

**STAFF REPORT**

**CASE NO. AND HEARING DATE:** Conditional Use Permit 4-96  
Planning Director Rev. 2-28-96

**APPLICANT:** Terry and Debra Drake  
5275 Mahan Avenue  
Klamath Falls, OR 97601

**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.

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

**PROJECT LOCATION:** 5275 Mahan Avenue, West Klamath.

**LEGAL DESCRIPTION:** Portion Section 13AD, T.39S, R.8EWM, Tax Lot 1800, Tax Acct. 3908-13AD-1800.

**ACCESS:** Mahan Avenue

**UTILITIES:**

**WATER:** Well

**SEWER:** Septic

**FIRE DIST:** KCFD #1

**POWER:** Pacific Power

**EXHIBITS:**

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. 1 Memo 2-20-96

**CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:**

Notice was sent out to 14 surrounding property owners as well as to 3 agencies of concern. To date, no negative response has been received from any of the notified parties. KCFD No. 1's response (Ex. D) indicates they have no concerns with the proposal.

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 is over an acre 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. As no opposition has been received from notified parties, it is assumed this proposal will have no adverse impact on the livability, value or appropriate development of abutting properties.

#### RECOMMENDATION:

The Planning Director, based on the above findings and conclusions of the staff report hereby approves Conditional Use Permit 4-96 subject to the following:

1. Applicant shall comply with Environmental Health Services requirements for on-site sewage disposal.
2. A placement permit must be obtained/approved within two years of the date set out below or this permit is null and void.

Dated this 28th day of February, 1996

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 1st day  
of March A.D., 19 96 at 9:35 o'clock AM., and duly recorded in Vol. M96  
of Deeds on Page 5671

FEE No Fee

Return: Commissioners Journal

By Bernetha G. Letsch, County Clerk