

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
 Conditional Use Permit No.) KLAMATH COUNTY PLANNING
 81-01 for Bobby Young,) FINDINGS OF FACT, CONCLUSIONS
 Applicant.) OF LAW AND ORDER

A Hearing on this matter was held at Klamath Falls, Oregon on February 11, 1981. The applicant had previously appeared before the Hearings Officer on January 14, 1981, and was at that time granted a Conditional Use Permit to place a mobile home in a RD-10,000 zone, but on a slightly different location upon this same lot. The applicant was represented at the hearing by Mr. Paddock and there was one person testifying in opposition. The Klamath County Planning Department was represented by Jonathon Chudnoff. The Hearings Reporter was Barbara Thomson.

Evidence was presented on behalf of the Department, the applicant, and the one opponent. The following exhibits were offered and received and made a part of the record:

Applicant's Exhibits 1 and 2; Klamath County Exhibits A through C.

The hearing was then closed with the provision that the hearings officer would inspect the proposed sight prior to rendering a decision. On February 26, 1981, the sight was inspected by the Hearings Officer.

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FINDINGS OF FACT

1) The lot upon which this mobile home is intended to be placed is identical to the lot proposed for a similar purpose in the previously granted Conditional Use Permit, 80-45, but is on the opposite side of the house.

2) The applicant found that the placement of the mobile home on the west side of the property would create problems in regards to removal of trees. The use of the currently proposed site would not require the removal of any trees except possibly some minor shrubs.

3) There currently exists within several hundred yards to the north of this property an area of land currently zoned for a mobile home park.

4) The area surrounding the applicant's property consists of many multifamily units including apartments and duplexes. There are currently only two houses within the block upon which this mobile home would be placed. The design which the applicant intends to use for her mobile home is similar to a regularly constructed dwelling unit.

CONCLUSIONS OF LAW

1. The site for the proposed use is adequate in size and shape to accomodate said use, and all yards, spaces, walls and fences, parking, landscaping and other features required to adjust said use with the land and its uses in the neighborhood will be adequately provided.

1 2. The site for the proposed use has adequate access
2 to streets and highways which are adequate in width and pavement
3 to carry the quantity and kind of traffic generated by the
4 proposed use.

5 3. The proposed use will have no adverse effect on
6 the abutting property or other permitted uses thereof.

7 4. The following conditions are deemed necessary to
8 protect the public health, safety, and general welfare:

9 a) The applicant shall strictly follow the proposed
10 Plot Plan and abide by the limitation upon the property which
11 the applicant has proposed to place the mobile home.

12 The granting of this permit is consistent with the
13 LCDC Goals and Guidelines.

14 The Hearings Officer, based upon the foregoing Findings
15 of Fact, concludes that the granting of this permit complies
16 with the conditions of Klamath County Ordinance No. 35, and all
17 applicable LCDC Goals and Guidelines.

18 The Hearings Officer, based upon the foregoing, accord-
19 ingly orders as follows:

20 THAT the real property described as:

21 Lot 7, Block 1, Mills Garden, located in the SW ¼,
22 NW ¼, Section 34, Township 38, Range 9, Klamath
23 County, Oregon.

24 is hereby granted a Conditional Use Permit in accordance with
25 the terms of Klamath County Ordinance No. 35, and henceforth,
26 shall be allowed to place a mobile home in a RD-10,000 (single-
FINDINGS OF FACT AND CONCLUSIONS OF LAW - Page Three

family residential) zone.

Entered at Klamath Falls, Oregon, this 4 day of
March, 1981.

KLAMATH COUNTY HEARINGS DIVISION

by: James R. Uerlings
JAMES R. UERLINGS
Assistant Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County
this 5th day of March A.D. 19 81 at 10:06 o'clock A.M., and
duly recorded in Vol. M81, of Deeds on Page 3945.

EVLYN BIEHN, County Clerk
By Bernetha H. Hetch

No Fee

Commissioners Journal