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09/09/2016 11:10:24 AM

Fee: NO FEE

**BEFORE THE KLAMATH COUNTY
BOARD OF COMMISSIONERS****IN THE MATTER OF APPEAL OF FILE NUMBER TRACT 1534****FINAL ORDER**

WHEREAS, Tru-Line Surveying (for Ramirez Family Trust), Appellant, filed a timely appeal of the Planning Commission's approval of a request for preliminary approval of Redwood Hills, Phase 2 Subdivision (TRACT 1534) a 13-lot residential subdivision on 37.67 acres and which contained a condition of approval (No. 5) that the streets be paved; and

WHEREAS, the Klamath County Planning Department provided proper notice for a de novo appeal hearing held on July 19, 2016 before the Klamath County Board of Commissioners; and

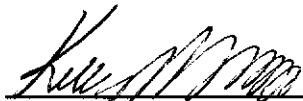
WHEREAS, the Board of Commissioners continued their deliberations until August 23, 2016 to review the whole record, and

WHEREAS, the item was carried over to the September 6, 2016 meeting as there was no quorum for the August 23, 2016 meeting, and

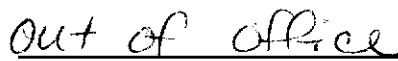
WHEREAS, based on testimony entered at the appeal hearing and consideration of the complete record from the Planning Commission's review and public hearing, and with the Appellants' arguments contained in the Grounds for Appeal, the Board of Commissioners concluded that the standard roadway improvement requirement for this location is for a gravel surface and they do not want to add requirements that go beyond those of the Land Development Code and directed staff to prepare a Final Order removing the condition of approval (No. 5) from the Planning Commission's Final Order dated May 27, 2016 that required the streets to be paved.


Dated this 7th day of September, 2016

FOR THE BOARD OF COUNTY COMMISSIONERS


Chairman


Commissioner


Commissioner


County Counsel
Approved as to form

NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days following the date of the mailing of this order. Contact LUBA for information as how to file this appeal (LUBA by phone 1-503-373-1265 or mail at 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.