

36541

BEFORE THE HEARINGS OFFICER

Vol. 1484

P. 7901

KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2 Conditional Use Permit No. 16-84) Klamath County Planning
3 for Arthur and Doreen Phipps) Findings of Fact and Order
4)

5 A hearing was held on this matter on May 3, 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 applicants were 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
12 on behalf of the applicants. There were no adjacent property
13 owners present.

14 The following exhibits were offered, received, and made
15 a 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 The hearing was then closed, and based upon the evidence
20 submitted at the hearing, the Hearings Officer made the
21 following Conclusions of Law:

22 CONCLUSIONS OF LAW:

23 1. The proposed use is conditionally permitted in the zone
24 within which it is proposed to be located.

25 2. The location, size, design and operating characteristics
26 of the proposed use are in conformance with the Klamath County
27 Comprehensive Plan.

28 3. The location, size, design and operating characteristics

1 of the proposed development will be compatible with and will
2 not have significant adverse affects on the appropriate develop-
3 ment and use of abutting property owners and the surrounding
4 neighborhood.

5 4. The granting of this Conditional Use Permit is consistent
6 with the goals of the LCDC.

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

9 CONDITIONS:

10 a. The applicant shall follow the plot plan set forth on
11 Exhibit "B;" and

12 b. The mobile home in question shall be limited to occupancy
13 by family members.

14 FINDINGS OF FACT:

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

17 1. The applicant makes this request to allow a mobile home
18 for residential use for an elderly parent who is ill and requires
19 constant care. The zone in question is Rural (R-1). The property
20 in question is 12.18 acres and is irregular in shape as can be
21 seen on Exhibit "C."

22 2. The parcel currently has an existing house and an
23 alfalfa field on the property. The proposed mobile home will not
24 interfere with agricultural uses on the property since it will be
25 situated approximately 26 feet in front of the existing house and
26 not near the alfalfa field, as is set forth on Exhibit "E" herein.

27 3. The property is within the Klamath Disposal Company's
28 solid waste collection franchise area, served by the County land

1 fill on Old Fort Road. A new septic system on the property would
2 require the review and approval of the Klamath County Health
3 Department.

4 4. Recreational facilities are available throughout the
5 urban area and include neighborhood parks, schools, County fair-
6 grounds, library and senior citizens' center.

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

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 on Lower Lake Road, immedi-
16 ately south of Midland, and more particularly described
17 as Tax Lot 102, being a portion of Government Lot 2,
Section 1, Township 40, Range 8, Klamath County, Oregon,"

18 is hereby granted a Conditional Use Permit in accordance with
19 the terms of the Klamath County Zoning Ordinance No. 45.2, and,
20 henceforth, will be allowed a mobile home for a family member
21 in the Rural-1 zone.

22 Entered at Klamath Falls, Oregon, this 9th Day of May,
23 1984.

24 KLAMATH COUNTY HEARINGS DIVISION

25 *[Signature]*

26 Hearings Officer

27 Return: Commissioners Journal

28 CUP 16-84
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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 14th day of May A.D., 19 84 at 9:26 o'clock A M,
and duly recorded in Vol M84, of Deeds on page 7901.

EVELYN BIEHN, COUNTY CLERK

Fee: \$None

by: *[Signature]*, Deputy