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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF CONDITIONAL USE)
PERMIT 14-87, APPEAL OF CONDITIONS)
SET BY HEARINGS OFFICER - HILDEGARD)
HICKS)

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ORDER 88-124.

I. NATURE OF APPLICATION

Public hearings on this appeal were held July 28, 1987 and August 25, 1987 before the Klamath County Board of Commissioners. This appeal requested amendment of the Hearings Officer order dated June 30, 1987, as follows:

A. Conclusions of Law and Order 3 (page 7) dictates, "The applicant shall not store any materials, remove any materials, or operate any heavy equipment within 150 feet of her easterly property line..." and deletion of conditions as follows:

B. Conclusions of Law and Order 4 (page 8) stipulates, "The applicant shall not remove more than 5,000 cubic yards of material from the subject site per year..."

C. Conclusions of Law and Order 5 (page 8) directs, "The applicant shall not operate any crushing equipment, screening equipment, or other processing equipment on the subject site." This appeal was considered pursuant to Article 33 of the Land Development Code.

II. NAMES OF THOSE INVOLVED

The appellant, Hildegard O. Hicks, was present and testified in support of the appeal. Coralie Nelson testified in opposition to the appeal. The Planning Department was represented by Kim Lundahl, Senior Planner. Administrative Secretary, Karen Burg, was the recording secretary. Michael Spencer, legal counsel, was also present.

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1 III. LEGAL DESCRIPTION

2 The subject property is located southwest of the Wilson
3 Cemetery, $\frac{1}{2}$ mile west of Highway 97 at Williamson River. The
4 Tax Account No. is 3507-21-1000.

5 IV. FINDINGS

6 The Board of Commissioners has reviewed the transcript of
7 the June 4, 1987 Hearings Officer hearing, heard argument pre-
8 sented by persons present, and reviewed the information in the
9 Planning Department file.

10 V. ORDER

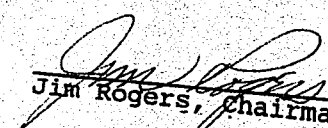
11 Therefore, the Board of Commissioners hereby orders
12 Conclusions of Law and Order 3 (page 7) be amended as follows:

13 "The applicant shall not store any materials, remove any
14 materials, or operate any heavy equipment within 25 feet of
15 her easterly property line..."

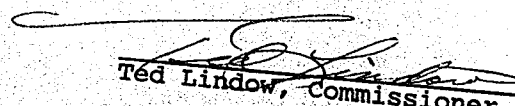
16 and further orders Conclusions of Law and Order 4 and 5 stand
17 as written by the Hearings Officer.

18 DATED THIS 9th DAY OF September, 1987

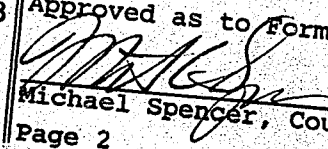
19 BOARD OF COUNTY COMMISSIONERS

20 
21 Jim Rogers, Chairman of the Board

22 Out of Office Today
23 Roger Hamilton, Commissioner

24 
25 Ted Lindow, Commissioner

26 Approved as to Form and Content:

27 
28 Michael Spencer, County Legal Counsel

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Planning Dept.
of September A.D., 19 87 at 9:42

of Deeds o'clock A M., and duly recorded in Vol. M87 day

FEE

NONE

Return: Commissioners' Journal

on Page 16696
By Evelyn Biehn, County Clerk