

BEFORE THE PLANNING COMMISSION KLAMATH COUNTY

IN THE MATTER OF TRACT 1288
FOR THOMAS BURNS

APPLICATION

The applicant requested approval of a subdivision application depicting the division of about 16.38 acres into 59 lots. A hearing was held by the Planning Commission on July 29, 1998. This application was reviewed for conformance with Article 46 of the Land Development Code.

THOSE INVOLVED

The applicant and surveyor, Dennis Ensor, was present and testified. The Planning Department was represented by Carl Shuck. The recording secretary was Karen Burg. A quorum of the Planning Commission was present at this hearing.

LOCATION

The site is located south of Keller Rd, and south east of Alt Way. The proposed subdivision is south east of Country Green, a mobile home subdivision. The site is located in portion of section 13 of TS39, R9, tax lot 7000.

RELEVANT FACTS

The application is for a 16.38 acre subdivision that will consist of approximately 59 lots. The lots will range in size from 7,000 square feet up to 10,000 square ft. The zoning for the site is RL (Low Density Residential). The site is served by Fire District # 1.

The access to the proposed subdivision will be via Alt Way. Alt Way can adequately serve the type of traffic that will be generated from the proposed subdivision. The proposed use is suitable for the type of density of the low density residential zone.

The site has water and sewer. The zoning in the surrounding area is for residential use. The zoning to the north is RL (Low Density Residential). The zoning to the east is RM (Medium Density Residential). The zoning to the west is zoned RS (Suburban Residential). Submitted as Exhibit E was a map indicating the land use and zone designations in the area.

CONCLUSIONS OF LAW

The Planning Commission finds the proposed subdivision is supported by factual information which documents the need for the subdivision. The proposal will meet Goal 11, Public Facilities and Services. Proper notice of the application was given. The proposed subdivision is properly related to streets and to other public facilities to adequately serve the site. The proposed streets will be improved to county standards 101, curbs, gutters and 5 foot sidewalks.

CONDITIONS:

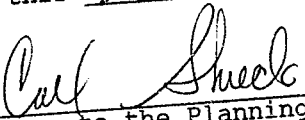
The developer will develop the subdivision in accordance with the requirements of the Land Development Code and those requirements of Klamath County Ex C, which was made part of the record. A drainage plan to be submitted.

ORDER

The Klamath County Planning Commission based on testimony entered and upon consideration of exhibits a - i, find the application in conformance with the review criteria set out in Section 46.030 of the Code.

Therefore, it is ordered that the application for Tract 1288, for Thomas Burns is approved with above conditions and being in compliance with the review criteria, Ex C, and the review criteria as set out in the Land Development Code.

DATED this 29th day of July, 1998


Secretary to the Planning Commission

APPEAL RIGHTS

This decision may be appealed to the Board of Commissioners within 7 days following the mailing of this order. Failure to file notice of appeal within this time frame may affect your right to appeal.

REQUIREMENTS FOR FINAL APPROVALTract: 1288/Burns

NOTE: THIS APPLICATION WILL EXPIRE TWO YEARS FROM THE PRELIMINARY APPROVAL DATE IF A TIME EXTENSION IS NOT MADE PRIOR TO THAT DATE.

1. Final plat shall meet all requirements of Land Development Code Sections 46.090 and 46.100.
2. A preliminary title report is to be submitted with the final plat.
- 3.. A certification signed by the subdivider that central water supply and sanitary sewer systems will not be provided and that the Department of Environmental Quality has approved the proposed method or alternative method of sewage disposal for the subdivision in its evaluation report described in ORS 454.755(1)(b).
4. Comply with the Public Works Requirements listed below:
 1. Number the lots consecutively, 1 through 17 in Phase 1 and 18 through ? in Phase 2.
 2. The final plat must show that abutters rights to Alt Way are relinquished on lots 1, 15 and 30.
 3. Streets must be constructed to County Standard 101 with curbs, gutters and 5 foot sidewalks.
 4. Submit a drainage plan.
 5. Show all needed drainage easements on the final plat.
 6. Create a drainage easement from the southwest corner of the plat to the main drain on the north side of the "A" Canal.
 7. Road name changes:
 - a. Rename Sundown Drive to Ruth Drive.
 - b. Rename Sunridge Place to Boyd Place.
 - c. Ruth Drive will meet Golden Trail at the intersection of Boyd Place.
Therefore, the street name "Golden Field Drive" is not needed.
5. A design of the sanitary system must be done by a State licensed P.E. and submitted to and approved by DEQ prior to being sent to the District (SSSD) for review. No construction will be done until all reviews are complete. Applicant will supply the District with a list of who will be doing the field inspection and testing during construction. The District, at no charge to the applicant, will televise all main line construction. System Development Fees will be assessed as each lot is developed.
6. Klamath County Fire District #1 requires a completely engineered layout for extension of the hydrant system and provisions for a 2nd egress/access route.

27814

Page 2
Tract 1288

7. Enterprise Irrigation District requires that all drainage and easement issues be addressed to the District's satisfaction and that the land all be irrigated or bought out.
8. The City of Klamath Falls Water Dept. states that Special System Capacity Development charges may be required (in addition to System Development Charges).

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 29th day
of July A.D., 19 98 at 1:38 o'clock P.M., and duly recorded in Vol. M98,
of Deeds on Page 27811.
Return: Commissioners Journal By Bernetha G. Letsch, County Clerk
Kathleen Ross

FEE No Fee: