

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

In the Matter of Request for)
Conditional Use Permit No. 80-1)
for James Demetrakos, Applicant)

Klamath County Planning
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on February 13, 1980, 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 Jonathan Chudnoff. The Hearings Reporter was Barbara Thomson.

Evidence was presented on behalf of the Department and on behalf of the applicant. There were four adjacent property owners 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 subject property
- Klamath County Exhibit D, letter from Area Committee chairman
- Applicant's Exhibit No. 1, the Plot Plan

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

1 Findings of Fact:

2 FINDINGS OF FACT:

3 1. The Hearings Officer visited the site in question
4 and finds that the site is not adequate in size and shape to house
5 the proposed activity, and that the proposed activity does not
6 fit in with the surrounding neighborhood. The proposed activity
7 would change the nature of the existing neighborhood.

8 2. The site does not have adequate access to streets
9 and highways to carry the traffic flow generated by the proposed
10 use.

11 3. There were several surrounding property owners who
12 testified as to their concern with the granting of said permit;
13 and it is found that there would be an adverse effect on the
14 abutting property owners due to the change in the general nature
15 of the neighborhood which this would bring.

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

18 That real property described as the

19 "parcel of land generally located southwest
20 of State Highway No. 140, east of Cedar Street
21 and north of Odessa Street, and more particularly
22 described as Lots 2 through 10 of Odessa Summer
23 Home Sites, being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14,
24 Township 36, Range 6, being Tax Lots 3800 and
25 3900, Klamath County, Oregon"

26 is hereby denied a Conditional Use Permit in accordance with the
27 terms of the Klamath County Zoning Ordinance No. 35, and, hence-
28 forth will not be allowed placement of mobile homes in the
RD 10,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 19th day of
MARCH, 1980.

C.U.P. 80-1
Page -2-

KLAMATH COUNTY HEARINGS DIVISION
D. J. [Signature]
Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH, ss. :

I hereby certify that the within instrument was received and filed for record on the 20th day of
arch A.D., 19 80 at 11:41 o'clock A M., and duly recorded in Vol 1880
of Reeds on Page 5276.

FEE None

WM. D. MILNE, County Clerk
By [Signature] Deputy

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Conditional Use Permit No. 80-3) Klamath County Planning
for Allen Reeder, Applicant) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on February 13, 1980, 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 Jonathan Chudnoff. The Hearings Reporter was Barbara Thomson.

Evidence was presented on behalf of the Department and on behalf of the applicant. There was one adjacent property owner present who stated he had objections to the 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 the subject property
Klamath County Exhibit C, Klamath County Assessor's map of the subject property
Applicant's Exhibit No. 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. After viewing the property and the general neighbor-

20 MAR 20 11 11 AM '80

hood, I find that the proposed activity does not fit in with the surrounding neighborhood.

2. The site does not have adequate access to streets and highways to carry the traffic flow generated by the proposed use.

3. There would be adverse effect on abutting property owners; one person who lived in the area testified against the granting of this permit on the basis of being against home occupations in said neighborhood.

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

That real property described as the

"parcel of land approximately 9,775 square feet in size generally located on the north side of Redwood Drive approximately 150 feet west of Maple Street, and more particularly described as being Lot 11, Block 2, West Hills Homes, being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 39, Range 9, being Tax Lot 1900, Klamath County, Oregon"

is hereby denied a Conditional Use Permit in accordance with the terms of the Klamath County Zoning Ordinance No. 35, and, henceforth, will not be allowed a beauty shop in the RD 10,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 19th day of March, 1980.

KLAMATH COUNTY HEARINGS DIVISION

[Signature]

Hearings Officer

C.U.P. 80-3
Page -2-

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 20th day of March A.D., 19 80 at 11:41 o'clock A M., and duly recorded in Vol. 180 of Books on Page 5273.

FEE None

WM. D. MILNE, County Clerk

By *[Signature]* Deputy