

**STAFF REPORT**

**CASE NO. AND HEARING DATE:** Conditional Use Permit 14-95  
Planning Director Rev. 5-24-95

**APPLICANT:** Luis Segura-Guerra  
3306 Laverne Avenue-  
Klamath Falls, OR 97603

**REQUEST:** The applicants are requesting a Conditional Use Permit to allow a new doublewide manufactured home as an additional dwelling on a parcel greater than 20,000 square foot in size in the RS zone.

**AUORITY:** Article 51.5, Section 51.530(A) of the Klamath County Land Development Code.

**PROJECT LOCATION:** The site is located on south of Laverne and approximately 300 feet west of Altamont Drive.

**LEGAL DESCRIPTION:** Located in portion of Section 10CA of Township 39, Range 9EWM, Tax Lot 300; Tax Acct. 3909-10CA-300.

**ACCESS:** Laverne 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. KCFD No. 1 Memo 5-8-95
- D. Assessor's Map
- E. Mary Barry Letter 5-11-95
- F - J. Ltrs in Opposition

**CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:**

Notice was sent out to surrounding property owners as well as to agencies of concern. To date, one negative response has been received (Exhibit E).

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

The RS zone allows as a conditional use, an additional dwelling on a lot or parcel greater than 20,000 square feet in size. The applicants meet this requirement as the appropriate CUP application was made, and the lot size is approximately 23,952 square feet in size.

- 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 parcel is of sufficient size to support an additional dwelling. The proposed dwelling is a new doublewide manufactured home which meets the standard of manufactured home placement within the UGB. However, due to the negative nature of the written response and numerous phone calls received in opposition to this proposal, the Planning Director finds there may be an adverse impact on the livability of the abutting properties.

#### RECOMMENDATION:

The Planning Director, based on the above findings and conclusions of the staff report (specifically Criteria C above) and upon review of the exhibits on file for Conditional Use Permit 14-95, refers review of this application to the Hearings Officer review for a full quasi-judicial public hearing. This matter will be set before the Hearings Officer on July 7, 1995. Notification of that hearing will be sent to all affected parties.

Dated this 24 day of May, 1995

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 25th day  
of May A.D., 19 95 at 3:22 o'clock P M., and duly recorded in Vol. M95,  
of Deeds on Page 13893.

RETURN: Commissioners Journal

Bernetha G. Vetsch, County Clerk

FEE \$None

By [Signature]