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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Conditional Use Permit 27-86)
for William W. King, Jr.)

Klamath County Planning
Findings of Fact and Order

A hearing was held on this matter on June 19, 1986, pursuant to notice given in conformity with Ordinance No. 45.2, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Kim Lundahl. The Hearings Reporter was Janet Libercajt.

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, Plot Plan

Klamath County Exhibit C, Assessor's Map

Klamath County Exhibit D, Environmental Health Dept. Comments

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

CONCLUSIONS OF LAW:

1. The proposed use is conditionally permitted in the zone within which it is proposed to be located.
2. The location, size, design, and operating characteristics 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 proposed use will be compatible with and will not have a
4 significant adverse affect on the appropriate development and use
5 of abutting property and the surrounding neighborhood.

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 conditions:

10 CONDITIONS:

11 a. The applicant shall comply with the requirements of the
12 Klamath County Department of Health Services with regard to sewage
13 disposal.

14 b. The applicant shall follow the plot plan submitted herein
15 as Exhibit "B".

16 6. The requirements of Section 51.020(E) with regard to
17 non-forest conditional uses have been met in that: (a) the
18 proposed use is compatible with forest uses; (b) the proposed
19 use does not interfere seriously with accepted forestry practices
20 on adjacent lands devoted to forest use; (c) the proposed use
21 does not materially alter the stability of the overall land use
22 pattern of the area; (d) the proposed use is situated on generally
23 unsuitable land for the production of forest crops and livestock;
24 (e) the proposed use considers forest site productivity and mini-
25 mizes the loss of productive forest lands; and (f) the proposed
26 use meets the standard relating to the availability of fire pro-
27 tection as set forth in Article 69 of this Code and other rural
28 services, and will not overtax those services.

FINDINGS OF FACT:

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

1. This request is for a Conditional Use Permit for a mobile home placement in the Forestry zone. The property in question is at the north end of Beaver Marsh, west of Highway 97.

2. The property is approximately 2.2 acres, and is irregular in shape.

3. Notice of this hearing was sent to the surrounding property owners, concerned public agencies, and published in the Herald and News, the Klamath Falls newspaper.

4. The property has a timber site productivity rating of IV. This property is not adequate for forestry use, and the proposed use will not interfere with forestry practices on adjacent lands.

5. The property is in the Chemult Fire District, and no response was received from this District.

6. No one testified in opposition to the granting of this permit, and no evidence was presented that there would be any adverse affects to the abutting property or surrounding area by the granting of this permit.

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

That real property described as

"being generally located at the north end of Beaver Marsh, west of Highway 97, and more particularly described as being Tax Lot 14-1 of Township 28, Range 8, Section 17, Klamath County, Oregon,"

is hereby conditionally granted a Conditional Use Permit in

1 accordance with the terms of the Klamath County Zoning Ordinance ¹¹⁸⁷²
2 No. 45.2, and, henceforth, will be allowed mobile home placement
3 in a Forestry zone as a non-forest dwelling.

4 Entered at Klamath Falls, Oregon, this 8th Day of July,
5 1986.

6 KLAMATH COUNTY HEARINGS DIVISION

7
8 J. S. Spindler

9 Hearings Officer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 8th day
of July A.D., 19 86 at 3:28 o'clock P M., and duly recorded in Vol. M86
of Deeds on Page 11969

FEE

None
\$17.00

Evelyn Rich

County Clerk

By

Bernetha A. Ketch

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COMMISSIONERS JOURNAL

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