

BEFORE THE HEARINGS OFFICER

KIAMATH COUNTY, OREGON

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In the Matter of Request for)
Conditional Use Permit No.) Klamath County Planning
80-4 for Edgardo Pagan, 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 who stated he had objections to the proposed request for a Conditional Use Permit.

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. The site is adequate in size and shape to house the

11 11 80 03 00 41

1 proposed activity, and will fit in with the neighborhood so long
2 as the conditions imposed hereinbelow are followed. The Hearings
3 Officer viewed the site in question and found many other animals
4 of varying types being raised in this neighborhood.

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

7 3. There would be no adverse effect on abutting property
8 owners, so long as the conditions imposed hereinbelow are followed.

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

11 5. This Conditional Use Permit is approved subject to
12 the following Conditions:

13 CONDITIONS:

14 1. Applicant shall have no more than two pigs on his
15 property at one time.

16 2. Within thirty days from the signing of this order,
17 applicant shall provide to the Planning Department a written
18 letter from the Klamath County Health Department stating that the
19 keeping of pigs on his property would not cause a health problem.

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

22 That real property described as the

23 "parcel of land approximately 2.71 acres in size
24 and generally located north of Longacre Lane and
25 approximately 1,050 feet east of Wocus Road, and
26 more particularly described as being in the SE $\frac{1}{4}$
of Section 7, Township 38, Range 9, being Tax
Lot 901, Klamath County, Oregon"

27 is hereby granted a Conditional Use Permit in accordance with
28 the terms of the Klamath County Zoning Ordinance No. 35, and,

C.U.P. 80-4

1 henceforth, will be allowed to keep pigs in the RA (Residential
2 Agricultural) zone.

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

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8 KLAMATH COUNTY HEARINGS DIVISION
9 *W. D. Milne*
10 Hearings Officer

11
12 STATE OF OREGON; COUNTY OF KLAMATH; ss.
13 led for record at request of Klamath County
14 is 20th day of March A. D. 1980 at 11:41 clock A M., and
15 duly recorded in Vol. MSD, of Deeds on Page 5230

16
17 No Fee

18
19 W. D. MILNE, County Clerk
20 By *Bernard H. Hetch*