

91926  
30252

12-02-94A09:51 RCVD

10-27-94P01:24 RCVD

Vol. 94 Page 33380

Vol. 94 Page 36767

STAFF REPORT

CASE NO. AND HEARING DATE: CUP 108-94 10-26-94

APPLICANT: Cary Brennan  
1242 Owens St  
Klamath Falls, Or. 97601

REQUEST: Applicant applying for a CUP to establish a single family dwelling on property zoned RH. Site is approximately 1.16 acres.

AUTHORITY: Section 51.830 A, of Article 51.8 and Article 44 Section 14.030

PROJECT LOCATION: Located East Side of Babee Ave and approximately 510 feet north of Beverly Dr. being lot 4 of Beverly Heights

LEGAL DESCRIPTION: Located in Portion of Section 34 of TS 38 R 9 being tax lot 301.

ACCESS: Off of Crest St. ZONE/PLAN: RH (High Density Residential)

S.C.S. Class:  
UTILITIES:

TIMBER SITE RATE:

WATER: City of K-Falls

SEWER: Septic Tank

FIRE DIST: Fire Dist #1

POWER: P&L

EXHIBITS:

- A. Staff Report
- B. Assessor Map
- C. Site Plan

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Land Use Planning: Notification was sent out to surrounding property owners and to those Agencies of concern.

In review of this application, and the criteria of Article 44 and Section 44.030 A-D, P/D will need to make findings, based from the above criteria.

The use is in conformance with all required standards and criteria of this code.

The location, size, design and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of the abutting properties and the surrounding area.

Also the Review Body may grant CUP subject to such reasonable conditions based on findings of fact that it deems necessary to ensure compliance with the Klamath County Comp Plan and Code, and sound land use planning principles.

ORDER:

Conclusions:

The location for the single family dwelling meets the required setbacks of the RH (High Density Residential) zone.

The proposed use is conditionally permitted in the zone within which it is proposed to be located.

33381  
36768

The location, size, design, and operating characteristics of the proposed use will be compatible with the appropriate development of abutting properties. The location of the building will not have a significant adverse impact on the appropriate development and use of the surrounding neighborhood. The size of the parcel meets the minimum lot size of the RH zone.

**Findings:**

The request is for a Conditional Use Permit to locate a single family dwelling on property zoned RH.

The property is located east of Bisbee and west of Crest Streets and approximately 510 feet north of Beverly Dr.

The property is approximately 1.16 acres and is lot 4 of Beverly Heights.

Notice was sent out to the surrounding property owners and to concerned agencies and published in the Herald and News.

Existing development is that of single family residences, whereas high density use is absent in spite of the type of zoning.

There was no opposition to this application.

The Planning Director, based on the above findings grants Conditional Use Permit 108-94 in accordance with the terms of the Land Development Code.

CONDITION: Applicant to file a site plan for a building permit and meet the criteria from the Health Department for installing a septic tank.

Also meet Fire Dist #1 Criteria - See memo dated 10-5-94

DATED this 26 day of October 1994

*Carl Shuck*

Carl Shuck, PLANNING DIRECTOR

Klamath County Land Development Code provides that this decision may be appealed no later than 7 days following mailing of this decision. Appeal information may be obtained at the Planning Department.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 27th day of Oct A.D., 19 94 at 1:24 o'clock P.M., and duly recorded in Vol. M94 of Deeds on Page 33378.

FEE \$none  
Commissioners Journal

Evelyn Biehn County Clerk

By *Carlene Mullendore*

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 2nd day of Dec A.D., 19 94 at 9:51 o'clock A.M., and duly recorded in Vol. M94 of Deeds on Page 36767.

FEE none

Evelyn Biehn County Clerk

By *Carlene Mullendore*