

IN THE MATTER OF APPEAL OF
TRACT 1288 FOR BILL AND
DONNA HELLER

ORDER

Application:

The applicant's request is to subdivide 16.38 acres into 59 lots. The proposed 59 lot subdivision is for manufactured homes.

Attendees and Place:

The applicants were Bill and Donna Heller. The applicants appeared before the Board of Commissioners and gave testimony pertaining to the application. The Planning Department was represented by Carl Shuck. Karen Burg was the recording secretary. Representatives of the Country Green Association testified in opposition.

The review of this appeal was held in the Board of Commissioners conference room. The application was reviewed pursuant to Article 46 of the Klamath County Land Development Code. On May 9, 1994, the Board of Commissioners, after the review of the appeal, continued the matter to June 1, 1994, for a decision only. Members of the Board of County Commissioners who participated in this hearing were: Wes Sine, F. Jean Elzner, and Ed Kentner.

Findings of Facts: The subject property is situated in a portion of Section 13, Township 39 S., Range 9 E. W. M. of Klamath County, Oregon. The subject property contains 16.38 acres. The 16.38 acres is to be subdivided into 59 lots for manufactured homes. The zoning for the proposed subdivision is RL(Low Density Residential). The minimum lot size of the RL (Low Density Residential) zone is 5,000 square feet. The lots of the proposed subdivision range in size from 7,000 square feet to 10,000 square feet. The property to the northwest, known as Country Green Estates, is developed with mobile homes and manufactured houses.


The lots in Country Green Estates range in size from 3,500 square feet to 5,000 square feet. The streets within the proposed subdivision are 60 feet in width. The access is off of Alt Way. The subject site is in Klamath County Fire District 1. The subject site is in the South Suburban Sanitary District. The subject site is in the City of Klamath Falls water district. Kent Colahan of the City of Klamath Falls Public Works Department, testified that the City of Klamath Falls meets the minimum state requirement for water pressure, which is 20 PSI.

Conclusions of Law: The Board of Commissioners finds the proposed request is in conformance with the Comprehensive Plan. The property effected by the proposed subdivision is physically suitable for the type of density of the proposed development. The street plan for the proposed subdivision will permit the development in a safe and efficient manner in accordance with the Land Development Code. The Board of Commissioners finds the existing and proposed infrastructure and public facilities and services required by the Land Development Code are adequate to serve the proposed development.

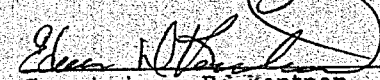
ORDER:

THEREFORE, it is hereby ORDERED that the application for Bill and Donna Heller for a 16.38 acre subdivision into 59 lots for manufactured homes is approved.

DATED this 21st day of June, 1994

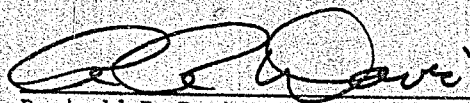

Chairman of the Board of Commissioners


Commissioner F. Jean Eisner


Commissioner Ed Kentner

19564

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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 23rd day
of June A.D., 19 94 at 10:31 o'clock A M., and duly recorded in Vol. M94,
of Deeds on Page 19562.

FEE \$none

Evelyn Biehn County Clerk

By Melanie Millenore

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