

## BEFORE THE PLANNING COMMISSION

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)  
2 )  
3 Zone Change No. 14-83 for )  
4 )  
5 L.Q. Developments )  
6 )

O R D E R

7 A hearing was held on this matter on September 27, 1983,  
8 pursuant to notice given in conformity with Ordinance No. 45.1,  
9 Klamath County, before the Klamath County Planning Commission.  
10 The applicant was present, along with the Klamath County Planning  
11 Department and evidence was presented on behalf of the Department  
12 and on behalf of the applicant. There were adjacent property  
13 owners present.

14 The following exhibits were offered, received, and made  
15 a part of the record:

16 Klamath County Exhibit A, Staff Report  
17 Klamath County Exhibit B, Photos  
18 Klamath County Exhibit C, Assessor Sheet  
19 Klamath County Exhibit D, Revised Map of Tract 1228  
20

21 The hearing was then closed, and based upon the evidence  
22 submitted at the hearing, the Planning Commission made the  
23 following Conclusions of Law:

CONCLUSIONS OF LAW:

- 24 1. The proposed change of zone is in compliance with the  
25 Klamath County Comprehensive Plan and the provisions of the Code.  
26 2. The proposed change in zone adequately responds to the  
27 site specific and minimizes adverse affects upon surrounding  
28 property that would be affected by the proposed change.

1           3. The Planning Commission found that this change of zone  
2 will make use of the land which is consistent with the use already  
3 in existence in the surrounding lands.

4           4. The Planning Commission found the zone change was from  
5 an RS (Suburban Residential) zone with a minimum lot size of  
6 10,000 square feet, to RL (Low Density Residential) zone, with a  
7 minimum lot size of 5,000 square feet.

8           5. The Planning Commission also found the site was  
9 located south of the A Canal and north and abutting a subdivision  
10 known as Cypress Villa.

11           6. Testimony indicated that the proposed revised tract  
12 was to increase the number of lots from 25 to 28, just three  
13 additional lots.

14           7. Testimony indicated the lot sizes would range from  
15 8,000 square feet to over 10,000 square feet, which appeared to  
16 be the lot sizes in the surrounding area.

17           8. Testimony by the applicant indicated that access would  
18 be onto a paved County road known as Homedale Road, which appears  
19 to be able to carry the kind of traffic which would be generated  
20 by the proposed use, and that access would be from Perry Street,  
21 which ties into Cypress Villa. It appears the major access  
22 point would be Homedale Road.

23           9. The Planning Commission found that the granting of  
24 this zone change was consistent with the L.C.D.C. Goals of the  
25 staff report, which was Exhibit A, and made part of the record.

26           The following Findings of Fact are based on the foregoing  
27 Conclusions of Law:

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FINDINGS OF FACT:

1. The Planning Commission finds that this change in zone permits orderly and beneficial development, while protecting the character of neighborhoods and communities, and the social and economic stability of the County.

2. The Planning Commission concludes that this change in zone supports the protection and preservation of the County's space and recreational resources while providing for appropriate development.

3. The Planning Commission finds that this change in zone will further the goals and policies of the Klamath County Comprehensive Plan.

The Planning Commission, based on the foregoing Findings of Fact, accordingly orders as follows:

That real property described as  
"being generally located south of the A Canal, north of Cypress Villa, east of Homedale Road, and more particularly described as Tax Lot 2100, Township 39, Section 11, Range 9, Klamath County, Oregon."

///

20173

1 is hereby granted a Zone Change from RS (Suburban Residential) to  
2 RL (Low Density Residential).

3 DONE AND DATED THIS 22<sup>nd</sup> DAY OF November, 19 83.

KLAMATH COUNTY PLANNING COMMISSION

Richard J. Nellipowitz  
Richard Nellipowitz, Chairman

Gordon DeArmond  
Gordon DeArmond, Member

Steven Miller, Member

Mildred Brooks  
Mildred Brooks, Member

Gilbert Moty  
Gilbert Moty, Member

Edward Livingston  
Edward Livingston, Member

Georgia Dehlinger  
Georgia Dehlinger, Member

21 APPROVED AS TO FORM:

Robert Boivin  
Boivin & Boivin

STATE OF OREGON, )

County of Klamath )

Filed for record at request of

on this 23 day of Nov. A.D. 19 83

at 2:40 o'clock P M, and duly

recorded in Vol. M83 of Deeds

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EVELYN BIEHN, County Clerk

By Lynn Smith Deputy

Fee None

28 ZC 14-83

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Ret: Commissioners Journal