

BEFORE THE KLAMATH COUNTY PLANNING COMMISSION  
KLAMATH COUNTY, OREGON

IN THE MATTER OF REQUEST )  
FOR REVISION TO TRACT 1257 )  
SHIELD CREST )

O R D E R

1. NATURE OF APPLICATION

A hearing was held on this matter on November 28, 1989, being a regular meeting before the Klamath County Planning Commission. This request was a major revision to the approved preliminary plat reducing the number of lots from the approved 17 down to 5 with use for condominiums to remain the same. Article 46, specifically Section 46.004 of the Land Development Code is the controlling authority.

2. NAMES OF THOSE INVOLVED

Mr. and Mrs. Robert Cheyne were the applicants who were represented by Doug Adkins. Planning Department staff was present, with staff report being read into the record by Carl Shuck. Recording Secretary was Leanne Mitchel, and Mike Spencer, County Counsel, was present.

3. EXHIBITS

- Exhibit A - Staff Report
- Exhibit B - Plat Map
- Exhibit C - Proposed Final of Tract 1257
- Exhibit D - Code Requirement
- Exhibit E - Narrative -- Doug Adkins
- Exhibit F - Map Packet
- Exhibit G - Letter from Soil Conservation Service dated November 22, 1989

'89 DEC 19 AM 11 30

4. LEGAL DESCRIPTION

The property is located in the northwest one-quarter, Section 8, Township 39 South, Range 10 East. The site is located north of State Highway 140 with Tax Lots 800, 1800, 1900, 2000, 2500, 2600, 2700, 2900, and 3700 being the lots involved.

5. RELEVANT FACTS

The property contains approximately 120 acres which is currently zoned R-1 with a PUD overlay. The preliminary plat was approved allowing for the development of residential lots and condominiums. The proposal was to revise Tract 1257 from 17 lots down to 5 lots to be consistent with the approved Conditional Use Permit for condominium use. This is a permitted use under the terms of the Klamath County Zoning Ordinance.

6. SERVICES AND FACILITIES

- A. ACCESS - Off State Highway No. 140
- B. SEWER - Subsurface sewage disposal is contemplated.
- C. WATER - Individual wells are proposed.
- D. FIRE DISTRICT - Klamath County Fire District No. 1.
- E. UTILITY DISTRICTS - Pacific Power and Light and Pacific Northwest Bell

7. RELEVANT APPROVAL CRITERIA

Refer to Klamath County Planning Department Staff Report, Exhibit A, making reference to review criteria for the revision, and Section 46.004(L) of the Klamath County Land Development Code.

8. FINDINGS

Klamath County Planning Commission finds the evidence submitted and testimony offered by the representative did demon-

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strate the proper criteria for approval as set in Section 46.004 (L) of the Land Development Code.

9. CONCLUSIONS

This application is satisfied and addresses the review criteria of Section 46.004(L) of the Land Development Code.

10. ORDER

Therefore, the Klamath County Planning Commission accepts and approves the revision of certain lots in Tract 1257, Shield Crest, from 17 lots down to 5 lots for condominium use, per Klamath County Exhibit C (see attached).

DATED this 13<sup>th</sup> day of December, 1989.

Susan H. Cusmon  
Chairman of the Planning Commission

Carl Shuck  
Secretary to the Planning Commission

Approved as to form and content:

Michael L. Spencer  
Michael L. Spencer, County Counsel

NOTICE OF APPEAL RIGHTS

You are hereby notified that this decision may be appealed to the Klamath County Board of Commissioners by filing with the Planning Department a Notice of Appeal as set out in Section 33.004 of the Land Development Code, together with the required fee within ten days of the date of mailing of this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 18th day  
of Dec. A.D., 19 89 at 11:30 o'clock AM., and duly recorded in Vol. m89,  
of Deeds on Page 24384.

FEE none

Evelyn Biehn County Clerk  
By Randee Mendenhall

Return: Commissioners Journal