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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

3560

In the Matter of Request for )  
Conditional Use Permit No. 80- ) Klamath County Planning  
49 for William Smedley, Applicant) Findings of Fact and Order

A hearing was held in this matter at Klamath Falls, Oregon, on January 14, 1981, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before the Klamath County Assistant Hearings Officer, James R. Uerlings. 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 were no adjacent property owners present who stated they had objections to the proposed Conditional Use Permit requested by the applicant.

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

- Klamath County Exhibit A, the Staff Report
- Klamath County Exhibit C, Klamath County Assessor's Map of the subject property
- Applicant's Exhibit No. 1. plot plan
- Applicant's Exhibit No. 2, photos of subject property

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 1. The site for the proposed use is adequate in size  
2 and shape to accommodate said use and all yards, spaces, walls,  
3 and fences, parking, loading, landscaping and other features  
4 required to adjust said use with land and uses in the neighborhood  
5 are present or will be adequately provided.

6 2. The site for the proposed use has adequate access  
7 to streets and highways which are adequate in width and pavement  
8 type to carry the quantity and kind of traffic generated by the  
9 proposed use.

10 3. The proposed use will have no adverse effect on  
11 abutting property or the permitted use thereof.

12 4. The granting of the Conditional Use Permit is con-  
13 sistent with the goals of L. C. D. C.

14 5. The Conditional Use Permit is approved subject to  
15 the following conditions.

16 CONDITIONS:

17 1. Applicant shall follow plot plan illustrating where  
18 the business shall be conducted as shown on Applicant's Exhibit  
19 No. 1.

20 2. The majority of the sales generated by the home  
21 occupation shall be done away from the home to avoid additional  
22 traffic generated in the area.

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

25 The real property described as the

26 "parcel of land approximately two acres in size,  
27 generally located south of Michael Road approxi-  
28 mately 1,100 feet west of Jerry Road, generally  
being in the Antelope Meadows area, and more  
particularly described as being in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ ,

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NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 16, Township 23, Range  
10, being Tax Lot 9,000; Klamath County, Oregon"

is hereby granted a Conditional Use Permit in accordance with  
the terms of the Klamath County Zoning Ordinance No. 35, and,  
henceforth, will be allowed a home occupation in the SP-1 (Rural  
Residential) zone.

Entered at Klamath Falls, Oregon, this 2 day of  
March, 1981.

KLAMATH COUNTY HEARINGS DIVISION  
BY James Q. Werling  
Assistant Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County  
this 3rd day of March A. D. 19 81 at 1:01 o'clock P. M., and  
duly recorded in Vol. M81, of Deeds on Page 3660.

EVELYN BIEHN, County Clerk  
By Bernetha S. Leitch

No Fee

Commissioners Journal