BEFORE THE HEARINGS OFFICER rolm () roge 3 PANCE

KLAMATH COUNTY, OREGON

In the Matter of Request for Conditional Use Permit No. 48-82) for Oregon Shores Unit 2

Klamath County Planning Findings of Fact and Order

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A hearing was held on this matter on November 18, 1982, 6 pursuant to notice given in conformity with Ordinance No. 45, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Jonathan Chudnoff. The Hearings Reporter was Karen Alberto.

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

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

Klamath County Exhibit A, Staff Report

Klamath County Exhibit B, Plot Plan

Klamath County Exhibit C, Assessor's Map

Klamath County Exhibit D, Photo

Klamath County Exhibit E, D.E.Q. Letter 10-28-82

Klamath County Exhibit F, Highway Division Letter 11-15-82

Klamath County Exhibit G, Robert M. Perla Letter 11-9-82

Klamath County Exhibit H, Revised Plot Plan

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

The use requested is for the development of a community park facility for the use of subdivision residents in the

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AU-5 zone.

- 2. The location, site, design, and operating characteristics of the proposed use are in conformance with the Klamath County Comprehensive Plan, so long as the conditions set forth hereinbelow are followed.
- 3. The location, site, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect the liveability of abutting properties and the surrounding neighborhood, so long as the conditions set forth hereinbelow are followed.
- 4. The location, design, and site planning of the proposed use will provide a convenient and functional living environment and will be as attractive as the nature of the use and its location and setting warrant, so long as the conditions set forth hereinbelow are followed.
- 5. The granting of this conditional use permit is consistent with the goals of the LCDC so long as the conditions set forth hereinbelow are followed.
- 6. The conditional use permit is granted subject to the following conditions:

CONDITIONS:

- a. The applicant shall obtain DEQ approval with regard to the site.
- b. The applicant shall obtain a road approach permit from the Oregon State Highway Division prior to use of the site.
- c. The applicant shall provide the facilities and personnel necessary to keep the area clean and to guard against vandalism.

CUP 48-82 Page 2 conditions is based upon the following Findings of Fact:

FINDINGS OF FACT:

a. The request is for the development of a community park facility for use by the Oregon Shores Subdivision residents. There are approximately forty families now residing in this area. There are potentially eleven hundred households in the subdivision. Immediate plans are for the construction of a shower/restroom facility and a cooking shelter. A community hall and a boat ramp are planned for some time in the future.

The granting of this conditional use permit with

b. The applicant's plot plan herein indicates that there is sufficient room for all driveways, buildings, and parking areas contemplated by the applicant.

- c. The proposed activity will fit in with the surrounding area as the buildings and related activities will be screened from the nearby highway by trees.
- d. The site does have adequate access to streets to carry the traffic flow which will be generated by the proposed use as the property fronts on State Highway 427.
- e. There was no testimony in opposition to the granting of this permit, and there was no evidence presented that the granting of this permit will have an adverse affect on any abutting property owners.

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

That real property described as

the area between Agency Lake and Highway 427, Oregon Shores area, and more particularly described as Tax Lot 202, located in the NW½ of S. 18, T. 35, R. 7

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