

STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 38-98
Planning Director Rev. 5-27-98

APPLICANT: Glenn Tillery
6767 Tingley Lane #43
Klamath Falls, OR 97603

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

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

PROJECT LOCATION: 5656 Denver Avenue.

LEGAL DESCRIPTION: Located in portion of Section 11AD of Township 39, Range 9EWM, Tax Lot 2500; Tax Acct. 3909-11AD-2500.

ACCESS: Denver Avenue

UTILITIES:

WATER: City of Klamath Falls
FIRE DIST: KCFD #1

SEWER: South Suburban Sanitary Dist.
POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. 1 Letter 4-30-98
- E. City of Klamath Falls Letter 5-4-98
- F. SSSD Letter 5-6-98

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 20 surrounding property owners as well as to 6 agencies of concern. To date, the following agency comments have been received:

- KCFD No. 1 commented that they have no concerns with the proposal.
- The City of Klamath Falls will require a separate meter for each residence.

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- South Suburban Sanitary District commented that if Tax Lot 2500 cannot be partitioned then the existing service line may be used to serve the second dwelling. If the lot could be partitioned, the existing service line can be used at this time but with a stipulation that if a partition ever occurs, a second service line will need to be constructed. A system development charge will need to be paid for the second dwelling.

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 applicant meets this requirement as the appropriate CUP application was made, and the lot size is approximately 1.25 acres.

- 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 doublewide manufactured home which meets the standard of manufactured home placement within the UGB. No comment has been received from any of the notified property owners in contrary of review criteria C.

RECOMMENDATION: Order:

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 38-98, hereby approves the request to allow an additional dwelling in the RS zone subject to the following:

1. A placement permit must be obtained within two years of the date set out below or this permit is null and void.
2. Applicant shall comply with City of Klamath Falls and SSSD requirements for water and sewer service.

Dated this 27th day of May, 1998.



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 28th day
of May A.D., 19 98 at 1:22 o'clock P.M., and duly recorded in Vol. M98,
of Deeds on Page 18104.

Return: Commissioners Journal

Bernetha G. Letsch, County Clerk

FEE No Fee

By Kurt W. Ross