

BEFORE THE PLANNING DIRECTOR
KLAMATH COUNTY, OREGONTEMPORARY USE PERMIT 3-89
FOR NEIL EASTON

ORDER

Request

Applicant requests a Temporary Use Permit per Article 42, Section 42.005 (C)(D) for a residence for a relative needing special care.

Property Location

The site is generally located at the corner of Del Fatti Lane and Tingley Road, more specifically being in SE 1/4 of Section 29 of Township 39, Range 9, Tax Lot 2500.

Findings

- A. Site for temporary use is 18.6 acres in size with an existing residence, garage, barn, and shop. The site is generally level. Access is off of Del Fatti Lane. Site has an existing well and two septic systems. One system is not in use and will require review by the Health Department.
- B. Presently a portion of the site is in pasture with approximately 13 head of cows on the site. The pasture is flood irrigated
- C. The Planning Department received a letter from Dr. Blake D. Berven stating Mr. Easton has heart disease and needs assistance with the present uses of the site.
- D. Planning received two letters in opposition stating the area was agriculture, and they were aware of restrictions. Section 51.017 (B)(1) of the Land Development Code allows for

an additional mobile home for a relative to assist in management of the farm; however, this situation meets criteria of a Temporary Use Permit, not the criteria for a permitted use in the EFU-C Zone.

E. In review of the immediate area, more specific to the west down Del Fatti Lane, there are approximately six other mobile homes with houses on lots similar in size.

F. The proposed site for the mobile home will not be in direct sight of the residence to the north. The site for the mobile home would be off set from the residence to the north.

Conclusion and Order

Planning Director finds applicant has satisfied the review criteria of Article 42, Section 42.005(D) and approves the T.U.P. for Neil Easton with the following conditions to be met per Section 42.008(D)(1-4):

D. Mobile Home as Accessory Use

1. Use of Mobile Home - The mobile home shall be used only as caretaker's or manager's residence or residential use for a relative needing special care to the principal use on the same building site.

2. Water Distribution System - A water distribution system shall be installed to serve each mobile home in compliance with applicable laws and regulations administered by the County Health Services and Building Departments.

3. Sewage Disposal System - A sewage disposal system shall be installed to serve each mobile home in compliance with applicable laws and regulations administered by the County

Health Services and Building Departments.

4. Time Limitation - A mobile home permitted by the provisions of this section shall be permitted for a maximum of two (2) years after approval of final inspection for a building permit for such use unless a shorter period of time is specified by the permit.

DATED THIS 27th day of Oct, 1989.

Carl Shuck
Carl Shuck, Planning Director

APPROVED AS TO FORM AND CONTENT

Michael L. Spencer
Michael L. Spencer, Legal Counsel

NOTICE OF APPEAL RIGHTS

Klamath County Land Development Code Section 22.005 provides "An order and determination of the Planning Director may be appealed within ten (10) days of the date of the mailing of notification by a party having standing in accordance with procedures set forth in Chapter 3, Article 33 of the Land Development Code.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 30th day
of Oct. A.D., 19 89 at 11:10 o'clock A.M., and duly recorded in Vol. M89,
of Deeds on Page 20756.

FEE none

Evelyn Biehn County Clerk
By Pauline Mullendor

Return: Commissioners Journal