

1 In the Matter of Request for)
 2 Conditional Use Permit No. 10-84) Klamath County Planning
 3 for Robert D. Baumgart, Applicant) Findings of Fact and Order
 4

5 A hearing was held on this matter on March 15, 1984, pursuant
 6 to notice given in conformity with Ordinance No. 45.2, Klamath
 7 County, before the Klamath County Hearings Officer, Jim Spindor.
 8 The applicant was present. The Klamath County Planning Department
 9 was represented by Jonathan Chudnoff. The Hearings Reporter was
 10 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 Klamath County Exhibit E, Letter from City Planner
 21 Klamath County Exhibit F, Memorandum from City Planner 3-14-84
 22

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

26 CONCLUSIONS OF LAW:

- 27 1. The proposed use is conditionally permitted within the
 28 zone within which it is proposed to be located.
 2. The location, size, design and operating characteristics

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1 of the proposed use are in conformance with the Klamath County
2 Comprehensive Plan.

3 3. The location, size, design and operating characteristics
4 of the proposed development will be compatible with and will not
5 have significant adverse affects on the appropriate development
6 and use of abutting property owners and the surrounding neighbor-
7 hood.

8 4. The granting of this Conditional Use Permit is consistent
9 with the goals of the LCDC.

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

12 a. The applicant shall follow the plot plan as set forth
13 on Exhibit B.

14 b. The mobile home in question shall be limited to occupancy
15 by family members and/or foster children.

16 c. The mobile home shall be landscaped to fit in with the
17 surrounding area.

18 d. The applicant shall follow the plan which he has submitted
19 to Ray Bidegary, Director of Public Works, City of Klamath Falls,
20 as set forth in Exhibit F.

21 FINDINGS OF FACT:

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

24 1. The applicant makes this request to allow a mobile home
25 for residential use. The applicant operates a foster care home,
26 and he and his wife would sleep in the mobile home while the
27 foster children would use the main house.

28 2. The zone in question is Suburban Residential. The

1 property is 1,415 feet by 308 feet, being approximately one acre
2 in size, and is rectangular in shape.

3 3. The area has a mixture of houses and mobile homes, includ-
4 ing several lots with more than one dwelling. The proposed Condi-
5 tional Use Permit would not represent a significant change for the
6 area.

7 4. No one testified in opposition to the granting of this
8 Conditional Use Permit, and there was no evidence presented that
9 there would be any adverse affects on the appropriate development
10 and use of abutting property owners and the surrounding area.

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

13 That real property described as

14 "being generally located on Crest Street, between
15 Laverne and Clinton, and more particularly described
16 as Lot 15, Block 1, 2nd Addition to Altamont Acres,
Klamath County, Oregon,"

17 is hereby granted a Conditional Use Permit with conditions in
18 accordance with the terms of the Klamath County Zoning Ordinance
19 No. 45.2, and, henceforth, will be allowed a mobile home for
20 family use in the RS (Suburban Residential) zone.

21 Entered at Klamath Falls, Oregon, this 30th Day of
22 MARCH, 1984.

23 KLAMATH COUNTY HEARINGS DIVISION

24 D. Spindler

25 Hearings Officer

26 Return: Commissioners Journal

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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 30th day of March A.D., 1984 at 2:59 o'clock P. M.
and duly recorded in Vol M84, of Deeds on page 5083

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy

Fee: \$ None