

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

1
2
3 In the Matter of Request for)
4 Conditional Use Permit No. 80-15))
5 for Coralie Nelson, Applicant)
6)

Klamath County Planning
FINDINGS OF FACT AND ORDER

7 A hearing was held in this matter at Klamath Falls,
8 Oregon, on May 14, 1980, pursuant to notice given in conformity
9 with Ordinance No. 35, Klamath County, before Klamath County
10 Assistant Hearings Officer, James Uerlings. The applicant was
11 present. The Klamath County Planning Department was respresented
12 by Jonathan Chudnoff. The Hearings Reporter was Barbara Thomson.

13 Evidence was presented on behalf of the Department and
14 on behalf of the applicant. There was one adjacent property
15 owner present who stated she had objections to the proposed
16 Conditional Use Permit requested by the applicant.

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

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

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

27 FINDINGS OF FACT:

28 1. The site is adequate in size and shape to accommodate

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1 the proposed use.

2 2. The site is in close proximity to streets and highways
3 adequate in width and pavement to carry the quantity and kind of
4 traffic generated by the proposed use.

5 3. The proposed use will have no adverse effect on
6 abutting property owners so long as the conditions imposed
7 hereinbelow are followed.

8 4. The proposed Conditional Use Permit meets all the
9 L. C. D. C. goals and guidelines.

10 5. This Conditional Use Permit is approved subject to
11 the following conditions.

12 CONDITIONS:

13 1. The Conditional Use Permit shall be limited to the
14 area of the existing gravel pit which I find to be approximately
15 twenty (20) acres in size.

16 2. Applicant shall obtain approval from the Department
17 of Environmental Quality and geological permit approval for the
18 site.

19 3. The present screening by vegetation in the area be
20 maintained.

21 4. The gravel pit shall be limited to use to weekdays
22 from Monday through Friday, 7:30 a.m. until 6:30 p.m.

23 5. Access to the area shall be limited to the northerly
24 access road as marked in red on Klamath County Exhibit C, the
25 Klamath County Assessor's Map, and the parties using that road
26 to the gravel pit take all reasonable steps to insure that the
27 dust and noise in the area be kept to a minimum.

28 The Hearings Officer, based on the foregoing Findings of
C.U.P. 80-15.
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1 Fact, accordingly orders as follows:

2 That real property described as the

3 "parcel of land zoned AF (Agricultural Forestry)
4 generally located west of Highway No. 97 approxi-
5 mately 1,200 feet north of the Williamson River
6 Bridge, and more particularly described as the
NE¼ of the NW¼ of Section 21, Township 35, Range
7, Tax Lot 800, Klamath County, Oregon"

7 is hereby granted a Conditional Use Permit in accordance with the
8 terms of the Klamath County Zoning Ordinance No. 35, and hence-
9 forth will be allowed a gravel pit in the AF (Agricultural
10 Forestry) zone.

11 Entered at Klamath Falls, Oregon, this 11 day of
12 June, 1980.

13 KLAMATH COUNTY HEARINGS DIVISION

14 BY James R. Henley
15 Assistant Hearings Officer

16 STATE OF OREGON; COUNTY OF KLAMATH; ss.

17 filed for record at request of Klamath County

18 this 11th day of June A. D. 1980 at 2:26 o'clock P. M., and

19 duly recorded in Vol. M80, of Deeds on Page 10733

20 Wm D. MILNE, County Clerk

21 By Bernice H. H. H.

22 No Fee

23 Commissioners Journal