

Falls Urban Growth Boundary shall be at least 20 feet in width and contain at least 800 square feet and shall be manufactured after June 15, 1976.

KLAMATH COUNTY GOALS AND POLICY COMPLIANCE:

Goals and Policy Findings of the Klamath County Planning Department Staff report are hereby adopted and incorporated herein by this reference.

KLAMATH COUNTY CODE FINDINGS AND CONCLUSIONS:

A. With respect to the application for Conditional Use Permit to site a mobile home on a lot on the RS Zone containing less than 20,000 square feet, the Hearings Officer makes the following findings:

(1) As set forth above under the Klamath County Land Development Code Criteria, the RS Zone allows as a Conditional Use an additional mobile home to be used by a relative when the subject lot contains less than 20,000 square feet.

(2) The location, size, design and operating characteristics of the proposed use are in conformance with the Klamath County Comprehensive Plan. The subject property is served by municipal water and sewer services. The subject lot is of adequate size both in width and depth to site the subject mobile home on the lot in a manner which will provide appropriate access to both the proposed mobile home and the existing buildings on the lot and provide adequate clear areas between the various buildings on the lot. The mobile home is sited so that municipal services, including fire protection, can be provided.

(3) The location, size, design and operating characteristics of the addition of this mobile home on the subject lot is compatible with and will have no significant adverse affects on the appropriate development and use of abutting properties in the surrounding neighborhood. As set forth above in the

Findings of Fact, this neighborhood contains a number of existing mobile homes. It also contains several lots on which are located both a mobile home and a conventionally built home. There was no testimony or evidence whatsoever that would indicate in any manner that the siting of a mobile home on this lot for a relative will have any adverse affect on the neighborhood or abutting properties.

B. With respect to the request for a Variance, the following Conclusions are made:

(1) The literal enforcement of the code provision requiring that a mobile home be placed within the Klamath Falls Urban Growth Boundary is an unnecessary hardship. The evidence shows that there are other mobile homes of a similar size located in the immediate vicinity of the subject property. The additional mobile home can be placed on the lot so that it complies with all set back requirements of the Code.

(2) The subject mobile home is owned by the applicant and is already on the subject property. Although the condition causing the difficulty was created by the Applicant, no benefit will result to the public if the Applicant's request is denied.

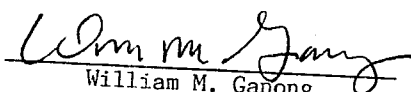
(3) The granting of the subject application will not be detrimental to the public health, safety and welfare or to the use and enjoyment of the adjacent properties and will not be contrary to the intent of this code.

ORDER:

The subject application for a Conditional Use Permit to site an additional mobile home for use by a relative on the above described property is granted. In addition, the request for a Variance from the standards of the Land Development Code requiring that the mobile home be not less than 20 feet in

width and manufactured prior to 1976, is granted. This Order is conditioned on the Applicant complying at all times with all requirements of the Klamath County Land Development Code, including without limitation, the requirement that the mobile home be occupied by a relative as defined in the code and that the Planning Director grant an Administrative variance to the square footage requirement as provided in LDC §84.001(E) (2 & 3), and on the Applicant complying with all Klamath County Building Codes, Ordinances and State laws concerning the development of the property. This permit shall expire at such time as the subject mobile home is not being occupied by a relative of the occupant of the primary residence on the property.

DATED this 17th day of May, 1989.

  
William M. Ganong  
Hearings Officer

Klamath County Land Development Code Section 24.007 provides:

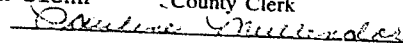
"An Order of the Hearings Officer shall be final unless appealed within ten (10) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of this Code."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 19th day  
of May A.D., 19 89 at 3:11 o'clock P.M., and duly recorded in Vol. M89  
of Deeds on Page 8726.

FEE none

Evelyn Biehn  
County Clerk

By 

Return: Commissioners Journal