

14043

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

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1
2 In the Matter of Request for)
3 Conditional Use Permit No. 29-82) Klamath County Planning
4 for Karen Wilson) Findings of Fact and Order
5)
6)

7 A hearing was held on this matter on July 1, 1982,
8 pursuant to notice given in conformity with Ordinance No. 45,
9 Klamath County, before the Klamath County Hearings Officer,
10 Jim Spindor. The applicant was present. The Klamath County
11 Planning Department was represented by Jonathan Chudnoff. The
12 Hearings Reporter was Barbara Thomson.

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

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

19 Klamath County Exhibit A, Staff Report
20 Klamath County Exhibit B, Assessor's Map
21 Klamath County Exhibit C, Photos
22 Applicant's Exhibit No. 1, Plot Plan

23 The hearing was then closed, and based upon the evidence
24 submitted at the hearing, the Hearings Officer made the following
25 Findings of Fact:

26 FINDINGS OF FACT:

27 1. The site is adequate in size and shape to house the
28 proposed activity, and said activity will fit in with the
surrounding neighborhood so long as the conditions set forth

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1 hereinbelow are followed.

2 2. The site has adequate access to streets and highways
3 to carry the traffic flow which will be generated by the proposed
4 use.

5 3. There was no evidence presented in opposition to
6 this application and there will be no adverse effect on the
7 abutting property owners so long as the conditions set forth
8 hereinbelow are followed.

9 4. The granting of this conditional use permit is
10 consistent with the goals of the L.C.D.C.

11 5. This conditional use permit is granted subject to
12 the following conditions:

13 CONDITIONS:

14 a. Applicant shall obtain all necessary permits from
15 the state of Oregon with regard to a liquor license and shall
16 submit proof of this to the Klamath County Planning Department.

17 b. This permit is approved only so long as the use of
18 liquor is limited to beer and wine as part of the applicant's
19 restaurant.

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

22 That real property described as the

23 "parcel of land generally located southwest
24 of the intersection of Highway 97 and First Street
25 in Chemult, and more particularly described
26 as being Lot 4 Block 7, original town of Chemult,
 being Tax Lot 3800, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 27,
 Range 8, Klamath County, Oregon"

27 is hereby granted a Conditional Use Permit in accordance with
28 the terms of the Klamath County Zoning Ordinance No. 45, and,

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henceforth, will be allowed sale of alcoholic beverages in the
CH (Highway Commercial) zone.

Entered at Klamath Falls, Oregon, this 28th Day of
July, 1982.

KLAMATH COUNTY HEARINGS DIVISION

D. J. Smith

Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record

this 29 day of July A. D. 1982 at 9:51 o'clock A. M.
duly recorded in Vol. M 82, of Deeds on Page 9707

No Fee

By Evelyn Biehn County Clerk