

35068

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

Vol. MY Page 5261

1 In the Matter of Request for)
2 Zone Change No. 1-84 for)
3 Barbara Bedard, Applicant)
4 _____)

Klamath County Planning
Findings of Fact and Order

5 A hearing was held on this matter on March 15, 1984, pursuant
6 to notice given in conformity with Ordinance No. 45.2, Klamath
7 County, before the Klamath County Hearings Officer, Jim Spindor.
8 The applicant was present. The Klamath County Planning Department
9 was represented by Jonathan Chudnoff. The Hearings Reporter was
10 Karen Alberto.

11 Evidence was presented on behalf of the Department and on
12 behalf of the applicant. There were no adjacent property owners
13 present.

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

16 Klamath County Exhibit A, Staff Report

17 Klamath County Exhibit B, Assessor's Maps (2)

18 Klamath County Exhibit C, Letter from Department of Environ-
19 mental Quality

20 Klamath County Exhibit D, Letter from Highway Division

21 Klamath County Exhibit E, Letter from Betty Ahern

22 The hearing was then closed, and based upon the evidence
23 submitted at the hearing, the Hearings Officer made the following
24 Conclusions of Law:

25 CONCLUSIONS OF LAW:

26 1. The change of zone is in conformance with the Klamath
27 County Comprehensive Plan, and all other provisions of the Land
28 Development Code.

10 3 PM 2 APR 84

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

3. The property affected by the proposed change of zone is properly related to streets to adequately serve the type of traffic generated by such uses that may be permitted therein.

4. The proposed change of zone will have no adverse affect on the appropriate use and development of abutting properties.

5. The granting of this Zone Change is consistent with the goals of the LCDC.

6. The granting of this Zone Change is subject to the following condition:

CONDITION:

a. There shall be no use allowed under this Zone Change until the owner first submits in writing to the Klamath County Planning Department a statement setting forth what the use will be as well as a plot plan showing that all relevant provisions of the Land Development Code, with regard to parking, setbacks, etc., will be complied with.

FINDINGS OF FACT:

The requested Zone Change has been granted with the above condition based on the following findings of fact:

1. The applicant makes this request to change the zone of the property in question from Rural Community Residential to Highway Commercial. The purpose of the Highway Commercial zone is to provide commercial services and goods in places conveniently and safely accessible to highways.

2. The property in question is approximately 3.1 acres and

1 rectangular in shape. It is generally located between State
2 Highway 97 and the Southern Pacific Railroad, and located at the
3 north and south of Fourth Street in the town of Chemult, Oregon.

4 3. The surrounding area is predominantly commercial or
5 industrial zoning, and, therefore, the requested change should
6 not have significant effects beyond the immediate area.

7 4. The site is within the Chemult Fire District with the
8 fire hall being in the town of Chemult.

9 5. No one testified in opposition to the granting of this
10 Zone Change, and there was no evidence presented that there would
11 be any adverse effects on the appropriate use and development of
12 abutting properties.

13 The Hearings Officer, based on the foregoing Findings of
14 Fact, accordingly orders as follows:

15 That real property described as

16 "being generally located between State Highway 97
17 and the Southern Pacific Railroad; and located north
18 and south of Fourth Street in the town of Chemult,
Oregon,"

19 is hereby granted a Zone Change from Rural Community Residential
20 to Highway Commercial.

21 Entered at Klamath Falls, Oregon, this 30th Day of MARCH,
22 1984.

23 KLAMATH COUNTY HEARINGS DIVISION

24 

25 Hearings Officer

26 Return: Commissioners Journal

27
28 ZC 1-84
Page 3

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for
record on the 2nd day of April A.D., 1984 at 3:01 o'clock PM,
and duly recorded in Vol M84, of Deeds on page 5261

EVELYN BIEHN, COUNTY CLERK

by:  Deputy

Fee: \$ None