

KLAMATH COUNTY, OREGON

IN THE MATTER OF CONDITIONAL)
USE PERMIT NO. 80-33 FOR)
GREG STOUT, APPLICANT) Supplemental Findings and Order

THIS MATTER was first heard by the Klamath County Hearings Officer on October 8, 1980, upon application of the Stouts for a Conditional Use Permit to keep two cougars. The application was denied by the Hearings Officer and the Stouts appealed this decision to the Klamath County Board of Commissioners. The Board of County Commissioners held hearings on December 22, 1980, and January 14, 1981, and made an unannounced visit to the site on January 5, 1981. The Board of County Commissioners then decided to overturn the decision of the Hearings Officer and conditionally approved the permit. The Board of County Commissioners' approval was then appealed to the Land Use Board of Appeals by a group of neighboring property owners. The Land Use Board of Appeals remanded the case to Klamath County in order that the observations made during the visit to the Stout property and the conclusions drawn therefrom could be discussed at a public hearing before the proponents and opponents. Such a hearing was held before the Board of County Commissioners on August 10, 1981. Based on the testimony presented at this hearing and on the record previously made, the Board of County Commissioners makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT:

1. The Findings of Fact contained in the Board of

1 County Commissioners' order signed February 18, 1981, are
2 reaffirmed.

3 2. The following additional findings, based on the
4 Board of County Commissioners' observations of the property,
5 are also made:

6 a. The property was visited on the morning of
7 January 5, 1981. Commissioners Kuonen, Cheyne and Wynne were
8 present along with Jonathan Chudhoff of the Planning Department
9 staff. The Stouts were not home at the time of the visit.

10 b. The property in general and the cougar cages in
11 particular appeared to be maintained in a neat and orderly
12 manner.

13 c. The cages appeared to be well-constructed and
14 secure.

15 d. The cougars appeared to be tame and showed no
16 excitement or other negative reaction at the approach of four
17 strangers.

18 CONCLUSIONS OF LAW:

19 1. The conclusions reached by the Board of County
20 Commissioners, as stated in the order of February 18, 1981, are
21 reaffirmed.

22 2. Based on observation of the property, the Board
23 of County Commissioners further concludes that the cougars do
24 not present a safety or health hazard to the adjoining properties.

25 THEREFORE, the Klamath County Board of Commissioners
26 reaffirms its earlier approval of Conditional Use Permit No.
27 ////

28

1 80-33, subject to the conditions previously imposed.

2 DONE AND DATED THIS 1st DAY OF October,

3 1981.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

W. E. Kuonen
Chairman

Commissioner

Wm. A. Heyne
Commissioner

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Board of County Commissioners

this 6th day of October A. D. 19 81 at 9:57 o'clock AM., and

duly recorded in Vol. M-81, of Deeds _____ on Page 17636

By Evelyn Biehn EVELYN BIEHN, County Clerk

No Fee

APPROVED AS TO FORM:
Boivin & Boivin

By John Boivin

C.U.P. 80-33
Page -3-