

1 In the Matter of Request for)
 2 Conditional Use Permit No.)
 3 81-12 for Henry Bauman, Applicant)
 4)
 5)
 6)

KLAMATH COUNTY PLANNING
 FINDINGS OF FACT AND ORDER

81 JUL 23 PM 2 51

7 A hearing was held in this matter at Klamath Falls,
 8 Oregon, on June 10, 1981, pursuant to notice given in conformity
 9 with Ordinance No. 35, Klamath County, before the Klamath County
 10 Assistant Hearings Officer, James R. Uerlings. The applicant
 11 was present. The Klamath County Planning Department was repre-
 12 sented by Jonathan Chudnoff. The Hearings Reporter was Barbara
 13 Thomson.

14 Evidence was presented on behalf of the Department and
 15 on behalf of the applicant. There were no adjacent property
 16 owners present who stated they had objections to the proposed
 17 Conditional Use Permit requested by the applicant.

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

- 20 Klamath County Exhibit A, the Staff Report
- 21 Klamath County Exhibit B, photos of the subject property
- 22 Klamath County Exhibit C, Klamath County Assessor's Map
- 23 of subject property
- 24 Klamath County Exhibit D, letter from the Department of
- 25 Environmental Quality
- 26 Applicant's Exhibit No. 1, plot plan

27 The hearing was then closed, and based upon the evidence
 28 submitted at the hearing, the Hearings Officer made the following

1 Findings of Fact:

2 FINDINGS OF FACT:

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

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

12 3. The proposed use will have no adverse effect on
13 abutting property or the permitted uses thereof.

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

16 5. The following conditions are deemed necessary to
17 protect the public health, safety, and general welfare.

18 CONDITIONS:

19 1. The hours of the business be between 8:00 a.m. and
20 5:00 p.m.

21 2. The applicant shall insure that there is adequate
22 parking on his premises.

23 3. Applicant shall follow plot plan, Applicant's
24 Exhibit No. 1, and his testimony in that there will be no
25 exterior modifications to the property.

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

28 That real property described as the
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"parcel of land generally located southeast of the intersection of Greensprings Highway and Emerald Street, and more particularly described as being in the NE $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 7, Township 39, Range 9, being Tax Lot 6100, 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 RD 10,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 22 Day of July, 1981.

KLAMATH COUNTY HEARINGS DIVISION
James D. Bentley
Assistant Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County
this 23rd day of July A.D. 19 81 at 2:51 o'clock P.M., and
duly recorded in Vol. 881, of Deeds on Page 13205.

EVELYN BIEHN, County Clerk
By Bernetha H. Ketch

No Fee

Commissioners Journal