

BEFORE THE BOARD OF COMMISSIONERS  
KLAMATH COUNTY, OREGON

IN THE MATTER OF CLUP/ZC 20-94  
FOR WIN-R INSULATION

ORDER

APPLICATION:

The applicant requested a Comprehensive Land Use Plan and Zone Change from Urban Residential to General Commercial and a Zone Change from Suburban Residential/RS to General Commercial/CG on a 9,585 square foot parcel.

ATTENDEES, TIME, and PLACE:

The applicant was Richard Reeves for Win-R Insulation. The Planning Department was represented by Carl Shuck. Karen Burg was the recording secretary. The hearing was held before the Board of Commissioners on August 23, 1994. The review of this application was held in the hearing room of the Courthouse Annex.

RELEVANT FACTS:

The subject property is situated in a portion of Section 3, Township 39 S, Range 9 E.W.M. of Klamath County, Oregon. The subject property consists of 9,585 square feet. The minimum lot size ~~of~~ for the proposed General Commercial zone is 5,000 square feet. The access is onto Altamont Drive. Altamont Drive can adequately serve the type of traffic that will be generated from the proposed commercial use.

ARTICLE 48-CHANGE OF COMPREHENSIVE PLAN DESIGNATION:

Klamath County Land Development Code Section 48.030 (B) sets forth the review criteria for approving a comprehensive land use plan change.

The plan designation of properties lying to the northwest and southwest of subject property is designated General Commercial and zoned for commercial use.

A map was submitted as Exhibit B indicating the land use plan designations of the surrounding area.

The site was never used for residential use. There is water and sewer service to the site and is served by Klamath County Fire District 1. The site is served by Pacific Power and Light and is served by other public utilities.

ARTICLE 47-CHANGE OF ZONE DESIGNATION.  
FINDINGS OF FACT.

Klamath County Land Development Code Section 47.030(B) sets forth the zone change criteria. The property effected by the change of zone from RS(Suburban Residential) to CG(General Commercial) is adequate in size and shape to facilitate a use.

The site contains 9,585 square feet, and the CG zone requires 5,000 square feet for the minimum lot size.

The property effected by the proposed change in zone can adequately serve the type of traffic generated by such use that may be permitted by zone. Altamont Drive is a County paved road and has the capacity to carry the increased traffic. The applicant testified that with the addition of the 9,585 square foot lot that there would be a minimal amount of added traffic to Altamont Drive. The proposed change of zone will have no adverse effect on the appropriate use and development of abutting properties. The subject property lies in an area where the area to the northwest and southwest is committed to commercial zoning. The zoning of the adjacent properties to the northwest and southwest is CG. Directly to the west of the subject property, the zone designation is CG. The uses of the properties to the southwest of subject property are small engine repairs, wood carver, and Altamont Auto Wreckers.

ARTICLE 48 and 47- CHANGE OF COMPREHENSIVE PLAN DESIGNATION AND  
CHANGE OF ZONE DESIGNATION: Conclusions of Law.

The Board of Commissioners finds the proposed change is supported by factual information which documents the need for the plan change to commercial. The proposed change complies with the policies of the Comprehensive Plan.

Because the property has never been used as RS(Suburban Residential) and the adjoining property is zoned CG(General Commercial), the use of the land in accordance with the proposal will meet Goal 11, Public Facilities and Services.

The Board of Commissioners finds the change of zone is in conformance with the Comprehensive Plan. The property effected by the change of zone is adequate in size and shape to facilitate the proposed change of zone.

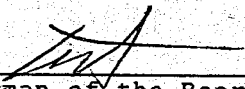
The proposed change of zone will have no significant adverse effect on the appropriate use and development of adjacent properties. The proposed change is supported by factual information which documents the need for change.


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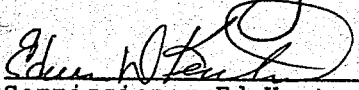
## ORDER:

THEREFORE, it is hereby ORDERED that the change of Comprehensive Land Use Plan designation and zoning of the subject property from Urban Residential/ RS(Suburban Residential) to General Commercial/CG(General Commercial) is approved.

DATED this 6<sup>th</sup> day of September, 1994

  
\_\_\_\_\_  
Chairman of the Board of Commissioners

  
\_\_\_\_\_  
Commissioner F. Jean Elzner

  
\_\_\_\_\_  
Commissioner Ed Kentner

Approved as to form:

\_\_\_\_\_  
Reginald R. Davis, County Counsel

## NOTICE OF APPEAL RIGHTS

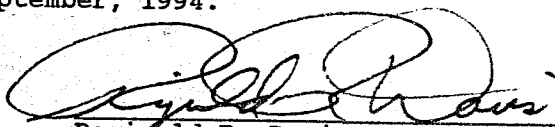
You are hereby notified that this decision may be appealed to the Land Use Board of Appeals within 21 days following the mailing of this Order. Contact the Klamath County Planning Department for information if you are to appeal. Failure to do so in a timely manner may affect your right to appeal this decision.

COUNTY COUNSEL APPROVAL

**Document:** IN THE MATTER OF CLUP/ZC 20-94 for WIN-R INSULATION

This document is legally sufficient.

DATED this 2 day of September, 1994.



Reginald R. Davis  
Klamath County Counsel

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 12th day  
of Sept A.D., 19 94 at 9:13 o'clock A M., and duly recorded in Vol. M94,  
of Deeds on Page 28573.

FEE none

Commissioners Journal

Evelyn Biehn County Clerk

By Pauline Millenore