

16870

KLAMATH COUNTY, OREGON

1
2
3 In the Matter of Request for)
4 Conditional Use Permit No. 43-82) Klamath County Planning
5 for Paul Zech/Chemult Rural Fire District) Findings of Fact and
6) Order

7 A hearing was held on this matter on October 21, 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 Klamath County Planning Department was repre-
11 sented by Jonathan Chudnoff. The Hearings Reporter was Barbara
12 Thomson.

13 Evidence was presented on behalf of the Department
14 and on behalf of the applicant. There were no adjacent property
15 owners present.

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

18 Klamath County Exhibit A, Staff Report

19 Klamath County Exhibit B, Assessor's Map

20 Klamath County Exhibit C, Letter and Certificate
21 from Public Works

22 Applicant's Exhibit No. 1, Plot Plan

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

26 1. The use requested is for a fire station in the RR
27 (Rural Residential) zone. Such a use is permitted in the RR
28 Zone so long as the criteria of the code and the state goals are

82 NOV 8 AM 10 22

1 met.

2 2. The location, site, design and operating character-
3 istics of the proposed use are in conformance with the Klamath
4 County Comprehensive Plan, so long as the conditions set forth
5 hereinbelow are followed.

6 3. The location, site, design and operating character-
7 istics of the proposed use will be compatible with and will not
8 adversely effect the liveability of abutting property and the
9 surrounding neighborhood, so long as the conditions set forth
10 hereinbelow are followed.

11 4. The location, design and site planning of the
12 proposed use will provide a convenient and functional living
13 environment and will be as attractive as the nature of the use and
14 its location and setting warrant, so long as the conditions set
15 forth hereinbelow are followed.

16 5. The granting of this Conditional Use Permit is
17 consistent with the goals of the LCDC, so long as the conditions
18 set forth hereinbelow are followed.

19 6. This Conditional Use Permit is granted subject to
20 the following conditions:

21 CONDITIONS:

22 a. The applicant shall follow his plot plan as submit-
23 ted as Applicant's Exhibit #1 herein.

24 b. The applicant shall obtain permission from the
25 Deschutes National Forest and the Klamath County Commissioners for
26 access to use Two Rivers Road (Forest Service Road No. 254).

27 c. The applicant shall maintain a screen of trees
28 between the building and adjacent lots.

1 7. The approval with conditions herein is based on the
2 following Findings of Fact:

3 FINDINGS OF FACT:

4 a. The requested use is for a fire station in the
5 rural residential zone. The fire station will be used by the
6 Chemult Rural Fire District to serve the Two Rivers North area.
7 The site is located within the Two North Rivers subdivision.
8 The lot in question has been designated for commercial purposes
9 within the subdivision as well as the lots which are adjacent to
10 it, and therefore, the use will fit in with the subdivision as
11 far as placement.

12 b. The site is 1.01 acres in size and has adequate
13 room for the proposed building and driveway and for any needed
14 offstreet parking. The site fronts on two roads, Two Rivers
15 Road and Skookum Court Road, and has adequate access to the rest
16 of the subdivision and the entire Forest Service Road 254 corridor.

17 c. There was testimony that the fire station is neces-
18 sary as the nearest fire station at the present time is at least
19 15 miles away. The Two Rivers North subdivision consists of
20 several hundred lots and is a growing residential area, and has
21 been annexed to the Chemult Fire District. The new fire station
22 would serve this subdivision and others along Highway 58 and For-
23 est Service Road 254. The subdivision is in a forested area and
24 the proposed fire station would reduce the hazard of fire spread-
25 ing from residential to forest area.

26 d. The proposed use will have no adverse effects on
27 air, water, or land resource quality. An approved septic system
28 already exists on the property.

1 e. A public hearing was held on October 21, 1982,
 2 regarding this matter after notice having been sent to surround-
 3 ing property owners and concerned public agencies. There was no
 4 testimony at the hearing in objection to the granting of this
 5 Conditional Use Permit, nor were any adverse comments received by
 6 the Planning Department prior to the hearing.

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

9 That real property described as
 10 "Two Rivers Road, NE $\frac{1}{4}$, Section 1, Township 26,
 11 Range 7, and more particularly described as
 12 being Lot 3, Block 7, Two Rivers North, Tax
 Account No. 2607-110-11200,"

13 is hereby granted a Conditional Use Permit in accordance with
 14 the terms of the Klamath County Zoning Ordinance No. 45, and,
 15 henceforth, will be allowed to construct a fire station in the
 16 RR (Rural Residential) Zone to be used by the Chemult Rural Fire
 17 Protection District to serve the Two Rivers North area.

18
 19 Entered at Klamath Falls, Oregon, this 4th day of
 20 November, 1982.

21
 22
 23 KLAMATH COUNTY HEARINGS DIVISION

24 *D. J. [Signature]*

25 Hearings Officer

26 STATE OF OREGON; COUNTY OF KLAMATH, OR

27 Filed for record

28 this 8 day of Nov A. D. 19 82 at 10:22 o'clock A. M.

duly recorded in Vol. M82, of Deeds on Pg. 14808

C.U.P. 43-82

Page 4

No Fee

COMMISSIONERS JOURNAL

EVELYN BIEHN, County Clerk

By *Joyce Mc [Signature]*