

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2 Conditional Use Permit No. 34-83) Klamath County Planning
3 for Richard and Merlena Scott) Findings of Fact and Order
4)

5 A hearing was held on this matter on January 5, 1984,
6 pursuant to notice given in conformity with Ordinance No. 45.1,
7 Klamath County, before the Klamath County Hearings Officer,
8 Jim Spindor. The applicant was present. The Klamath County
9 Planning Department was represented by Jonathan Chudnoff. The
10 Hearings Reporter was Karen Alberto.

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

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

16 Klamath County Exhibit A, Staff Report
17 Klamath County Exhibit B, Plot Plan
18 Klamath County Exhibit C, Assessor's Map
19 Klamath County Exhibit D, Photo
20

21 The hearing was then closed, and based upon the evidence
22 submitted at the hearing, the Hearings Officer made the following
23 Conclusions of Law:

24 CONCLUSIONS OF LAW:

- 25 1. The proposed use is conditionally permitted in the zone
26 within which it is proposed to be located.
27 2. The location, size, design and operating characteristics
28 of the proposed use are in conformance with the Klamath County
Comprehensive Plan.

1 3. The location, size, design and operating characteristics
2 of the proposed use will be compatible with and will not adversely
3 affect the liveability of abutting property owners in the surround-
4 ing neighborhood.

5 4. The location, design and site planning of the proposed
6 use will provide a convenient and functional living environment
7 and will be as attractive as the nature of the use and its loca-
8 tion and setting warrant.

9 5. The granting of this Conditional Use Permit is consistent
10 with the goals of the LCDC.

11 6. The granting of this Conditional Use Permit is subject
12 to the following conditions:

13 CONDITIONS:

14 a. Use of the mobile home shall be limited to family members
15 of the owner; and

16 b. The applicant shall maintain a clear driveway access
17 of at least eleven feet in width from Cottage Avenue, by the house
18 in existence, to the mobile home; or, he shall develop an alter-
19 native route for firefighting equipment to reach said mobile home
20 and shall submit written proof of said alternative route to the
21 Klamath County Planning Department.

22 FINDINGS OF FACT:

23 The Conditional Use Permit requested has been granted based
24 on the following findings of fact:

25 1. The applicant makes this request to allow placement of a
26 mobile home on his lot which is located in the Suburban Residential
27 zone. The property in question is .49 acres, being 80 feet by
28 265.7 feet. The property is rectangular in shape. The request

1 is to permit a mobile home to be placed on the property for
2 applicant's son in addition to the house on the property. The
3 general area consists of mostly one-half acre to one-acre lots,
4 developed for single family residential use. A number of properties
5 in this area have mobile homes in addition to the house. The appli-
6 cant stated that he does not intend to use the mobile home for
7 other than his family members.

8 2. No one testified in opposition to the granting of the
9 Conditional Use Permit, and there was no evidence presented that
10 there would be any detrimental effect to the public health, safety
11 or welfare, or any detrimental effect on abutting property owners.

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

14 That real property described as
15 "being generally located at 5523 Cottage Avenue, and
16 more particularly described as Lot 75, Pleasant Home
17 Tracts #2, Klamath County, Oregon,"
18 is hereby granted a Conditional Use Permit in accordance with
19 the terms of the Klamath County Zoning Ordinance No. 45.1, and,
20 henceforth, will be allowed a mobile home for a family member in
21 the RS (Suburban Residential) zone.

22 Entered at Klamath Falls, Oregon, this 12th Day of January,
23 1984.

24 KLAMATH COUNTY HEARINGS DIVISION

25 B. D. Spindler
26 Hearings Officer

27 RETURN: COMMISSIONER'S JOURNAL

28 C.U.P. 34-83
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STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for
record on the 12th day of January, 1984 A.D., at 1:00 o'clock P.M.
and duly recorded in Vol. 1984, of Deeds at page 470.

EVLEEN BIEHN, COUNTY CLERK

Fee \$None

by Phyllis Smith Deputy