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BEFORE THE HEARINGS OFFICER

Vol. 187 Page 4168

KLAMATH COUNTY PLANNING

In the Matter of Request for )  
Conditional Use Permit 47-86 )  
for Klamath Athletic Club )

Klamath County Planning  
Findings of Fact and Order

A hearing was held on this matter on December 18, 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 represented by Vicki Bauer and Mary Pryor. The Klamath County Planning Department was represented by Carl Shuck. 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, Pictures

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

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 Land Conservation and Development Commission.  
8 FINDINGS OF FACT:

9 This request has been granted based on the following findings  
10 of fact:

11 1. This is a request for a conditional use permit for the  
12 sale of alcoholic beverages at an eating and drinking estab-  
13 lishment. The applicant, in addition to providing athletic  
14 facilities, provides food and beverages for its members.  
15 Testimony from a representative of the applicant was that any use  
16 of alcoholic beverages would be incidental to the use of the  
17 athletic facilities.

18 2. The property is zoned CG (General Commercial). The site  
19 has access to Washburn Way off Crosby Street. It appears that  
20 Crosby Street can handle the traffic that would be generated from  
21 the proposed use.

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

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

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1 The Hearings Officer, based on the foregoing findings of  
 2 fact, accordingly orders as follows:

3 That real property described as

4 "Being generally located approximately 250 feet west of  
 5 Washburn Way, southeast corner of Crosby Avenue and  
 6 Maywood Drive, and more particularly described as  
 Section 4, Township 39 South, Range 9 East, Tax Lot 500,  
 Klamath County, Oregon,"

7 is hereby granted a conditional use permit in accordance with the  
 8 terms of the Klamath County Zoning Ordinance No. 45.2, and,  
 9 henceforth, will be allowed the sale of alcoholic beverages at  
 10 the eating and drinking establishment operated by Vicki Bauer and  
 11 Mary Pryor in the CG (General Commercial) zone.

12 Entered at Klamath Falls, Oregon, this 12<sup>th</sup> Day of  
 13 MARCH, 1987.

14  
 15 KLAMATH COUNTY HEARINGS DIVISION

16 Jim Spindor  
 17 Jim Spindor, Hearings Officer  
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Planning Dept. the 16th day  
 of March A.D., 19 87 at 2:42 o'clock P M., and duly recorded in Vol. M87  
 of Deeds on Page 4168.

FEE NO FEE  
 Return: Commissioners' Journal

Evelyn Biehn, County Clerk  
 By [Signature]

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