on real
11 property described as a portion of Section 2, Township 39, Range
12 9, being Tax Lot 1900. Public hearings having been heard by the
13 Klamath County Planning Commission on November 23, 1982,
14 wherefrom the testimony, reports, and information produced at the
15 hearing by the applicant, members of the Planning Staff and other
16 persons in attendance, the Planning Commission recommended
17 approval to the Board of County Commissioners. Following action
18 by the Planning Commission, a public hearing before the Board
19 of County Commissioners was regularly held on December 13, 1982,
20 wherefrom the testimony at said hearing it appeared that the
21 record below was accurate and complete and it appears from the
22 testimony, reports and exhibits introduced at the hearing before
23 the Planning Commission that the application for a change of
24 Comprehensive Land Use Plan and zone change for the subject
25 property, should be granted.

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

FINDINGS OF FACT:

28 1. It was found that the change in land use was for Les

1 Schwab Tire Center.

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2 2. Property for change in land use was located approximately
3 at the southwest intersection of Miller and Madison Streets and
4 approximately 350 feet north of South Sixth Street.

5 3. Testimony from applicant was that lot for change had been
6 utilized as a parking lot and that the Les Schwab Tire Center
7 had owned the lot for approximately three years. Testimony
8 indicated applicant wanted to bring lot into zoning conformance
9 with the remaining contiguous lots, where the Tire Center is
10 located.

11 4. Testimony indicated that 15 truck loads of gravel had been
12 laid down on subject lot and that the Tire Center was going to
13 drainage pipe which is to be placed by Enterprise Irrigation, so
14 that area will have proper drainage.

15 5. The County did notify agencies, surrounding property
16 owners and the South Suburban Area Committee. Letters from
17 agencies marked Klamath County Exhibits D and E were read into
18 the record. These two exhibits dealt with access and drainage.

19 6. The people in the surrounding area also testified and
20 submitted a petition with approximately 15 names, this exhibit
21 was marked as Opponent's Exhibit No. 1. Petition was for denial
22 of CLUP and zone change.

23 7. It was pointed out during the hearing that the block
24 between South Sixth and Miller Avenue was almost all zoned
25 General Commercial with the exception of three (3) lots. There are
26 a total of thirty-four (34) lots in said block.

27 8. Site for change could be served with sewer facilities,

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1 city water, electrical and telephone. Site is also served by the
2 Fire District.

3 9. Testimony by applicant was that lot had access off onto
4 Madison Street. After hearing concerns of surrounding property
5 owners, a conditions was placed on the zone change that access
6 would only be onto Madison Avenue.

7 10. Testimony indicated site for change in land use for a
8 parking lot would certianly conserve energy with said lot being
9 contiguous to existing Tire Center and would allow employees
10 to park close-by and walk to work.

11 11. Site lies within the Urban Growth Boundary and is served
12 by a full range of public facilities and services.

13 CONCLUSIONS OF LAW:

14 1. The Board of County Commissioners concludes that this
15 change in Comprehensive Land Use Plan and zone permits orderly
16 and beneficial development, while protecting the character of
17 neighborhoods and communities, and the social and economic
18 stability of the County.

19 2. The Board of County Commissioners concludes that this
20 change in Comprehensive Land Use Plan and zone supports the
21 protection and preservation of the County's space and recreational
22 resources while providing for appropriate development.

23 3. The Board of County Commissioners concludes that this
24 change in Comprehensive Land Use Plan and zone will further the
25 goals and policies of the Klamath County Comprehensive Plan.

26 NOW, THEREFORE, it is hereby ordered that the application for
27 the Comprehensive Land Use Plan change from Urban Density to

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1 General Commercial and zone change from RS to CG for Les Schwab
2 Tire Center on the subject property is hereby granted.
3 DONE AND DATED THIS 29th DAY OF December, 1982.

Harold L. Kypura
Chairman

Alvin A. Chayne
Commissioner

Neil Kuonen
Commissioner

14 APPROVED AS TO FORM:
15 Boivin & Boivin

16 BY Mark Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

Klamath County

this 29th day of December A. D. 19 82 at 1:56 o'clock P.M., and
duly recorded in Vol. M82, of Deeds on Page 18540

By Evelyn Biehn County Clerk

No Fee

COMMISSIONERS JOURNAL