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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

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1 IN THE MATTER OF THE APPEAL OF)
2 HEARINGS OFFICER DENIAL OF)
3 CONDITIONAL USE PERMIT 43-87)
4 FOR WENDELL WELCOME)

ORDER NO. 88-190

I. NATURE OF REQUEST

5 A public hearing was held on this application on December 22,
6 1987, before the Board of Commissioners, which was an appeal of
7 the Hearings Officer Order dated November 20, 1987.

II. THOSE INVOLVED

8 The applicant, Wendell Welcome, and his son, Michael Welcome,
9 were present. The Planning Department was represented by
10 Carl Shuck, Planning Director; and Karen Burg, recording secretary.
11 Michael Spencer, County Legal Counsel, was also present. Members
12 of the Board of Commissioners present were Jim Rogers, Chairman;
13 Ted Lindow; and Roger Hamilton.

III. LEGAL DESCRIPTION

14 Site is located in portions of Sections 18 and 13 of Town-
15 ship 23, Ranges 9 and 10, Tax Lots 2700 and 3000, approximately
16 .4 mile south of milepost 175, being approximately 9 acres in
17 size.

IV. FINDINGS

18 In reviewing evidence, testimony, and exhibits on the record
19 presented by Planning staff and the applicant, the Board of
20 Commissioners overturns the decision of the Hearings Officer of
21 November 20, 1987, and grants Conditional Use Permit 43-87 to
22 allow rabbit raising in the Forestry zone with the following
23 findings and conditions:

24 1. The proposed use, rabbit raising, is located on land
25 generally unsuitable for timber management and raising of livestock.
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1 2. Site is not large enough to preserve the land for con-
 2 tinued timber production and harvesting of trees as well as any
 3 other use associated with forest use.

4 3. The use does not interfere seriously with forestry
 5 practices on adjacent lands.

6 4. The use does not materially alter the stability of the
 7 overall land use pattern.

8 5. The use is limited in size to the area suitable and
 9 appropriate to the needs of the proposed use.

10 CONDITIONS:

11 1. Ensure that the rabbit raising takes place in a manner
 12 that does not concern other property with undue nuisance and
 13 that the hutches do not present a nuisance to neighboring property.

14 V. ORDER

15 Therefore, the Board of Commissioners approves Conditional
 16 Use Permit 43-87 for Wendell Welcome to allow rabbit raising on
 17 a parcel of land approximately half an acres in size as indicated
 18 on the plot plan (Klamath County Exhibit B).

19 Dated this 20th Day of January 1988.

20 BOARD OF COUNTY COMMISSIONERS

21 Boyer Hamilton
 22 Chairman

23 Jim Rogers
 24 Commissioner

25 Bob Lindow
 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 21st day
 of January A.D. 19 88 at 4:29 o'clock P M., and duly recorded in Vol. M88,
 of Deeds on Page 1077.

FEE NONE

Ret: Commissioners' Journal

Evelyn Biehn, County Clerk

By Pat Smith