

STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 25-96
Planning Director Rev. 4-24-96

APPLICANT: East Cascade Properties, Inc.
P.O. Box 214
Klamath Falls, OR 97601

REQUEST: The applicant is requesting a Conditional Use Permit to allow single family dwellings on proposed parcels 1, 2, and 3 of Land Partition 20-96 in the Beverly Heights subdivision in a 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 the south side of Beverly Drive, between Ladd Avenue and Crest Street.

LEGAL DESCRIPTION: Located in portion of Section 34AB of Township 38, Range 9EWM, Tax Lot 2300; Tax Acct. 3809-34AB-2300.

ACCESS: Beverly Drive and Crest Street

UTILITIES:

WATER: City of Klamath Falls

SEWER: On-site septic system

FIRE DIST: KCFD #1

POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. Environmental Health Memo 4-8-96
- E. Murl Metz Letter 4-12-96
- F. KCFD No. 1 Memo 4-17-96

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 Environmental Health Services requiring compliance with requirements for on-site sewage disposal and from KCFD No. 1 requiring fire flow water and a hydrant on a 6" minimum line to be provided for the development. Murl Metz raises concerns over density and affects on property values.

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. A hydrant on a 6" minimum line shall be provided for this development.

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 25-96, hereby approves the request based on compliance with conditions described under paragraph C above prior to building plans being submitted.

Dated this 24th day of April, 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 Planning the 25th day
of April A.D., 19 96 at 10:13 o'clock A M., and duly recorded in Vol. M96
of Deeds on Page 11590

FEE No Fee Return: Commissioners Journal

By Bernetha G. Letsch, County Clerk