STAFF REPORT

CASE NO. AND HEARING DATE: Conditional Use Permit 51-98
Planning Director Rev. 8-26-98

APPLICANT: Edward Lunde
7242 Hilyard Avenue
Klamath Falls, OR 97603

REQUEST: Conditional Use Permit 51-98 to establish a worker residence (1973 doublewide mobile home) in conjunction with current use for night watchman.

AUTHORITY: Article 53.4, Section 53.430(D) of the Klamath County Land Development Code.

PROJECT LOCATION: 7242 ½ Hilyard Avenue, south side of Hilyard Avenue just west of where Watson Street intersects Hilyard Avenue.

LEGAL DESCRIPTION: Located in Portion NE1/4 NE1/4 Sec.12, T.39S, R.9EWM; Tax Acct. 3909-12AA-1100.

ACCESS: Hilyard Avenue

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 Comment 7-29-98
E. SSSD Letter 8-3-98
F. Polzel Letter 8-12-98
G. Kelly Letter 8-12-98
H. Detroit Letter 8-12-98
I. Anderson Letter 8-12-98
J. Marsh Letter 8-12-98
K. Haddeland Letter 8-12-98
L. Chapman Letter 8-12-98
M. Thomas Letter 8-12-98
N. Hazen Letter 8-12-98
O. Miles Letter 8-12-98
P. DerMiner Letter 8-12-98
Q. Crebbin Letter 8-13-98

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R. Hodge Letter 8-12-98
S. Renie Letter 8-13-98
T. Bussey Letter 8-12-98
U. Riggs Letters 8-16-98
V. VanFleet Letter 8-10-98
W. Form Letter 8-12-98
X. Markgraf Letter 8-12-98
Y. Walton Letter 8-12-98
Z. Britton Letter Undated
AA.   Britton Letter Undated
BB.   Pilger Letter 8-12-98
CC.   Hernsinger Letter 8-12-98
DD.   Coupe' Letter 8-19-98
EE.   Bothum Letter 8-12-98
FF.   Welden Letter 8-12-98
GG.   Abbott Letter 8-18-98
HH.   Form Letters 8-12-98
II.   Butler Letter 8-12-98
JJ.   Neal Letter 8-23-98
KK.   Kessler Letter 8-12-98
LL   Ragan Ltr   8-25-98
MN   Houghen Ltr 8-25-98

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 18 surrounding property owners as well as to 4 agencies of concern. To date, the following agency comment has been received:

- KCFD No. 1 has no concerns with the proposal.

- South Suburban Sanitary District will require a system development fee of $312.50 prior to connection to the District's system. The existing service line can be used for the new residence.

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 IH 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 IH zone allows as a conditional use, a worker residence. 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.

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Based on this review criteria, and in light of the significant number of letters received objecting to this application, this matter shall be referred per LDC Article 22, Section 22.050B to a full quasi-judicial hearing before the Klamath County Hearings Officer on Friday, September 18, 1998, at 9:00 a.m. The meeting location will be at the Klamath County Museum meeting room, 1451 Main Street, Klamath Falls.

Dated this _26th_ day of August, 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 _____ 26th _____ day of _____ August _____ A.D., 19 98 ____ at ____ 3:42 ____ o'clock ____ P. ____ M., and duly recorded in Vol. _____ M98 _____,
of _____ Deeds _____ on Page ___ 31441 ___.
Return: Commissioners Journal   Bernetha G. Letsch, County Clerk

FEE   No Fee   By _Kathlun Ross_