

KLAMATH COUNTY, OREGON

In the Matter of Request for
 Conditional Use Permit No. 81-6
 for Pacific Power & Light, Applicant

) KLAMATH COUNTY PLANNING
)
) FINDINGS OF FACT AND ORDER
)

A hearing was held in this matter at Klamath Falls, Oregon, on April 8, 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 represented by Ladd Hoyt and Attorney H. F. Smith. 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, option and map
 Applicant's Exhibit No. 2, photo of substation

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:

Ret: Commissioners Journal

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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 neighbor-
5 hood are present or will be adequately provided.

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

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

11 4. No one testified in opposition to the granting of
12 this Conditional Use Permit.

13 5. The granting of this Conditional Use Permit is
14 consistent with the goals of the L. C. D. C.

15 6. The following Conditions are deemed necessary to
16 protect public health, safety, and general welfare.

17 CONDITIONS:

18 1. Applicant shall follow map as submitted, Applicant's
19 Exhibit No. 1.

20 2. Applicant shall place at least a six-foot fence with
21 the appropriate barbed wire as a safety measure around the
22 facility.

23 3. Applicant, if necessary, shall cooperate with any
24 county or local agencies in improving roads providing access to
25 the area.

26 4. If necessary, applicant shall obtain the necessary
27 vacation approval for the alley that bisects the property.

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

10324

That real property described as the

"parcel of land generally located south of Fifth Avenue and west of Second Street in Sprague River, and more particularly described as Lots 1 through 10, and Lots 13 through 24, Block 17 of Sprague River, located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 14, Township 36, Range 10, being Tax Lots 2700, 2800, and 3000, 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 an electrical substation in the RD 5,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 5 Day of June, 1981.

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

KLAMATH COUNTY HEARINGS DIVISION
BY James R. [Signature]
Assistant Hearings Officer

on this 9th day of June A.D. 19 81
at 2:00 o'clock P M, and duly
recorded in Vol. M81 of Deeds
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EVELYN BIEHN, County Clerk

By Debra [Signature] Deputy

For None

Commissioners Journal