

STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 73-95
Planning Director Rev. 10-25-95

APPLICANT: Keith McClung
7529 Booth Road
Klamath Falls, OR 97603

REQUEST: The applicant is requesting a Conditional Use Permit to allow single family dwellings on Lots 1, 3, 4, and 6, Block 5, Beverly Heights in the High Density Residential zone.

AUTHORITY: Article 51.8, Section 51.830(A) of the Klamath County Land Development Code.

PROJECT LOCATION: The site is located on Burns Avenue, north off of Beverly Drive.

LEGAL DESCRIPTION: Located in portion of Section 34AB of Township 38, Range 9EWM, Tax Lots 1400 and 1500; Tax Acct. 3809-34AB-1400 and 1500.

ACCESS: Burns Avenue

UTILITIES:

WATER: Well

SEWER: On-side septic system

FIRE DIST: KCFD #1

POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. 1 Memo 10-3-95
- E. William Holford, Jr., Letter 10-10-95

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 KCFD No. 1 and from adjacent property owner, William Holford, Jr. Concerns have been raised about water availability for fire flow, hydrants, access, sewage disposal, and drainage.

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 RH 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

- 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.

Applicant shall meet site drainage criteria of Section 73.030(A)(1,2,3,4,5,&8) and criteria of Section 73.030(B) (See attached). In order for criteria of (B) and (C) above to be met, applicant will need to indicate that adequate sewer and water facilities and adequate fire protection services will be available to serve the density of development. Applicant will be required to meet Klamath County Fire District No. 1 water supply requirement for fire protection (See KCFD No. 1 Letter attached).

The development has legal access.

RECOMMENDATION:

The Planning Director, based on the above findings and conclusions of the staff report and upon review of the exhibits on file for Conditional Use Permit 78-95, hereby approves the request based on compliance with conditions described under paragraph C above prior to building plans being submitted.

Dated this 25th day of October, 1995



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 26th day
of October A.D., 19 95 at 2:01 o'clock P M., and duly recorded in Vol. M95
of Deeds on Page 29291.

Bernetha G. Letsch, County Clerk

FEE No Fee

By

