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## BEFORE THE PLANNING COMMISSION

KLAMATH COUNTY, OREGON

In the Matter of Comprehensive )  
 Land Use Plan Map Change and ) ORDER  
 Zone Change No. 14-84 for )  
 Richard Kopczak, Applicant. )

This Comprehensive Land Use Plan Map Change and Zone Change 14-84 for Richard Kopczak came on for hearing before the Klamath County Planning Commission, with public hearing having been heard, on January 22, 1985, wherefrom the testimony, reports, and information produced at the hearing by the applicant, Planning Staff, and other persons in attendance, the Planning Commission denied applicant's Land Use and Zone Change from Agricultural to Transportation Commercial and from EFU-CG (Exclusive Farm Use-Cropland/Grazing) to CH (Highway Commercial) to allow for a real estate office and other commercial development.

The Planning Commission makes the following findings of fact:

FINDINGS OF FACT

1. The property for change of the Comprehensive Land Use Plan and Zone was located in Section 33, Township 35, Range 7, being Tax Lot 1202.

2. The Planning Commission finds the applicant to be Richard R. Kopczak who is the owner of the property described in No. 1, above.

3. The parcel for change was rectangular in shape and was approximately 4.5 acres in size.

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1 4. Testimony, by letter, from the State Highway Department  
2 was read into the record, containing a recommendation for denial.  
3 Reasons stated for denial were that there were other adequate  
4 sites currently zoned for the proposed use, and that stopping  
5 and turning movements create conflicts for through traffic.

6 5. The applicant stated he had no major immediate plans  
7 for commercial use or future plans for commercial use.

8 6. The Planning Commission, after reviewing and taking  
9 testimony from the applicant on the applicant's exception  
10 paper found that the exception paper lacked required information  
11 and failed to show a need for the applicant's proposal.

12 7. The Planning Commission found from direct testimony  
13 from applicant that applicant stated, "No, there is no need  
14 at this time for any commercial development."

15 CONCLUSIONS OF LAW

16 1. The Planning Commission concludes that the requested  
17 change in the Comprehensive Land Use Plan and Zone change  
18 do not permit orderly and beneficial development, while  
19 protecting the character of neighborhoods and the social and  
20 economic stability of the county.

21 2. The Planning Commission concludes that the requested  
22 change in the Comprehensive Land Use Plan and the Zone change  
23 do not further the goals and policies of the Klamath County  
24 Comprehensive Plan.

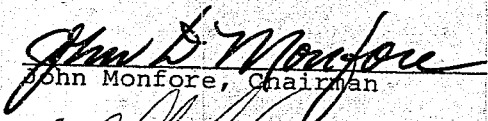
25 3. The Planning Commission concludes that the applicant's  
26 exception paper lacked information and facts indicating a  
27 need for the proposed use.

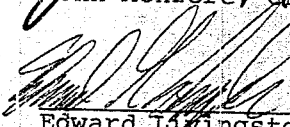
28 NOW, THEREFORE, IT IS HEREBY ORDERED that the application


1 for the Comprehensive Land Use Plan Map Change and Zone Change  
 2 from Agricultural to Transportation Commercial for Richard R.  
 3 Kopczak is hereby denied.

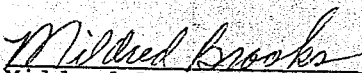
4 Dated this 5<sup>th</sup> day of February, 1985.


6 KLAMATH COUNTY PLANNING COMMISSION

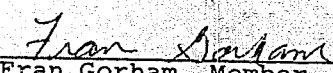
8   
 9 John Monfore, Chairman

11   
 12 Edward Livingston, Vice-Chairman

13   
 14 Steve Sherman, Member

15   
 16 Mildred Brooks, Member

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 18 Jon Elliott, Member

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 20 Fran Gorham, Member

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 22  
 23 APPROVED AS TO FORM:


24   
 25 ROBERT D. BOIVIN  
 26

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for  
 record on the 19th day of February A.D., 1985 at 11:18 o'clock A M,  
 and duly recorded in Vol. M85, of Deeds on page 2417.

RETURN: COMMISSIONERS JOURNAL

EVELYN BIEHN, COUNTY CLERK

by: , Deputy

Fee: \$ None