

11-09-94P02:42 RCVD

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request)
by JAMES V. and GLADYS R. PARKER) ZONE CHANGE
) NO. ZC 25-94
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)
)

This matter came before Michael L. Brant, Hearings officer for Klamath County, Oregon, on November 4, 1994, in the Klamath County Museum Meeting Room in Klamath Falls, Oregon. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the recording secretary was Ms. Karen Burg. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter.

The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related Statutes and Ordinances. The applicant for the above-referenced zone change was present. The report prepared by staff was read and the contents thereof were received in evidence. Based upon the evaluation of the testimony and consideration of the evidence received, the Hearings Officer makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW and makes the following decision.

FINDINGS OF FACT:

1. The Applicant is requesting a Zone Change from Suburban Residential (RS) to Medium Density Residential (RM) in order to allow duplexes. The property is located on the nothwest corner of Shasta Way and Wiard Street, isentified as Tax Lot 9000 and is a portion of S35CD, T38S, R9EWM.

2. Water service is received from the City of Klamath Falls,

sewer service is received from South Suburban Sanitary Dist. and power from Pacific Power & Light Company. The property is situated within Fire District no. 1.

3. Authority for the proposed zone change is found in section 47.030 of Article 47, paragraphs A and B, 1-5 and hearings officer review procedure.

4. There are duplexes in the area.

5. The zone change will not alter the present use of the adjacent properties or the character of the neighborhood.

6. The property affected by the proposed change of zone is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning.

7. The property affected by the proposed change of zone is properly related to streets to adequately serve the type of traffic generated by such uses that may be permitted therein.

8. The change of zone is in conformance with the Comprehensive Plan and all other provisions of the Land Development Code.

9. The proposed change of zone will have no adverse effect on the appropriate use and develop of abutting properties.

CONCLUSION

There is no reasonable basis upon which to deny the proposed zone change.

ORDER

Based upon the findings and conclusion herein the Zone change from RS to RM as requested is granted.

DATED this 8th day of November 1994.

Michael L. BrantMichael L. Brant
Hearings Officer

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.060 PROVIDES:

"An Order of the Hearings Officer may be appealed to the Board of County Commissioners within seven (7) days of its mailing as set forth in Article 33."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 9th day
of Nov A.D., 19 94 at 2:42 o'clock P.M., and duly recorded in Vol. M94
of Deeds on Page 34606.

Evalyn Biehn County Clerk

FEE none

By Dorene Muelender