

78665

Vol. 17
79
BEFORE THE HEARINGS OFFICER Page 23640

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2 Conditional Use Permit No. 79-32) Klamath County Planning
3 for Harry J. Bergseng, Applicant) FINDINGS OF FACT AND ORDER
4)
5)
6)

7 A hearing was held in this matter at Klamath Falls,
8 Oregon, on November 14, 1979, pursuant to notice given in conform-
9 ity with Ordinance No. 35, Klamath County, before the Klamath
10 County Hearings Officer, Jim Spindor. The applicant was present.
11 The Klamath County Planning Department was represented by Carl
12 Shuck and Jonathan Chudnoff. The Hearings Reporter was Barbara
13 Thomson.

14 Evidence was presented on behalf of the Department and
15 on behalf of the applicant. There were no adjacent property own-
16 ers present who stated they had objections to the proposed Condi-
17 tional Use Permit requested by the applicant.

18 The following exhibits were offered, received, and made
19 a part of the record:

20 Klamath County Exhibit A, the Staff Report
21 Klamath County Exhibit B, photos of the subject property
22 Klamath County Exhibit C, Klamath County Assessor's Map
23 of the subject property
24 Applicant's Exhibit No. 1, Plot Plan

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

28 FINDINGS OF FACT:

1 1. The request of applicant is not in fact for a
 2 mobile home park as defined by Section 15.013 of the zoning ordin-
 3 ance; the request of applicant is basically for a creation of 4
 4 lots, each for residential use. The size of the property in ques-
 5 tion would not meet property development standards if split into
 6 quarters.

7 2. If applicant were to change his request to one for
 8 a true mobile home park, the property is not adequate in size and
 9 shape for such a purpose, nor would such a purpose fit in with the
 10 existing neighborhood.

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

13 That real property described as the

14 "parcel of land approximately two acres in size,
 15 and generally located approximately six miles
 16 south of the Northern Klamath County Line on the
 17 west side of Highway 31, on the northwest corner
 18 of Hazelwood Road and Birchwood Drive, and more
 particularly described as Lots 17 and 18 of Block
 8 of Sun Forest Estates, Section 36, Township 23,
 Range 10, being Tax Lots 25,600 and 25,500; Klamath
 County, Oregon"

19 is hereby denied a Conditional Use Permit in accordance with the
 20 terms of the Klamath County Zoning Ordinance No. 35, and, hence-
 21 forth will not be allowed placement of four mobile homes in the
 22 SP-1 (Rural Residential) zone.

23 Entered at Klamath Falls, Oregon, this 26th day of
 24 December, 1979.

25
 26 KLAMATH COUNTY HEARINGS DIVISION

27 BY [Signature]
 28 Hearings Officer

C.U.P. 79-32

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STATE OF OREGON; COUNTY OF KLAMATH; ss. .

I hereby certify that the within instrument was received and filed for record on the 27th day of
December A.D., 19 79 at 11:54 o'clock A M., and duly recorded in Vol M79
 of Deeds on Page 29640.

FEE None

WM. D. MILNE, County Clerk

By [Signature] Deputy