

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2 Conditional Use Permit No. 80-11)
3 for Walter Steiner, Applicant)
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6

Klamath County Planning
FINDINGS OF FACT AND ORDER

7 A hearing was held in this matter at Klamath Falls,
8 Oregon, on April 9, 1980, pursuant to notice given in conformity
9 with Ordinance No. 35, Klamath County, before the Klamath County
10 Hearings Officer, Jim Spindor. The applicant was present. The
11 Klamath County Planning Department was represented by Jonathan
12 Chudnoff. The Hearings Reporter was Barbara Thomson.

13 Evidence was presented on behalf of the Department and
14 on behalf of the applicant. There were several surrounding
15 property owners present at the hearing. There were no adjacent
16 property owners present who stated they had objections to the
17 proposed Conditional 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 subject property
22 Klamath County Exhibit C, Klamath County Assessor's Map
23 of subject property
24 Applicant's Exhibit No. 1, the 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:

81 111 1 18

1 1. The site is adequate in size and shape to house the
2 proposed activity and will fit in with the neighborhood so long
3 as the conditions imposed hereinbelow are followed.

4 2. The site has adequate access to streets and highways
5 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.

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 in no way change the residential
15 character of the neighborhood.

16 2. Applicant shall erect no signs on his property
17 regarding his home occupation.

18 3. Applicant shall cause no excessive noise (noise that
19 disturbs any abutting property owners).

20 4. Applicant shall leave no parts, equipment, or other
21 items pertaining to his home occupation outside the garage which
22 is presently on his property.

23 5. No person other than the applicant shall be employed
24 in this home occupation; no employee shall be allowed to work for
25 applicant.

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

28 That real property described as the

1 "parcel of land approximately 16,000 square
2 feet in size, generally located north of
3 Bryant Avenue approximately 400 feet west
4 of Homedale Road, and more particularly
described as Lot 53 of Yalta Gardens, being
in Section 2, Township 39, Range 9, Tax Lot
5,000; Klamath County, Oregon"

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

9 Entered at Klamath Falls, Oregon, this 5th day of
10 MAY, 1980.

11
12 KLAMATH COUNTY HEARINGS DIVISION

13 BY John

14 Hearings Officer

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16
17 STATE OF OREGON; COUNTY OF KLAMATH; ss.

18 Filed for record at request of Klamath County

19 this 5th day of May A. D. 1980 at 1:18 o'clock P.M., and

20 duly recorded in Vol. M80, of Deeds on Page 8217

21 Wm D. MILNE, County Clerk

22 By Barbara

No Fee