

1 IN THE MATTER OF CONDITIONAL USE PERMIT)
2 11-86, DORIS DEGARMO, APPEAL OF FINDING)
3 OF COMPLIANCE WITH LAND DEVELOPMENT CODE)
4 SECTION 32.002(B) REGARDING NOTIFICATION)

ORDER #88-128

I. NATURE OF APPEAL

5 Public hearing on this appeal was held August 25, 1987,
6 before the Klamath County Board of Commissioners. This appeal
7 requested reversal of a Hearings Officer order dated July 15,
8 1987, wherein Hearings Officer Officer, William M. Ganong, found:

9 CONCLUSIONS OF LAW AND ORDER

10 The Hearings Officer, after review of the Klamath
11 County Planning Department file for a Conditional Use
12 Permit 11-86 and the following testimony as herein-
13 above described, finds that the Order of Hearings
14 Officer James Spindor dated April 21, 1986, is valid
15 and that Doris Ketarkus holds a valid Conditional Use
16 Permit to site a second mobile home on the property
17 described in said Order.

18 This appeal was considered pursuant to Article 33 of the Land
19 Development Code.

20 II. NAMES OF THOSE INVOLVED

21 The appellants, Myron E. Now, Cheryl Meyers, Clarence Ramme,
22 and Dino Migliaccio were present and testified in support of the
23 appeal. Doris DeGarmo testified in opposition to the appeal. The
24 Planning Department was represented by Kim Lundahl, Senior Planner.
25 Administrative Secretary, Karen Burg, was the recording secretary.
26 Michael Spencer, Legal Counsel, was also present.

27 III. LEGAL DESCRIPTION

28 The subject property is located at the northwest corner of

87 SEP 19 AM 8 33

1 Lava (Fawn) Lane and Keno-Worden Road, Lot 1, Block 1, Keno
 2 River Sportsman Estates, Tax Account 4008-17BD-1400.

3 IV. FINDINGS

4 The Board of Commissioners has reviewed the transcript of the
 5 June 18, 1987 Hearings Officer hearing. Heard argument presented
 6 by persons present and reviewed the information in the Planning
 7 Department file.

8 The Board finds the original hearing for Conditional Use
 9 Permit 11-86, March 20, 1986, was not held in conformance with
 10 Land Development Code Section 32.002B regarding notification of
 11 affected property owners.

12 V. ORDER

13 Therefore, the Board of Commissioners directs the Planning
 14 Department to set Conditional Use Permit 11-86 for rehearing by
 15 the Hearings Officer September 17, 1987 at 9:00 a.m. Notification
 16 is to be given to eight affected property owners as set out in
 17 the Planning Department file for Conditional Use Permit 11-86.

18 Dated this 16th Day of September, 1987.

19 BOARD OF COMMISSIONERS

20
 21 Jim Rogers
 22 Chairman

23 Out of Office Today
 24 Commissioner

25 Bob Lindero
 26 Commissioner

27 APPROVED AS TO FORM AND CONTENT:

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 Department the 18th day
 of September A.D. 19 87 at 8:33 o'clock A.M., and duly recorded in Vol. M87
 of Deeds on Page 16957.

FEE NONE

Return: Commissioners' Journal

Evelyn Biehn,
 By Ann Smith County Clerk