

BEFORE THE HEARINGS OFFICER  
KLAMATH COUNTY, OREGON

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| In the Matter of Request of  | ) | Klamath County Planning    |
| Conditional Use Permit 78-42 | ) | FINDINGS OF FACT AND ORDER |
| for Samuel Inkley            | ) |                            |

A Hearing was held in this matter at Klamath Falls, Oregon, on January 10, 1979, pursuant to notice given in conformance with Ordinance No. 35, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Carl Shuck. The Hearings Reporter was Isabel Rodriguez.

Evidence was presented on behalf of the Department and on behalf of the applicant. There were objections from adjacent property owners on this request.

The following Exhibits were offered, received and made a part of the record:

- Klamath County Exhibit A, the Staff Report
- Klamath County Exhibit B, Photos of the subject property
- Klamath County Exhibit C, Klamath County Assessor's map of the subject property
- Klamath County Exhibit D, Klamath County Zoning Map of the subject property
- Applicant's Exhibit No. 1, Plot Plan
- Opponent's Exhibit No. 1, Letter from William and LoEtta Cadman, dated 12/28/78.
- Opponent's Exhibit No. 2, Letter from various property

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owners

Opponent's Exhibit No. 3, Phone message from Mrs. Earl Jones, 12/21/78

Opponent's Exhibit No. 4, Phone message from Phil Rand, 12/21/78

Opponent's Exhibit No. 5, Phone message from Mr. Hayes, 1/10/79

Opponent's Exhibit No. 6, Photo of trailer - 90 day electrical permit, 1/10/79

Opponent's Exhibit No. 7, Photo of trailer

Opponent's Exhibit No. 8, Note about 90 day hookup for electricity

The hearing was then closed, and based upon the evidence submitted at the hearing and further investigation, the Hearings Officer made the following Findings of Fact:

FINDINGS OF FACT:

1. The site is adequate in size and shape to house the proposed activities, however, the placement of a mobile home on the proposed site does not fit in with the neighborhood as is shown by the fact that the neighborhood is predominately permanent structures, and by the further fact that much of the surrounding land has restrictions against the placement of mobile homes thereon.

2. The site has adequate access to the streets and highways to carry the traffic flow generated by the proposed use.

3. There was testimony of nearby landowners in objection to the finding of this Conditional Use Permit, as well as letters of opposition received as exhibits. There would be



1 adverse effect on abutting property owners by allowing low quality  
2 housing in an area of high waulity, permanent residences.

3 4. The granting of this permit is inconcistent with the  
4 goals of the LCDC, in that the quality of the buildings in the  
5 area are not consistent with the placement of a mobile home on the  
6 property in question.

7 The Hearings Officer, based on the foregoing Findings of  
8 Fact, accordingly order as follows:

9 That real property described as the  
10 "parcel of land approximately .84 acre in size  
11 generally located on the north side of West  
12 Side Road, approximately 110 feet south of  
13 Dugout Lane, and approximately 250 feet west  
14 of Big-O-Way Street and more particularly  
described as Tax Lot 1000, Lots 9 and 10,  
Harriman Park Subdivision, Klamath County,  
Oregon"

15 is hereby DENIED a Conditional Use Permit in accordance with the  
16 terms of the Klamath County Zoning Ordinance No. 17 and hence-  
17 forth will not be allowed the placement of a mobile home on the  
18 subject property.

19 Entered at Klamath Falls, Oregon, this 19<sup>th</sup> day of  
20 January, 1979.

21 KLAMATH COUNTY HEARINGS DIVISION

22  
23 Commissioners Journal

By: [Signature]

24  
25 STATE OF OREGON; COUNTY OF KLAMATH; ss.

26 filed for record at request of Klamath County  
27 is 23rd day of January A. D. 1979 at 9:51 o'clock A. M. and  
28 fully recorded in Vol. M79, of Deeds on Page 1884

Wm. D. MILNE, County Clerk

By [Signature]