

BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF TEMPORARY
PERMIT NUMBER 74-6 FOR
MICHAEL L. GEORGE

O R D E R

WHEREAS, a public meeting has been held on July 8, 1974 and continued to July 29, 1974, for the purpose of considering the issuance of a provisional Temporary Permit as authorized by Ordinance No. 17, the same being the Klamath County Zoning Ordinance, to Michael L. George for the purpose of placing a mobile home to be used as a dwelling on that property described as being the Easterly 175 feet, more or less, of Lot 30, Piedmont Heights, also known as 7570 Cannon Street, Klamath County, Oregon, and also further described as being located approximately 175 feet east of the southeast corner of Watson Street and Cannon Street, Klamath County, Oregon; and

WHEREAS, the Klamath County Board of Commissioners has heard testimony from the applicant, proponents and opponents, and the Klamath County Planning Department concerning this request, said Board of Commissioners makes the following findings of fact:

1. The applicant had purchased a lot from a Klamath Falls area mobile home dealer and moved his mobile home on said real property which was zoned RD 20,000.
2. The RD 20,000 zone prohibits mobile homes except under a Conditional Use Permit.
3. The applicant's lot, located in the Piedmont Heights subdivision is immediately adjacent to the Skyline View subdivision, which also prohibits mobile homes by restrictive covenants.
4. Article 116 of the Ordinance states that a temporary permit should be granted only in undeveloped or underdeveloped areas.

5. There are seven mobile homes within a few blocks of the property in question which were established on their respective premises prior to zoning.

6. The applicant's D.E.Q. permit for a septic tank, by letter dated May 17, 1974, contained in part a notice that "... The requirements or conditions as set forth in this letter in no way waive requirements that may be set by the zoning of the area."

7. Mr. W. L. Marsh notified Mr. Michael George verbally, after the mobile home was moved onto the lot in June 1974, that zoning restricted mobile homes in the area.

8. No mobile homes have been moved into the Piedmont Heights or Skyline View areas since zoning was adopted.

9. Skyline View subdivision is largely developed with 14 undeveloped lots, and Piedmont subdivision has a number of lots developed and several lots still vacant.

Based upon the above findings of fact, the Board reaches the following conclusions of law:

1. The applicant had written notice of zoning prior to placing his mobile home on said real property, and verbal notice of zoning restrictions against mobile homes on said real property after he placed the mobile home on said real property; and

2. The Skyline View and Piedmont subdivisions are sufficiently developed with frame dwellings as to not make the area undeveloped or underdeveloped within the meaning of Article 116 of said Ordinance No. 17.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Klamath County Board of Commissioners, being authorized by Article 116 of the Klamath County Zoning Ordinance No. 17, does herewith disapprove the issuance of a Temporary Permit for the purpose of placing a mobile home to be used as a dwelling on that property described as being the Easterly

ORDER: TEMPORARY PERMIT 74-6
MICHAEL L. GEORGE
Page 3 of 3

12350

175 feet, more or less, of Lot 30, Piedmont Heights, also known as 7570 Cannon Street, Klamath County, Oregon; and also further described as being located approximately 175 feet east of the southeast corner of Watson Street and Cannon Street, Klamath County, Oregon, for the reason that the area is not an undeveloped or underdeveloped area within the context of Article 116 of said Ordinance No. 17.

Done and Dated this 16th day of September, 1974.

[Signature]
Chairman of the Board

County Commissioner

[Signature]
County Commissioner

Approved as to form

[Signature]
Harry D. Boivin, Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Board of County Commissioners

this 17 day of Sept A. D., 1974 at 8:57 o'clock a. M., and duly recorded in
Vol. M-74 of deeds On Page 12348

no fee

By *[Signature]* W. D. MILNE, County Clerk Deputy