

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2)
3 Temporary Permit No. 77-5 for)
4)
5 Dick Baumgardner, Applicant)
6)

Klamath County Planning
FINDINGS OF FACT AND ORDER

7 A hearing was held in this matter at Klamath Falls,
8 Oregon, on June 11, 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 no adjacent property
15 owners present who stated they had objections to the proposed
16 Temporary 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, letter from Applicant request-
24 ing renewal of permit

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:

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1 1. It appears that the amount of sand and gravel which
2 is located on the property, upon removal would substantially
3 level the property and tend to improve it as a building site.

4 2. The property in question is presently undeveloped
5 and is located in an underdeveloped, albeit rapidly developing
6 part of Klamath County.

7 3. Because the property surrounding the area is in
8 a large part owned by the applicant, Tax Lot 24 and Tax Lot 25
9 directly across the street, the majority of the adverse effect
10 would be felt on the applicant's own property and the applicant
11 would have a vested interest in not reducing the property values
12 within the immediate area.

13 4. It appears from the intended use that there will not
14 be a substantially greater amount of traffic generated on the
15 property.

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 on the east
20 side of Western Avenue, approximately 308 feet
21 south of Hilyard Avenue, and approximately 490
22 feet north of the Merrill-Lakeview Junction
23 bordering the Enterprise Irrigation Ditch to
the east, and more particularly described as
being in Section 7, Township 39, Range 10,
being Tax Lot 5400, Klamath County, Oregon"

24 is hereby granted a Temporary Permit in accordance with the terms
25 of the Klamath County Zoning Ordinance No. 35, and henceforth,
26 will be granted renewal of Temporary Permit No. 77-5 on the
27

12906

1 subject property for a period of one year.

2 Entered at Klamath Falls, Oregon, this 3rd day of

3 July, 1980.

4
5
6
7 KLAMATH COUNTY HEARINGS DIVISION
8 BY [Signature]
9 Hearings Officer

10
11
12
13 STATE OF OREGON; COUNTY OF KLAMATH; ss.

14 Filed for record at request of Klamath County

15 this 11th day of July A. D. 1980 at 2:30 o'clock P. M., and

16 duly recorded in Vol. M80, of Deeds on Page 12906

17 W^m D. MILNE, County Clerk

18 By [Signature]
19 No Fee

20 Commissioners Journal