

## BEFORE THE HEARINGS OFFICER

## KLAMATH COUNTY, OREGON

In the Matter of Request for )  
Conditional Use Permit 78-43 ) Klamath County Planning  
for James C. Thompson, Applicant ) Department  
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on February 14, 1979, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before Klamath County Hearings Officer, Jim Spindor. The Applicant was present. The Klamath County Planning Department was represented by Carl Shuck. The Hearings Reporter was Susan Baggett.

Evidence was presented on behalf of the Department and on behalf of the Applicant. There were no adjacent property owners present who stated they had objections to the proposed Conditional Use Permit requested by the Applicant.

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

Klamath County Exhibit A, the Staff Report  
Klamath County Exhibit B, the photographs  
Klamath County Exhibit C, the Klamath County Assessor's map with CLUP and Zone designation  
Klamath County Exhibit D, the Resolution  
Applicant's Exhibit 1, the Plot Plan

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

FINDINGS OF FACT:

1           1. The site is adequate in size and shape to house  
2 this proposed activity and fits in with the neighborhood as is  
3 shown by the fact that this entire area consists of commercial  
4 businesses.

5           2. The site has adequate access to streets and high-  
6 ways to carry the traffic flow generated by the proposed use.

7           3. There would be no adverse effects on abutting pro-  
8 perty owners, nor did anyone testify in objection to the re-  
9 commending of the permit.

10          4. The granting of this permit is consistant with the  
11 Goals of the LCDC.

12          5. Applicant shall use the property in question in  
13 conformance with the plan he submitted as Applicant's Exhibit  
14 No. 1, including but not limited to, the blacktopping of the  
15 entire area of the property other than that portion where  
16 buildings will exist.

17          The Hearings Officer, based on the foregoing Findings  
18 of Fact, accordingly orders as follows:

19          That real property described as the

20               "Section 4, Township 39S, Range 9, East of the  
21               Willamette Meridian, Tax Lot 402 of Washburn  
22               Park, Klamath County, Oregon"

23          is hereby granted a Conditional Use Permit in accordance with  
24 the terms of the Klamath County Ordinance 35 and henceforth  
25 will be allowed the placement of a new and used car sales and  
26 service on the subject property subject to the above-mentioned  
27 conditions. The granting of this permit does not allow a use  
28 which is not permitted (continued on Page 3)

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which is not authorized in this particular zone.

Entered at Klamath Falls, Oregon, this 5<sup>th</sup> day of

March, 1979.

KLAMATH COUNTY HEARINGS DIVISION

By *[Signature]*  
Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 6th day of March A. D. 1979 at 2:08 o'clock P. M., and

duly recorded in Vol. M79, of Deeds on Page 5039

Wm D. MILNE, County Clerk

By *[Signature]*

No Fee