

BEFORE THE BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

1 IN THE MATTER OF THE APPEAL OF)
2 CONDITIONAL USE PERMIT 8-88 FOR)
3 LEWIS HAWKS)

ORDER NO. 89-103

4 I. NATURE OF REQUEST

5 A public hearing on this appeal was conducted June 28, 1988,
6 before the Board of County Commissioners. The appellant requested
7 the Planning Commission Order of approval dated May 6, 1988, be
8 overturned and the approval for a mineral extraction site vacated.
9 This appeal was heard pursuant to Article 33 of the Land Develop-
10 ment Code, Ordinance 45.

11 II. NAMES OF THOSE INVOLVED

12 The appellant, Scott Runels, was present and offered written
13 and oral argument in support of the appeal. The applicant, Lewis
14 Hawks, was represented by Bradford Aspell, Attorney at Law, who
15 argued in opposition to the appeal. The Planning Department was
16 represented by Kim Lundahl, Senior Planner. The recording secre-
17 tary was Karen Burg. Michael Spencer, County Counsel, was present.
18 The entire Board of County Commissioners was present at this hearing.

19 III. LEGAL DESCRIPTION

20 Portion of Section 31, Township 30S, Range 8E, located east
21 of Crater Lake Lumber, Lenz Siding; Tax Acct. 3008-3100-1200.

22 IV. RELEVANT FACTS

23 The appeal form, transcript, Planning Department file and
24 all contents thereof, and argument received, are incorporated
25 in this order as evidence.

26 V. FINDINGS AND ORDER

27 In review and consideration of the relevant facts, the Board
28 of County Commissioners reaffirms and upholds the Planning Commis-

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1 sion order dated May 6, 1988, and hereby orders Conditional Use
 2 Permit 8-88 approved subject to the conditions outlined in the
 3 May 6, 1988 Planning Commission Order.

4 Dated this 13th Day of July, 1988.

6 BOARD OF COUNTY COMMISSIONERS

7
 8 Roger Hamilton
 9 Roger Hamilton, Chairman of the Board

10
 11 Ted Lindow
 12 Ted Lindow, Commissioner

13
 14 Jim Rogers
 15 Jim Rogers, Commissioner

16 Approved as to Form and Content:

17 Michael Spencer
 18 Michael Spencer, County Legal Counsel

19 STATE OF OREGON: COUNTY OF KLAMATH: ss.

20 Filed for record at request of Klamath County the 18th day
 21 of July A.D., 19 88 at 10:07 o'clock A.M., and duly recorded in Vol. M88
 22 of Deeds on Page 11319

FEE none

Evelyn Biehn County Clerk

By Pauline Mullendore