

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

IN THE MATTER OF THE REQUEST )  
 FOR CLUP/ZC FOR SOUTH SUBURBAN ) ORDER  
 SANITARY DISTRICT )

THIS matter came before a joint hearing of the Planning Commission and Board of Commissioners on January 26, 1993, 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 13-92 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. Roger Rivenes, the applicant, was present and testified in favor of the application. No one testified in opposition.

FINDINGS OF FACT:

1. The applicant requested a land use change from Urban Residential to Industrial and a zone change from RS (Suburban Residential) to IL (Light Industrial). The application was to maintain existing office and shop for sewer maintenance that was established in 1962.
2. The property is located at 1818 Derby Street, Klamath Falls, Oregon, and described as being in a portion of Section 3 of T39S, R9 EWM, Tax Lots 3700, 3800, 4400, consisting of 1.36 acres.
3. The review criteria for the proposed change is found in Sections 47.030 and 48.030 of Articles 47 and 48 of the Klamath County Land Development Code.
4. The proposed change and reports given by the Klamath County Planning Department was reviewed by the Planning Commission and Board of Commissioners and found that the permitted uses in Section 53.220 of the Klamath County Land Development Code were compatible with this property.
5. Testimony by the applicant and staff indicated that the proposed change would bring site into compliance with their existing use that has been there since 1962.
6. The Board of Commissioners found that there was adequate access off of Derby Street. The applicant also indicated that they were in the process of vacating Alva Avenue, which would be used for parking.
7. Testimony by staff and Exhibit B, site plan, indicated and the Board of Commissioners found that the parcel for proposed change in land use and zone is adequate in size and shape. Also staff indicated that site has water, sewer and electricity.

8. Testimony by applicant indicated and the Board of Commissioners found that the proposed change in zone would not have an adverse effect on the abutting properties because the use has been located on subject property since 1962 and they do not have plans for expanding site.

CONCLUSIONS:

The above information and testimony given to the Planning Commission and Board of Commissioners, satisfied the review criteria. The correct notice was given and there was no evidence presented in opposition to the application. The proposed change will not cause a negative impact to the surrounding area.

ORDER:

Therefore the Board of Commissioners accepts the recommendations of the Planning Commission and it is hereby ordered that the request for change in land use from urban Residential to Industrial and zone change from RS (Suburban Residential) to IL (Light Industrial) be granted.

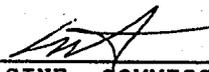
DATED THIS 9th DAY OF February, 1993

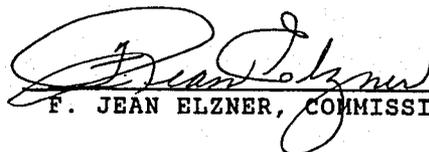
Approved as to Form:

  
Reginald R. Davis, County Counsel

BOARD OF COMMISSIONERS

  
ED KENTNER, CHAIRMAN

  
WES SINE, COMMISSIONER

  
F. JEAN ELZNER, COMMISSIONER

**NOTICE OF APPEAL RIGHTS**

You are here 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 Klamath County the 11th day  
of Feb. A.D., 19 93 at 2:48 o'clock P.M., and duly recorded in Vol. M93,  
of Deeds on Page 3105.

FEE none

Evelyn Biehn - County Clerk

By 

Return: Commissioners journal