

STAFF REPORT

CASE NO. AND HEARING DATE Conditional Use Permit 117-94
Planning Director Rev. 12-28-94

APPLICANT: Cross Timbers Baptist Church
833 N 9th Street
P.O. Box 7933
Klamath Falls, OR 97602

REQUEST: Applicants are requesting approval of Conditional Use Permit 117-94 to allow a church on 1.41 acres zoned RS.

AUTHORITY: Article 44 and Article 51.5, Section 51.530(H) of the Klamath County Land Development Code.

PROJECT LOCATION: The site is generally located on the north side of Hilyard Avenue east of Patterson Street and east of the Hasmount subdivision.

LEGAL DESCRIPTION: Located in portion of Section 1CD, Township 39, Range 9EWM, T10X Lots 66XX.

ACCESS: Hilyard Avenue

UTILITIES:

WATER: City of K-Falls

SEWER: South Suburban Sanitary Dist.

FIRE DIST: KCFD #1

POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Maps
- D. KCFD No. 1 Memo 12-2-94
- E. City of Klamath Falls Letter 12-3-94

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to agencies of concern. To date, responses have been received from The City of Klamath Falls Water Department and from KCFD No. 1.

The review criteria of Section 44.030 of the Land Development Code requires that:

- A. The use complies with policies of the Comprehensive Plan.

As the requested use is a conditionally permitted use within the RS zone as adopted as part of the Comprehensive Plan, applicant is in compliance with this criterion.

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

The RS zone allows a church as a conditional use. If the Conditional Use Permit is approved, applicant will be required to obtain site plan approval meeting parking, landscaping and signage requirements, etc., of the Land Development Code. The City of Klamath Falls Water Department in their letter of 12-8-94 states that no City water is available to subject property. Land Development Code Section 74.010 requires that development within urban areas be served by a central public domestic water supply system or by a central private water supply corporation which has been certified by the County Health Department or the Oregon Health Division as adequate to provide for the health and sanitation needs of the area.

- C. 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 abutting properties and the surrounding area.

The property to the south west, and east is vacant residentially zoned property. To the north is commercial/zoned property consisting of a mobile home park and Eddy's RV sales facility. The parcel in question is of sufficient size to support the proposed use of a 5,000 square foot church building. Access to the church would be via Hilyard Avenue. No opposition has been expressed from the six surrounding property owners notified of this request.

RECOMMENDATION:

The Planning Director, based on the above review criteria being satisfied, hereby approves the request of Conditional Use Permit 117-94 to allow a church in the RS zone subject to the following conditions:

1. Applicant must obtain site plan approval and meet any requirements thereof including water service in accordance with Section 74.010 of the Land Development Code and secure approval signature on site plan from Klamath County Fire District No. 1 pertaining to their concerns of apparatus access to the site and to areas around the building. A more specific site plan meeting all requirements of Article 41 must be developed for site plan review submittal.
2. Site plan approval must be obtained within two years of the date of approval or this permit shall be null and void.

Dated this 28th day of December, 1994

Carl Shuck
Carl Shuck, Planning Director

NOTICE OF APPEAL RIGHTS

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

STATE OF OREGON: COUNTY OF KLAMATH ss.

Filed for record at request of Klamath County the 29th day of Dec A.D., 19 94 at 1:14 o'clock A.M., and duly recorded in Vol. M94 of Deeds on Page 39062.

FEE none

Lvelyn Biehn County Clerk

By Quintana Mullendore