

CITY OF KLAMATH FALLS
PLANNING DEPARTMENT

1999 NOV 19 AM 9: 07

FOR

Jennifer Farley and Brandon Foster
412 North 2nd Street
Klamath Falls, OR 97601)
)
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)

FILE 4-V-99

DECISION & FINDINGS

A. SUMMARY

The applicants, Jennifer Farley and Brandon Foster, request to eliminate the lot line common to Lots 6 and 7 of Block 29 of the First Addition to Klamath Falls so they may construct a residence on the newly created lot. The newly created lot is approximately 11,700 square feet in size and has full frontage on both 4th and Grant Streets, both platted but unimproved at this location. The property in question is made up of Map and Tax Lot numbers 3809-32BA-6300 and 6400. The applicants have requested these tax lots be consolidated through the County Tax Assessor's Office. The applicant will be responsible for paying all appropriate Service Development Charges (water, sewer and parks).

Referring Agency Comments:

- Public Works No Comment
- Engineering Division Vacation of lots 6 and 7 will be required per state law. Applicant should be required to improve Grant Street to the north side of lot 7 when building permits are obtained.
- Streets Department No comment
- Water Department Water OK – new service fees (Service Development Charges) will need to be paid. Special consideration must be taken during construction, as there is a very old water main (1920's) in Grant Street.

B. RELEVANT REVIEW CRITERIA

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Chapter 13, Sections 13.005-13.055 regarding Vacations and Replats.

C. DECISION

After considering all staff and agency comments, and reviewing various data, the lot line, approximately 110 feet in length, common to lots 6 and 7 of block 29 of the First Addition of Klamath Falls, (as shown on Exhibit "A") being situated in the NE ¼NE ¼ of Section 32, Township 38 South, Range 9 East, of the Willamette Meridian, Klamath County, Oregon, is hereby vacated. The lot line elimination is hereby approved with conditions based on the following criteria and findings:

D. FINDINGS

The following addresses the criteria specific to sections 13.025 of the City's Community Development Ordinance. In applying the facts to the criteria, specific cross references may have been made; however, the facts separately set forth are generally applicable to more than one criterion and therefore, should be treated as cumulative and supplementary.

1. Criterion. Consent of the owner of the requisite area has been obtained.

Finding. The lot line proposed for vacation is common to two lots privately owned by Jennifer Farley. The owner gave consent to vacate the common lot line. No other consent was required.

2. Criterion. Notice of the proposed vacation has been duly given.

Finding. Notice of the proposed vacation was mailed to eighteen adjacent property owners on October 25, 1999. No objections have been received.

3. Criterion. The public interest will not be prejudiced by the vacation of such plat or part thereof.

Finding. The public interest will not be prejudiced by the vacation of the lot line common to lots 6 and 7 of block 29 of the First Addition to Klamath Falls. The property is privately owned and the elimination of the lot line will allow the applicant to place a residence on the newly created lot where the common lot line is currently located.

4. Criterion. The proposed vacation conforms to the Comprehensive Plan, all applicable provisions of Chapters 10 to 14 and any applicable street plans.

Finding. The proposed vacation conforms to the Comprehensive Plan, all applicable provisions of Chapters 10 to 14 and applicable street plans. The applicants are proposing to eliminate a common lot line so they may place a residence on the property. The applicants have applied for and received a Residential Review application and are responsible for paving a portion of Grant Street to City standards as stated on the Residential Review application.

E. CONDITIONS

1. The applicant shall pay all required city fees including water, sewer and park service development charges and installation charges.
2. The applicant shall sign a non-remonstrance agreement for curbs, gutters and sidewalks along Grant Street.
3. The applicant shall obtain an Excavation Permit from the City Public Works Department prior to conducting work on the driveway.
4. The applicant must improve, to City standards, the portion of Grant Street fronting the property in question, by July 1, 2000.
5. The applicant must obtain all necessary building permits from the Klamath County Building Department prior to any construction.
6. The applicant must take all precautions during construction so as not to disrupt the 1920's water line located in Grant Street.

APPEAL

Applicants are advised this decision is final unless written appeal is filed within ten days of the date of this decision. There is a \$100.00 fee for an appeal.

Dated this 17th day of November, 1999.


Sandra Zaida, City Planner

EXHIBIT 'A'

45869

KLAMATH FALLS
38 09 32B

SEE MAP 38 09 29CD

1/4 COR.

207.009

SEE MAP 38 09 32AB

LOT LINE TO BE
ELIMINATED

NORTH
1" = 200'

38 09 32BA
KLAMATH FALLS

State of Oregon, County of Klamath
Recorded 11/19/99, at 4:07 a.m.
In Vol. M99 Page 45867
Linda Smith,
County Clerk

Fee \$ 20⁰⁰

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By: City of Klamath Falls
Planning Dept.
300 Klamath Ave.
Klamath Falls, OR