

40716

BEFORE THE HEARINGS OFFICER

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KLAMATH COUNTY, OREGON

In the Matter of Request for )  
Conditional Use Permit No. 33-84 ) Klamath County Planning  
for Saving Grace Lutheran Church, ) Findings of Fact and Order  
Applicant. )  
\_\_\_\_\_ )

A hearing was held on this matter on August 16, 1984, pursuant to notice given in conformity with Ordinance No. 45.2, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was represented by Robert Blair. The Klamath County Planning Department was represented by Jonathan Chudnoff. The Hearings Reporter was Judy Whitaker.

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

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

Klamath County Exhibit A, Staff Report

Klamath County Exhibit B, Photographs

Klamath County Exhibit C, Plot Plan

Klamath County Exhibit D, Assessor's Map

Klamath County Exhibit E, Letter from Highway Division

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

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1 CONCLUSIONS OF LAW:

2 1. The proposed use is conditionally permitted within the  
3 zone within which it is proposed to be located.

4 2. The location, size, design and operating characteris-  
5 tics of the proposed use are in conformance with the Klamath  
6 County Comprehensive Plan.

7 3. The location, size, design and operating characteristics  
8 of the proposed development will be compatible with and will not  
9 have significant adverse effects on the appropriate development  
10 and use of abutting property owners and the surrounding area.

11 4. The granting of this conditional use permit is con-  
12 sistent with the goals of the L.C.D.C.

13 5. The granting of this conditional use permit is subject  
14 to the following conditions:

15 (1) The applicant shall follow their plot plan  
16 which is Exhibit "C" herein.

17 (2) The applicant shall provide adequate  
18 parking space.

19 (3) The applicant shall not install any signs  
20 without first obtaining the necessary permit  
21 from the Oregon Highway Division.

22 FINDINGS OF FACT:

23 The conditional use permit has been granted with conditions  
24 based on the following findings of fact:

25 1. This application is by the Saving Grace Lutheran Church  
26 of Keno, which proposes to buy and use the former Western Bank  
27 site on Highway 66. The congregation has a membership of about  
28 22 families, with a typical Sunday attendance being 25 persons.

2. The church activities include Sunday services and religious school and occasional meetings at other times. At present the congregation is using the facilities of another church in Keno.

3. The property in question is in the Highway-Commercial zone. This property is rectangular in shape, covering approximately 24,500 square feet. The property is within a developed rural community in an area committed to residential, commercial and civic uses. 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 effects on the appropriate development and use of the abutting property and the surrounding area.

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

That real property described as

"Being generally located on the north side of State Highway 66 and in the community of Keno, and more particularly described as being located in the NW $\frac{1}{4}$  of Section 6, Township 40, Range 8, Tax Lot 402, and Section 1, Township 40, Range 7, Tax Lot 100,"

is hereby conditionally granted a Conditional Use Permit in accordance with the terms of the Klamath County Zoning Ordinance No. 45.2, and, henceforth, will be allowed to establish a religious assembly in the CH (Highway Commercial) zone.

Entered at Klamath Falls, Oregon, this 28<sup>th</sup> day of August, 1984.

KLAMATH COUNTY HEARINGS DIVISION

Ret: Commissioners  
Journal

*[Signature]*

Hearings Officer

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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 August A.D., 19 84 at 4:02 o'clock P M, and duly recorded in Vol M84, of Deeds on page 15087.

Fee: \$ None

EVELYN BIEHN, COUNTY CLERK

by: *[Signature]*, Deputy