

CASE NO. AND HEARING DATE: CUP 11-95 4-26-95

APPLICANT: Jim McClung
5206 Barry Ave.
Klamath Falls, Or. 97603

REQUEST: Applicant applying for a CUP for a food/beverage service along with a car wash & lube, convenience store, gas station, on a parcel of land that is 1.72 acres.

AUTHORITY: Section 53.230, of Article 53.2 IL zone, and Section 44.030 of Article 44.

PROJECT LOCATION: Located in por of section 9 of TS 39 R 9
Located between Washburn Way and Maywood Drive, being lots 2 and 7 of Re-Sub of lot 4, Blk 1 of Washburn Park.

LEGAL DESCRIPTION: Located in Portion of Section 9 of TS 39 R 9
being tax lot 1800 and 2100.

ACCESS: Off of Washburn Way/MAYWOOD Dr. ZONE/PLAN: IL (Ind)

S.C.S. Class:
UTILITIES:

TIMBER SITE RATE:

WATER: City water

SEWER: SSSD

FIRE DIST: Fire Dist #1

POWER: PP&L

EXHIBITS:

- A. Staff Report
- B. Assessor Map
- C. Site Plan
- D. Ltr dated 4-3-95 Cty Water Dept
- E. Ltr dated 4-4-95 Fire Dist #1
- F. Blding permit requirements dated 1-26-95

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 CUP 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 and will not have an significant adverse impact on the livability, value or appropriate development of the abutting properties and the surrounding area.

ORDER:
Findings:

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The location of the proposed use is situated on a parcel and will meet the required setbacks of the IL zone. The required setbacks for the distance between buildings will also be met.

In placement of the proposed use, it will not have an adverse impact on the value of the abutting properties. There is an existing rentals and equipment yard to the south of property.

There are other similar uses in the surrounding area.

The applicant made application for the proposed use and the size of the parcel meets the criteria for development.

The CUP application for a service is permitted per Section 53.230 of the Land Decelopment Code.

Planning Department did not receive letters in opposition.

Notice of application was sent out on March 28, 1995.

All exhibits and other contents of this file have been incorporated into this review for decision.

Planning Director, based from the above findings and applicants information find in favor of the applicant and therefore grants CUP 11-95.

DATED this 26th day of April 1995

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 Klamath County Planning Department.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 1st day
of May A.D., 19 95 at 9:03 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 11117.

FEE Commissioners Journal

By *Bernetha G. Letsch* Bernetha G. Letsch, County Clerk