

**BEFORE THE PLANNING COMMISSION
KLAMATH COUNTY
IN THE MATTER OF TRACT 1355/CUP 10-99
FOR AMERICAN CASH EQUITIES**

APPLICATION:

The applicant requested approval of a subdivision application depicting the division of 66 acres into 59, 1 acre lots as depicted on map dated JANUARY 26, 1999. The applicant also requested approval of a domestic water system to provide service to the created subdivision. A hearing was held by the Planning Commission on APRIL 27, 1999. These applications were reviewed for conformance with Articles 44 + 46 of the Klamath County LDC.

THOSE INVOLVED:

A notarized list of those appearing is on file. The Planning Department was represented by Kim Lundahl, Senior Planner. A quorum of the Planning Commission was present at this hearing.

LOCATION:

East of Hwy 58 at Diamond Circle, Leisure Woods, Crescent Lake Junction.

RELEVANT FACTS:

The applications are for subdivision of 66 acres into 59 lots based on existing land use and zoning and provision of a domestic water supply system. The zone/plan designation of the project site is R-1. The property is adjacent to and will be used for rural purposes as set out in the current plan/zone.

CONCLUSIONS AND ORDER:

The Klamath County Planning Commission, based on testimony entered and upon consideration of exhibits a-k find the application in conformance with the review criteria set out in Sections 44.030 + 46.030 of the Code.

Therefore, it is ordered the application of AMERICAN CASH EQUITIES for approval of Tract 1355 and CUP 10-99 are granted conditioned upon compliance with the approval letter attached and in conformance with the Preliminary Tract Map 1355 dated JANUARY 26, 1999.

DATED this 28th day of April, 1999

Carl Shuck
Carl Shuck, Secretary to the Planning Commission

APPEAL RIGHTS

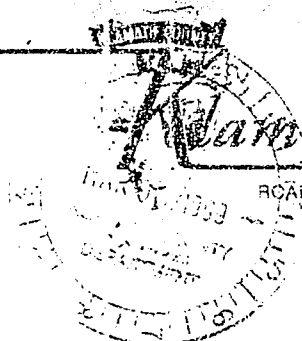
This decision may be appealed to Board of County Commissioners within 7 days following the execution of this order. Failure to file a notice of appeal within this timeframe may affect your right of appeal.

REQUIREMENTS FOR FINAL APPROVAL

Tract 1355/Crescent Heights

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 45.090 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 sanitary sewer system 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 45-1735(1)(b).
4. Applicant shall comply with Public Works requirements outlined on Exhibit E attached.
5. Prior to recordation of the final plat, the Fire Protection System proposed by the developer per CUP 10-99 is to be installed and reviewed by the Planning Director.
6. Abutters right of access to Hwy. 58 will be relinquished and so noted on the final map.
7. Compliance with EHS Memo of 4-12-99 (Ex. K) attached.



Klamath County ~ Public Works Department

ROAD DEPARTMENT - PARK DIVISION - SOLID WASTE DIVISION - WEED CONTROL DIVISION
305 MAIN STREET - KLAMATH FALLS, OREGON 97601
(541) 883-4696 - FAX (541) 882-3046

PUBLIC WORKS COMMENTS

TRACT 1355 CRESCENT HEIGHTS

- 1). **STREET NAMES** -- EMERALD AND SUNSET are duplicate with other Roads in the County -- Don't use.
- 2). **ROYCE MOUNTAIN DRIVE** should be **ROYCE MOUNTAIN WAY** if the portion of **DIAMOND PEAK CIRCLE (LEISURE WOODS SUBDIV.)** off HWY 58 is renamed **ROYCE MOUNTAIN WAY**. If not, **ROYCE MOUNTAIN DRIVE** needs to be renamed.
- 3). **DIAMOND PEAK & RED CONE** in **LEISURE WOODS** need to be renamed for address purposes. Now would be a good time since much of **LEISURE WOODS** is owned by Gisler.
- 4). If Roads are going to be County or Public -- power line easement will have to be extinguished and a permit issued to Mid-State Electric.
- 5). What is the Drainage Plan? See 46.050 (F)
- 6). Show approximate grade of streets. By the contours -- some streets exceed 10%.
- 7). Depending on conditions of Access to HWY 58, Public Works reserves the right to require improvements to the 150 foot connection.
- 8). Most of the proposed subdivision is currently Lot 15, Blk 4, Leisure Woods, unit 2. The Preliminary Plat doesn't say.
- 9). The alignment of Diamond Peak Court at HWY 58 as shown on the Preliminary Plat is different than the Leisure Woods unit 2 plat.
- 10). Show Environmental Health contact per 46.050 (G)
- 11). Road plans must be submitted for review and approval prior to start of construction or final plat approval.

Ex E.



16125

Klamath County Department of Public Health

ENVIRONMENTAL HEALTH DIVISION

Klamath County Government Center

305 Main Street, Ste. 130

Klamath Falls, OR 97601-6552

Memo

TO: Carl Shuck, Planning Director
Klamath County Planning Department

FROM: Leisa Cook, R.S., Director *LC*
Klamath County Environment Department

DATE: April 12, 1999

SUBJECT: American Cash Equities, FILE NO.: CUP 18-99

For commercial development please advise the owner/developer of the following:

A. Public Drinking Water System

For facilities intending to develop a public drinking water system, the owner/developer should submit plans directly to the Oregon Health Division, Drinking Water Section, 800 S.E. Oregon St., Portland, OR. 97232, per OAR 33-061-0060. Once receiving installation approval, the owner/developer will need to contact our department for initial inspections and future compliance monitoring.

For further information please have them contact:

Klamath County Environmental Health Division
305 Main St.
Klamath Falls, OR. 97601
Phone: 883-1122 or 1-800-426-9760
Fax: 885-3643

K

Phone # (541) 883-1122

Fax # (541) 885-3643

Toll Free #1-800-426-9761

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 29TH day
of APRIL, 1999, at 1:51 o'clock P. M. and duly recorded in Vol. 1599
of DEEDS on Page 16122

RETURN: COMM. JOURNAL

Linda Smith, County Clerk

FEE NO FEE

by *Linda Smith*