

1 In the Matter of Request for)
2 Conditional Use Permit No. 6-84)
3 for Vicki O'Bryant, Applicant)
4)

Klamath County Planning
Findings of Fact and Order

5 A hearing was held on this matter on February 16, 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 on
12 behalf of the applicant. There were no adjacent property owners
13 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.

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1 3. The location, size, design and operating characteristics
2 of the proposed use will be compatible with and will not
3 adversely affect the liveability of abutting property owners in
4 the surrounding 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
8 location and setting warrant.

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

11 6. This Conditional Use Permit is granted subject to the
12 following conditions:

13 CONDITIONS:

14 a. The mobile home in question shall be limited to occupancy
15 by family members.

16 b. The applicant shall place and landscape the mobile home
17 so that it will fit in with the surrounding neighborhood.

18 FINDINGS OF FACT:

19 The requested use has been granted with conditions based on
20 the following findings of fact:

21 1. The applicant makes this request to allow a mobile home
22 for residential use by a family member. The applicant's grand-
23 father is living alone on the property and requires some care
24 and attention.

25 2. The zone in question is Suburban Residential. The
26 property in question is rectangular in shape, being 99 feet by
27 207 feet.

28 3. The immediate area is developed with a mixture of houses

1 and mobile homes and includes several lots with more than one
2 dwelling.

3 4. The property is within the Klamath Disposal Company's
4 solid waste collection franchise area, served by County landfill
5 on Old Fort Road. The property is served by the South Suburban
6 Sanitary District.

7 5. No one testified in opposition to the granting of this
8 permit and there was no evidence presented that there would be any
9 detrimental affect to the public health, safety or welfare, or any
10 detrimental affect on abutting property owners, so long as the
11 conditions imposed herein are followed.

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

14 That real property described as

15 "being generahly located at 4663 Frieda Street, and
16 more particularly described as Lot 81 and a portion
of Lot 80 of Lewis Tracts, Klamath County, Oregon,"

17 is hereby granted a Conditional Use Permit in accordance with
18 the terms of the Klamath County Zoning Ordinance No. 45.1, and,
19 henceforth, will be allowed a mobile home for a family member in
20 the RS (Suburban Residential) zone.

21 Entered at Klamath Falls, Oregon, this 27th Day of February,
22 1984.

23 KLAMATH COUNTY HEARINGS DIVISION

24 Bosquindae

25 Hearings Officer

26 Return: Commissioners Journal

27

28

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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 27th day of February A.D., 1984 at 4:20 o'clock P.M.
and duly recorded in Vol M84, of Deeds on page 3027.

EVELYN BIEHN, COUNTY CLERK

by Tam Smith Deputy

Fee \$ None