

STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 46-98
Planning Director Rev. 6-24-98

APPLICANT: Gary Rodgers
1761 Berwin Lane
Eugene, OR 97404-2152

REQUEST: The applicants are requesting a Conditional Use Permit to allow a pre-1976 mobile home (1972 doublewide) on property zoned RS.

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

PROJECT LOCATION: 4259 Arthur Street.

LEGAL DESCRIPTION: Located in portion of Section 10CC of Township 39, Range 9EWM, Tax Lot 2500; Tax Acct. 3909-10CD-2500.

ACCESS: Arthur Street

UTILITIES:

WATER: City of Klamath Falls SEWER: South Suburban Sanitary Dist.
FIRE DIST: KCFD #1 POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. KCFD No. 1 Letter 6-4-98

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 18 surrounding property owners as well as to 5 agencies of concern. To date, the following agency comment has been received:

- KCFD No. 1 is concerned about the fire safety of all pre-1976 mobile homes. Statistical information in the past has indicated serious concerns with several aspects of these units. We would require adequate setback conditions for approval.

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, a mobile home. The applicant meets this requirement as the appropriate CUP application was made and required notice was mailed.

- 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 the home and required setbacks can be met. The proposed dwelling is a 1972 24x62 doublewide which meets the size requirement for manufactured dwellings placed within the Urban Growth Boundary. 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 46-98, hereby approves the request to allow a pre-1976 mobile home on property zoned RS 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.

Dated this 24th day of June, 1998.

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 24th day of June A.D., 19 98 at 2:41 o'clock P. M., and duly recorded in Vol. M98 of Deeds on Page 22070

FEE No Fee

Return: Commissioners Journal

By Bernetha G. Letsch, County Clerk
Kathleen Rosa