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BEFORE THE HEARINGS OFFICER  
KLAMATH COUNTY, OREGON

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1 In the Matter of Request for )  
2 Conditional Use Permit No. 23-85 )  
3 for Theodore Emard, Applicant )

Klamath County Planning  
Findings of Fact and Order

4 A hearing was held on this matter on June 6, 1985, pursuant  
5 to notice given in conformity with Ordinance No. 45.2, Klamath  
6 County, before the Klamath County Hearings Officer, Jim Spindor.  
7 The applicant was present. The Klamath County Planning Department  
8 was represented by Jonathan Chudnoff. The Hearings Reporter was  
9 Karen Burg.

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

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

- 15 Klamath County Exhibit A, Staff Report
- 16 Klamath County Exhibit B, Plot Plan
- 17 Klamath County Exhibit C, Assessor's Map
- 18 Klamath County Exhibit D, Photo
- 19 Klamath County Exhibit E, Letter from Carol Wright
- 20 Klamath County Exhibit F, Note from Jim Rogers

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

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1 Comprehensive Plan.

2 3. The location, size, design, and operating characteristics  
3 of the propose use will be compatible with and will not have signi-  
4 ficant adverse affect on the appropriate development and use of  
5 the abutting property and the surrounding area.

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

8 5. This Conditional Use Permit is granted subject to the  
9 following condition:

10 CONDITION:

11 a. The applicant shall be required to follow his plot plan  
12 submitted herein as Exhibit B.

13 FINDINGS OF FACT:

14 The requested use has been granted with one condition based  
15 on the following Findings of Fact:

- 16 1. The applicant owns property in the Light Industrial (IL)  
17 zone and proposes a shop building as a fabricating plant (welding,  
18 machine shop, corrals and gates, metal buildings). In conjunction  
19 with the business, a caretaker's mobile home is desired. The  
20 adjacent land to the east consists of residential parcels, with  
21 a mixture of houses and mobile homes. There is a house to the  
22 south and vacant commercial land to the west. The unused  
23 John Mansville Plant is to the north.
- 24 2. The property in question is 3.35 acres, rectangular in  
25 shape, and mostly level with grass and pines along tne end of the  
26 property.
- 27 3. The property is zoned and developed for light industrial  
28 use; neither farm nor forestry land would be affected.

1 4. A septic system on the property would be subject to  
2 inspection and approval by the County Health Department.

3 5. Electrical and telephone services are available to the  
4 property. The area is within the Chiloquin/Agency Lake Fire  
5 District. The property has access via a private easement from  
6 Highway 97.

7 6. No one testified in opposition to the granting of this  
8 Permit, and no evidence was presented that there would be any  
9 adverse affects to the abutting property or the surrounding neigh-  
10 borhood by the granting of this Permit.

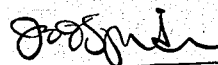
11 The Hearings Officer, based on the foregoing Findings of  
12 Fact, accordingly orders as follows:

13 That real property described as  
14 "being generally located south of John Mansville Plant,  
15 Day School Road area near Chiloquin, and more parti-  
16 cularly described as being a portion of Government  
Lots 17 and 24, Section 28, Township 35, Range 7,  
Klamath County, Oregon,"

17 is hereby granted a Conditional Use Permit with one condition in  
18 accordance with the terms of the Klamath County Zoning Ordinance  
19 No. 45.2, and, henceforth, will be allowed a caretaker's mobile  
20 home in the Light Industrial zone.

21 Entered at Klamath Falls, Oregon, this 1st Day of July,  
22 1985.

23 KLAMATH COUNTY HEARINGS DIVISION

24 


25 Hearings Officer

26 Return: Commissioners Journal

27 C.U.P. No. 23-85  
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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 2nd day of July A.D., 1985 at 1:37 o'clock P M,  
and duly recorded in Vol. M85, of Deeds on page 19195.

EVELYN BIEHN, COUNTY CLERK

by: , Deputy

Fee: \$ None