

36544

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

Vol. 1184

F. 7910

1 In the Matter of Request for)
2 Conditional Use Permit No. 17-84) Klamath County Planning
3 for Melody Parsons, Applicant) 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 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
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, Letter from Health Department
- 20 The hearing was then closed, and based upon the evidence

21 submitted at the hearing, the Hearings Officer made the following
22 Conclusions of Law:

23 CONCLUSIONS OF LAW:

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

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

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

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

10 CONDITIONS:

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

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

15 FINDINGS OF FACT:

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

18 1. The applicant makes this request to allow a mobile home
19 for an elderly parent who requires some care and supervision.

20 The zone in question is Suburban Residential. The property in
21 question is approximately 4.87 acres and is rectangular in shape.

22 2. The surrounding area consists of large suburban lots,
23 ranging in size from 3/4 to 5 3/4 acres. The existing residences
24 are a mixture of houses and mobile homes.

25 3. The area has Class III soils but is committed and
26 developed for non-farm urban use. There is no farm use in the
27 surrounding area other than some livestock accessory to the
28 existing homes.

4. The property is within the Klamath Disposal Company's solid waste collection franchise area, served by the Klamath County land fill on Old Fort Road. A new spetic system on the property would require the review and approval of the Klamath County Health Department.

5. Recreational facilities are available throughout the urban area and include neighborhood parks, schools, County fairgrounds, library and senior citizens' center.

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

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

That real property described as

"being generally located at 5210 Avalon Street, and more particularly described as Lot 14 of Altamont Small Farms, being a portion of the SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 15, Township 39, Range 9, Tax Lot 900, Klamath County, Oregon,"

is hereby granted a Conditional Use Permit in accordance with the terms of the Klamath County Zoning Ordinance No. 45.2, and, henceforth, will be allowed a mobile home in the Suburban Residential zone for family members.

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

KLAMATH COUNTY HEARINGS DIVISION

[Signature]
Hearings Officer

CUP 17-84 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 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 7910.

Fee: \$ None

EVELYN BIEHN, COUNTY CLERK

by: [Signature], Deputy