

KLAMATH COUNTY, OREGON

1
2 In the Matter of Request for)
3 Conditional Use Permit No. 79-31) KLAMATH COUNTY PLANNING
4 for John M. Schoonover, Applicant) FINDINGS OF FACT AND ORDER
5

6 A hearing was held in this matter at Klamath Falls,
7 Oregon, on October 10, 1979, pursuant to notice given in conform-
8 ity with Ordinance No. 35, Klamath County, before the Klamath
9 County Hearings Officer, Jim Spindor. The applicant was present.
10 The Klamath County Planning Department was represented by Jonathan
11 Chudnoff. The Hearings Reporter was Barbara Thomson.

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

16 The following exhibits were offered, received, and made
17 a part of the record:

18 Klamath County Exhibit A, the Staff Report
19 Klamath County Exhibit B, photos of subject property
20 Klamath County Exhibit C, Klamath County Assessor's Map
21 of subject property
22 Klamath County Exhibit D, letter from Shields & Le-Mi
23 Contractors, Inc.
24 Klamath County Exhibit E, letter from S & D Construction
25 Klamath County Exhibit F, memo to file regarding a
26 telephone call from Bob Danko, Department of Environ-
27 mental Quality, Bend Office
28 Klamath County Exhibit G, memo to file regarding a

1 telephone call from Paul Lawson, State Department of
2 Geology and Mineral Industries
3 Applicant's Exhibit No. 1, Plot Plan
4 Applicant's Exhibit No. 2, aerial photo
5 Applicant's Exhibit No. 3, letter from John Schoonover
6 Applicant's Exhibit No. 4, letter from Gil Hargreaves,
7 Department of Environmental Quality

8 The hearing was then closed, and based upon the evidence
9 submitted at the hearing, the Hearings Officer made the following

10 Findings of Fact:

11 FINDINGS OF FACT:

12 1. The site is adequate in size and shape to house
13 the proposed activity as it fits in with the land area by the fact
14 that there are no residences nearby and it is uninhabited land.

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

17 3. There will be no adverse effect on abutting
18 property owners

19 4. No one testified in opposition to the Conditional
20 Use Permit.

21 5. The granting of this Conditional Use Permit is
22 consistent with the goals of the L. C. D. C.

23 6. The Conditional Use Permit is approved subject to
24 the following conditions.

25 CONDITIONS:

26 1. Applicant shall receive written permission from and
27 follow the guidelines of: (1) State Geology Department, (2) Depart-
28 ment of Environmental Quality, and (3) the Department of Fish

1 and Wildlife.

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2 2. Applicant follows the plan for the land that is set
3 out in Applicant's Exhibit No. 3 as far as landscaping when quarry
4 is finished.

5 3. Applicant shall not allow the road to become un-
6 reasonably dusty from use.

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

9 That real property described as the
10 "parcel of land approximately 80 acres in size
11 and generally located approximately 3½ miles
12 north of Highway No. 58 and approximately 3½
13 miles west of Highway No. 97, and approximately
14 2 miles south of the Crescent cutoff road, being
15 in the Crescent Gilchrist area in the north end
16 of the county, and more particularly described
17 as being in Township 25, Range 8, W½ of SE¼ of
18 Section 5, Klamath County, Oregon"

19 is hereby granted a Conditional Use Permit in accordance with the
20 terms of the Klamath County Zoning Ordinance No. 35, and, hence-
21 forth, will be allowed a Commercial Quarry in the F (Forestry)
22 zone.

23 Entered at Klamath Falls, Oregon, this 21st day of
24 December, 1979.

25 KLAMATH COUNTY HEARINGS DIVISION
26 BY [Signature]
27 Hearings Officer

28 STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Klamath County
this 21st day of December A. D. 1979 at 3:08 o'clock P. M., and
C.U.P. 79-31 fully recorded in Vol. 879, of Deeds on Page 29341
Page -3- Wm D. MILNE, County Clerk
By [Signature]

Fee None