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BEFORE THE HEARINGS OFFICEF

KLAMATH COUNTY, OREGON

In the Matter of the Request for)

Conditional Use Permit No.

81-15 for GWEN WEST,

Applicant.

KLAMATH COUNTY PLANNING

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

FINDINGS OF FACT - Procedural

A Hearing was held on this matter at Klamath Falls, Oregon, on June 10, 1981. The Applicant was present in person and presented evidence. There were no witnesses appearing in opposition, however, there was correspondence from neighboring property owners opposing a conditional use permit. Klamath County Planning Department was represented by Jonathon Chudnoff. The Hearings Reporter was Barbara Thomson.

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

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

The Hearing was then closed for the purpose of receiving further testimony and the Hearings Officer advised the applicant that he intended to view the property in question. The property in question was viewed by the Hearings Officer subsequent to the Hearing.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW - Page 1

FINDINGS OF FACT - The Merits

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1. The site for the proposed home occupation is in a RD 10,000 Single-Family Residential Zone.

2. The physical view of the property in question shows that it is located at a "T" intersection of two streets, Barry Avenue and Gary Street, in Klamath County. The streets in this area appear to be narrower in width than a standard street in this suburban area. Parking of automobiles on the street in allowed in this area and further adds to the congestion of the traffic flow.

3. There appear to be a large number of small children who reside in the area and were dashing in and out of the street during the time the Hearings Officer viewed the property.

4. The proposed home occupation site is a strictly residential dwelling and is surrounded on all sides and across all streets by other residential property. There appears to be no other home occupations visible within the immediate area.

CONCLUSIONS OF LAW

1. I find the site for the proposed use is not adequate in size and shape to accommodate said use, and that the parking, landscaping and other features required to adjust said use with the land and its use in the neighborhood are not at present and cannot be adequately provided for. The strictly residential character of the neighborhood would be destroyed by the allowing of said use in the area.

FINDINGS OF FACT AND CONCLUSIONS OF LAW - Page 2

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		Hear inde Hear inse
1	.4:	anditions of Law,
	15	of Fact and Concernance could not comply with the con-
	10	this permit does not our
	16	ing of this is and No. 35, and all off
		of Fact and Conclusion ing of this permit does not comply with the condition ing of this permit does not comply with the condition Klamath County Ordinance No. 35, and all applicable LCDC Goals
	1.7	Klamath County Ord Industry and Guidelines. The Hearings Officer, based upon the foregoing, accord-
		and Guidelines.
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		ingly orders as follows: That the real property deswribed as: That the real property deswribed as:
	20	ingly orders That the real property desvribed of That the real property described o
		That the rule the SW4 of Section 12,
	21	4600, SW4 of county, Oregon
	22	Tax 10 abin 36, Range 9, Minut
24 19		for a home occupation
2		is hereby denied a Conditional Use Permit for a home occupation
	~~~	- hereby denied a condition
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	25	OF FACT AND CONCLUSIONS
	2	FINDINGS OF FACT AND CONCLUSIONS OF LAW - Page 3
	2	* 1. 2017년 1월 201 1월 2017년 1월 2017년 1 11년 1월 2017년 1월 2017 1017년 1월 2017년 1월 2 1111년 1월 2017년 1017년

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12093 in a RD 10,000 Single Family Residential Zone in accordance 1 with the terms of Klamath County Ordinance No. 35, and will 2 not be allowed to operate said home occupation in the RD 3 10,000 Zone. 4 Entered at Klamath Falls, Oregon, this 29 day 5 Ju.w____, 1981. 6 of 7 8 KLAMATH COUNTY HEARINGS DIVISION 9 Menler 10 by JAMES R. UERLINGS 11 12 13 STATE OF OREGON: COUNTY OF KLAMATH; ss. 14 Filed for record at request of _____ 15 this 5 day of JULY A. D. 19 81 at 1:59 o'clock P 1. and 16 duly recorded in Vol. MB1, of DEEDS on ra e 12090 17 EVELYN BIEHN, County Jork 18 By Desnethand detach NO FEE: 19 :20 31 22 23 24 25 FINDINGS OF FACT AND CONCLUSIONS OF LAW - Page 4 26