

BEFORE THE BOARD OF COMMISSIONERS AND PLANNING COMMISSION
KLAMATH COUNTY, OREGON

7118

1 IN THE MATTER OF THE REQUEST FOR)
2 COMPREHENSIVE LAND USE PLAN AND)
3 ZONE CHANGE 1-88 FOR WILLIAM AND)
4 CONNIE GOMEZ)

ORDER NO. 88-231

I. NATURE OF REQUEST

5 A public hearing was held on this application on April 26,
6 1988, being a joint hearing before the Klamath County Planning
7 Commission and the Board of Commissioners.

8 The request for a Change of Land Use Plan from Forestry to
9 Commercial and Zone Change from Forestry to Highway Commercial
10 was considered pursuant to Articles 47 and 48 of the Land Develop-
11 ment Code.

II. NAMES OF THOSE INVOLVED

13 The applicants, Mr. and Mrs. Gomez, were present. Mrs. Gomez
14 testified in support of this application. Also testifying in
15 support were Ron Tschetter and James Owens. Appearing in opposi-
16 tion was William Peterson.

17 The Planning Department was represented by Kim Lundahl,
18 Senior Planner. The recording secretary was Karen Burg. David
19 Mannix, Deputy County Counsel, was present.

20 Members of the Board of Commissioners who sat at this hearing
21 were Roger Hamilton and Jim Rogers.

22 Members of the Planning Commission who sat at this hearing
23 were Susan Crismon, John Monfore, Ned Livingston, John Kite,
24 Doug Everett, and Fran Gorham.

III. LEGAL DESCRIPTION

26 Portion of Section 24, Township 31S, Range 7E. Tax Account
27 3107-24-300. Fifteen acres lying west of Highway 97, north of
28 Silver Lake Highway at Sand Creek Station.

20 4 11 88

1 IV. RELEVANT FACTS

2 The Klamath County Planning Department file and all contents
3 thereof, Exhibits through R and testimony received, are incorpora-
4 ted in this order as evidence.

5 Notice of this action and an "Exceptions Statement" prepared
6 pursuant to OAR 660, Division 4, was forwarded to the Department
7 of Land Conservation and Development on March 3, 1988. A response
8 dated April 11, 1988, was received and addressed in an addendum
9 submitted by the applicant as Exhibit G.

10 V. RELEVANT APPROVAL CRITERIA

11 Review criteria relating to this application is set out in
12 Land Development Code Article 47 sub 003 and Article 38 sub 003
13 as follows:

14 A. The proposed change is in conformance with all relevant
15 policies of the Klamath County Comprehensive Plan.

16 B. The proposed change is supported by specific studies or
other factual information for that change.

17 C. The change of zone is in conformance with the Comprehen-
18 sive Plan, and all other provisions of the Land Development Code.

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

21 E. The property affected by the proposed change is properly
22 related to streets to adequately serve the type of traffic genera-
ted by such uses that may be permitted therein.

23 F. The proposed change will have no adverse effect on the
appropriate use and development of abutting properties.

24 VI. FINDINGS

25 The Board of Commissioners and Planning Commission find the
26 evidence submitted, Exceptions Statement, and testimony offered
27 demonstrate the approval criteria as set out in Section V, have
28 been satisfied.

VII. CONCLUSIONS

This application has satisfied the review criteria in that correct notice was given, all relevant Comprehensive Plan Policies and review criteria have been complied with, and an exceptions statement and addendum were also submitted.

VIII. ORDER

Therefore, the Board of Commissioners accepts the recommendation of the Planning Commission, and it is hereby ordered the submitted exceptions statement and addendum are accepted, and the request for a Change of Land Use Plan from Forestry to Commercial and Zone Change from Forestry to Highway Commercial filed as application CLUP & ZC 1-88 is granted.

Dated this 11th Day of May, 1988.

BOARD OF COUNTY COMMISSIONERS

Roger Hamilton
Roger Hamilton, Chairman of the Board

Jim Rogers
Jim Rogers, Commissioner

(NOT PRESENT AT HEARING)
Ted Lindow, Commissioner

Approved as to Form and Content:

David Mannix
David Mannix, Deputy County Counsel

CLUP/ZC 1-88/Gomez
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Board of Commissioners the 11th day
of May A.D., 19 88 at 4:20 o'clock p M., and duly recorded in Vol. M88
of Deeds on Page 7118.

FEE None

Evelyn Biehn

County Clerk

By

Bernetha A. Lebeck