

S4633

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request)
 for a Conditional Use Permit)
 for SHIRLEY TYCKSEN and)
 ARLENE LANGER)

C.U.P. 1-88
 FINDINGS OF FACT, CONCLUSIONS
 OF LAW AND ORDER

This matter came before Hearings Officer William M. Ganong on February 18, 1988 in the Klamath County Commissioner's Hearing Room. The Hearing was held pursuant to the Notice given in conformity with the Klamath County Land Development Code and related ordinances. The applicants represented themselves at the hearing. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the Recording Secretary was Karen Burg. The Klamath County Planning Department file and all contents thereof were incorporated in the record as evidence. The County Hearings Officer, after reviewing the evidence presented, makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT:

1. The Applicants have applied for a Conditional Use Permit to conduct home occupations at two locations. The home occupations requested are to operate a discount travel package agency.
2. The subject locations are at 1390 Lakeshore Drive and 950 Del Fatti Lane, Klamath Falls, Oregon. Said properties are more particularly described as Klamath County Tax lots 3808-25CA-400 and 3909-29-2500.
3. The applicants will utilize a very small area of their personal residences for their business. Most of the business will be conducted by telephone and the Applicants will deliver the tickets to the purchasers.
4. There was no comment from any neighboring property owners or any public agencies.

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5. The businesses will not involve any employees. Both residences have adequate parking for the expected traffic.

KLAMATH COUNTY LAND DEVELOPMENT CODE CRITERIA

Klamath County Land Development Code Section 44.003 sets forth the criteria for granting a Conditional Use Permit in addition, Article 85 of said Code provides restrictions on the operation of home occupation.

KLAMATH COUNTY CODE FINDINGS OF FACT AND CONCLUSIONS

The following Findings of Fact and Conclusions are made concerning the criteria set forth in Klamath County Land Development Code Section 44.003:

A. The subject use of a home occupation is conditionally allowed in the residential zones which apply to the subject properties pursuant to Klamath County Land Development Code Section 51.005, 51.017 and Article 85 of the Code.

B. The location, size, design and operating characteristics of the proposed use are in conformance with the Klamath County Comprehensive Plan. The Findings of Fact contained in the Klamath County Staff Report are adopted hereby and incorporated herein by this reference.

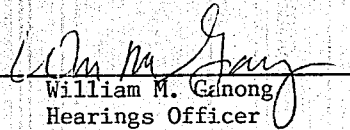
C. Subject to strict compliance by the applicants with the conditions set forth hereinafter, the location, size, design and operating characteristics of the proposed development will be compatible with and will not have a significant adverse affect on the appropriate development and use of abutting properties in the surrounding neighborhood.

ORDER

This Application to operate, as a home occupation, a discount travel package agency on the properties described hereinabove is granted. The Applicants shall comply at all times with all provisions of the Klamath County Land Development Code, as hereafter amended, and in particularly the provisions of Article 85.

DATED this 18th day of February, 1987.

2632


William M. Canong
Hearings Officer

Klamath County Land Development Code Section 24.007 provides:

"An Order of the Hearings Officer shall be final unless appealed within ten (10) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of this Code."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Planning Dept. the 23rd day
of February A.D., 19 88 at 4:26 o'clock P. M., and duly recorded in Vol. M88,
of Deeds on Page 2630

FEE

NONE

Ret: Commissioners' Journal

Evelyn Biehn,
By Pam Smith

County Clerk