

72380

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for
Conditional Use Permit 49-86
for Ozdjan Hassan

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 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, Site Photo
- Klamath County Exhibit E, Comment from City Planning Dept.
- Klamath County Exhibit F, Environmental Health Comments
- Klamath County Exhibit G, Partition Map

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

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1 within which it is proposed to be located.

2 2. The location, size, design, and operating characteristics
3 of the proposed use are in conformance with the Klamath County
4 Comprehensive Plan.

5 3. The location, size, design, and operating characteristics
6 of the proposed use will be compatible with and will not have a
7 significant adverse affect on the appropriate development and use
8 of abutting property and the surrounding neighborhood.

9 4. The granting of this conditional use permit is consistent
10 with the goals of the Land Conservation and Development Commission.

11 5. The granting of this conditional use permit is based on
12 the following condition:

13 - The applicant shall follow the Plot Plan submitted as
14 Exhibit "B".

15 FINDINGS OF FACT:

16 This request has been granted conditionally based on the
17 following findings of fact:

18 1. This is a request for a conditional use permit for a
19 mobile home on a vacant lot in the RL (Low Density Residential)
20 zone. This request is under Section 51.006(C)(6) "Conditional
21 Uses".

22 2. The property in question is approximately .73 acres in
23 size and is rectangular in shape. The RL zone allows lots up to
24 5,000 square feet. Since this lot is approximately 3/4 of an
25 acre, it meets the density of the zone.

26 3. The site has electricity, telephone and water available
27 to the property. It is in the Stewart Lennox Fire District.
28 Access to the property is off Greensprings Highway, which abuts

1 the site.

2 4. Testimony was that there are three or four other mobile
3 homes in the immediate area and the area is one which is a mixture
4 of residences and mobile homes.

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

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

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

14 That real property described as

15 "Being generally described as abutting Greensprings Highway,
16 approximately 440 feet northeast of Jackson Avenue, and
17 more particularly described as the NW 1/4 NW 1/4 of
Section 8, Township 39, Range 9, Tax Lot 700, Klamath
County, Oregon,"

18 is hereby conditionally granted a conditional use permit in
19 accordance with the terms of the Klamath County Zoning Ordinance
20 No. 45.2, and, henceforth, will be allowed a mobile home on a
21 vacant lot in the RL (Low Density Residential) zone.

22 Entered at Klamath Falls, Oregon, this 12th Day of
23 March, 1987.

24 KLAMATH COUNTY HEARINGS DIVISION

25 Jim Spindor
26
27 Jim Spindor, Hearings Officer
28

C.U.P. 49-86/Hassan
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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 4171.

FEE NO FEE
Return: Commissioners' Journal

Evelyn Biehn, County Clerk
By Jim Spindor