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Vol. 3
80
BEFORE THE HEARINGS OFFICER

22509

KLAMATH COUNTY, OREGON

1
2
3 In the Matter of Request for)
4 Conditional Use Permit No. 80-33) KLAMATH COUNTY PLANNING
5 for Greg Stout, Applicant) FINDINGS OF FACT AND ORDER
6)

7 A hearing was held in this matter at Klamath Falls,
8 Oregon, on October 8, 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 adjacent property
15 owners present who were in favor of the Conditional Use Permit
16 requested by the applicant, and there were several adjacent
17 property owners present who stated that they had objections to
18 the Conditional Use Permit requested by the applicant.

19 The following exhibits were offered, received, and made
20 a part of the record:

21 Klamath County Exhibit A, the Staff Report
22 Klamath County Exhibit B, photos of the subject property
23 Klamath County Exhibit C, Klamath County Assessor's Map
24 of the subject property
25 Klamath County Exhibit D, Letter from the Planning
26 Department regarding the complaint
27 Klamath County Exhibit E, Letter from Rod Ingram of the
28 Department of Fish and Wildlife

- 1 Klamath County Exhibit F, Letter from Rod Ingram of the
- 2 Department of Fish and Wildlife regarding the inspection
- 3 of the cage
- 4 Applicant's Exhibit No. 1, plot plan
- 5 Applicant's Exhibit No. 2, petition
- 6 Applicant's Exhibit No. 3, pictures
- 7 Applicant's Exhibit No. 4, letter from Charles Jaynes
- 8 Opponent's Exhibit No. 1, Petition
- 9 Opponent's Exhibit No. 2, Letter from Williams family
- 10 Opponent's Exhibit No. 3, Letter from John & Janis Ferm
- 11 Opponent's Exhibit No. 4, Letter from Marcia H. Seyvertsen
- 12 Opponent's Exhibit No. 5, Letter from Earl Peters
- 13 Opponent's Exhibit No. 6, Letter from John & Alice Ruger
- 14 Opponent's Exhibit No. 7, Letter from Frank R. Wryn
- 15 Opponent's Exhibit No. 8, Letter from Albie & Carmen
- 16 Longueira
- 17 Opponent's Exhibit No. 9, Letter from Philip & Carol
- 18 Bradford
- 19 Opponent's Exhibit No. 10, Letter from Joyce Pounder
- 20 Opponent's Exhibit No. 11, Letter from Mildred Rainwater,
- 21 et al
- 22 Opponent's Exhibit No. 12, Letter from Brenda Franson
- 23 Opponent's Exhibit No. 13, Letter from Dorothy Kaufman
- 24 Opponent's Exhibit No. 14, Letter from William & Joyce
- 25 Baldwin
- 26 Opponent's Exhibit No. 15, Letter from Jeffrey & Gayle
- 27 Baldwin
- 28 Opponent's Exhibit No. 16, Letter from Ralph Duster

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1 The hearing was then closed, and based upon the evidence
2 submitted at the hearing, the Hearings Officer made the following
3 Findings of Fact:

4 FINDINGS OF FACT:

5 1. The request for a Conditional Use Permit herein is
6 denied due to the fact that this proposed activity does not fit
7 in with the neighborhood because of the residential nature
8 of the surrounding area. This area is populated to the extent
9 that such an activity does not fit in. There would be adverse
10 effect on abutting property owners by allowing such a proposed
11 activity in a residential area.

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

14 That real property described as the

15 "parcel of land zoned RA (Residential Agricultural),
16 generally located south of Pelican Butte Road,
17 being in the Rocky Point area, and more particularly
described as being in Section 3, Township 36,
Range 6, being Tax Lot 8700, Klamath County, Oregon"

18 is hereby denied a Conditional Use Permit in accordance with the
19 terms of the Klamath County Zoning Ordinance No. 35, and, hence-
20 forth, will not be allowed to keep cougars in the RA (Residential
21 Agricultural) zone.

22 Entered at Klamath Falls, Oregon, this 18th day of

23 November, 1980.

24 KLAMATH COUNTY HEARINGS DIVISION

25 BY [Signature]
26 Hearings Officer

27
28 C.U.P. 80-33
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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the

19th day of November A.D., 19 80 at 2:48 o'clock P M., and duly recorded in

Vol M80, of Deeds on page 22509.

Fee \$ None

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