

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Conditional Use Permit No. 79-27,) Klamath County Planning
Merrill J. Haberman, Applicant) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on September 12, 1979, pursuant to notice given in conformity 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 Barbara Thomson.

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, photos of subject property
Klamath County Exhibit C, Klamath County Assessor's Map of the subject property
Applicant's Exhibit No. 1, 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 the proposed activity and will fit in with the neighborhood so
3 long as the conditions imposed hereinbelow are followed.

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

6 3. There would be no adverse effect on the abutting
7 property owners, so long as the conditions imposed hereinbelow
8 are followed, nor did anyone testify in objection to the granting
9 of the permit.*

10 4. The granting of this permit is consistent with
11 the goals of the L.C.D.C.

12 5. The issuance of this Conditional Use Permit is
13 conditioned as follows:

14 CONDITIONS:

15 1. All work done in this home occupation by the
16 applicant, shall be performed inside the garage which is presently
17 on the property.

18 2. The applicant shall leave no parts, equipment, or
19 other items pertaining to his home occupation outside the garage
20 which is presently on his property.

21 3. The applicant shall cause no unreasonable noise
22 in connection with his home occupation.

23 4. The applicant shall erect no signs on his property
24 regarding his home occupation.

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

27 That real property described as the

28 "parcel of land approximately 16,800 square feet

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in size, and generally located 77 feet west of Madison Street and south of Delaware Avenue, and more particularly described as Tax Lot 7300, Lot 64 of Cloverdale Subdivision, being in Township 39, Range 9, Section 2, Klamath County, Oregon"

is hereby granted a Conditional Use Permit in accordance with the terms of the Klamath County Zoning Ordinance No. 35, and, henceforth, will be allowed a home occupation in the RD 10,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 24th day of

September, 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 25th day of September A. D. 1979 at 4:36 clock P.M., and

fully recorded in Vol. 1179, of Deeds on Page 22726

Wm D. MILNE, County Clerk

By

[Signature]

No Fee

Commissioner's Journal