

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

IN THE MATTER OF THE REQUEST FOR )  
CLUP/ZC 8-92 FOR Francis/Patricia Landrum) ORDER

THIS matter came before the Planning Commission and Board of Commissioners on August 25, 1992, being a joint hearing in the County Commissioners Hearing Room in Klamath Falls, Oregon. The Planning Department was represented by Mr. Carl Shuck, Planning Director, and the recording secretary, Karen Burg. CLUP/ZC file and all exhibits and other contents therein is incorporated by this reference into this matter.

This hearing was held pursuant to notice given in conformity with the Klamath County Planning Land Development Code and related Statutes. Mr. Francis Landrum, the applicant was present and testified in favor of the application. No one testified in opposition.

FINDINGS OF FACT:

1. The Applicants are requesting a land use change from Industrial To General Commercial and a zone change from IH (Heavy Industrial) to IL(Light Industrial) and CG (General Commercial). The application was made in order to develop approximately 7.5 acs for Commercial and Light Industrial uses.
2. The property is located east of Washburn Way on the north and south sides of Onyx St., and more particular described as being in a portion of Section 10 of T39S, R9 EWM.
3. The site for change in land use and zone is inside the Urban Growth Boundary and has all utilities to site.
4. The number of lots for this proposal consists of 14, and they occupy approximately 7.5 acres.
5. The criteria for the proposed changes is found in sections 47.030 and 48.030 of Articles 47 and 48 of the Klamath County Land Development Code.
6. The proposed changes were reviewed in light of factual information given to the Planning Commission and Board of Commissioners by Mr. Landrum and Planning Departments staff report. Mr. Landrums testimony indicated that there were other commercial uses as well as light industrial uses in the surrounding area, specifically directly to the north and the south of the proposed site. The applicant also stated that there were commercial uses across Washburn Way such as Wall-Mart, which was rezoned in 1991.
7. Testimony by the applicant and the staff indicated that the area is basically a true mixture of uses, such as industrial, and commercial, and that proposed use would not be a significant adverse affect to the area.

8. The subject site is adequately served by maintained streets, with main access off of Washburn Way, which are capable of handling the type of traffic that would be generated by the proposed use. Each lot abuts Onyx Street where access will be available.

9. The subject site was subdivided in 1979 and is known as Tract 1183, Fremont Park.

10. The factual information furnished by the applicants indicates that their request is compatible with the surrounding land uses.

#### CONCLUSIONS:

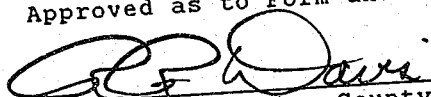
Therefore based on the above information and testimony given to the Planning Commission and Board of Commissioners, these applicants have satisfied the review criteria. Further correct notice was given and no communication was given in opposition to the application. The proposed use will not result in a negative impact on the surrounding area.

#### ORDER

Therefore the Board of Commissioners accepts the recommendations of the Planning Commission and it is hereby ordered that the requests for a change in land use from Industrial to General Commercial and a zone change from IH (Heavy Industrial to CG (General Commercial) and IL (light Industrial) be granted.

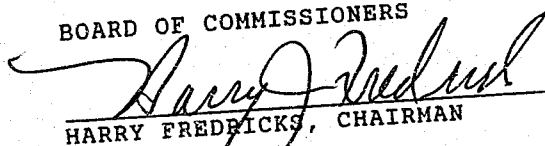
DATED THIS 14th DAY OF September, 1992

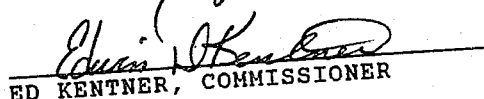
Approved as to Form and Content:



Reginald R. Davis, County Counsel

BOARD OF COMMISSIONERS

  
HARRY FREDRICKS, CHAIRMAN

  
ED KENTNER, COMMISSIONER

  
WES SINE, COMMISSIONER

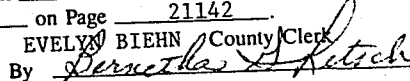
#### NOTICE OF APPEAL RIGHTS

You are hereby notified this decision may be appealed to the Land use Board of Appeals within 21 days following the mailing of this order. Failure to do so in a timely manner may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ County Commissioners \_\_\_\_\_ the \_\_\_\_\_ 16th \_\_\_\_\_ day  
of \_\_\_\_\_ September \_\_\_\_\_ A.D., 19 \_\_\_\_\_ 92 at \_\_\_\_\_ 1:39 \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., and duly recorded in Vol. \_\_\_\_\_ M92  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page \_\_\_\_\_ 21142 \_\_\_\_\_

EVELYN BIEHN County Clerk

By 

FEE None