

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request       )     C.U.P. 12-90  
 for the Conditional Use Permit     )     FINDINGS OF FACT,  
 for JIMMY D. LAMBERT and           )     CONCLUSION OF LAW  
 BRIGITTE E. LAMBERT.               )     AND ORDER

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This matter came before Richard C. Whitlock, Hearings Officer of Klamath County, Oregon on April 20, 1990 in the Klamath County Commissioners' Hearing Room. The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related ordinances. The Applicants were present at the hearing and Brigitte Lambert testified in favor of the application. The Klamath County Planning Department was represented by Mr. Carl Shuck and the Recording Secretary was Leanne Mitchel. The Klamath County Planning Department file and all contents thereof were incorporated in the record as evidence, including Exhibits A (Staff Report), B (Assessor's Map), C (Site Plan), and D (Photos). The Hearings Officer, after reviewing the evidence presented, makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT:**

1. The Applicant has applied for a Conditional Use Permit to locate a mobile home in the RM Zone (Medium Density Residential) pursuant to Land Development Code Section 51.006 C(2). The subject property is located south of Hager Avenue in Kerns Tracts, Klamath Falls, Oregon and is Klamath County

Tax Account No. 3909-12DC-800. The site is located within the Klamath Falls Urban Growth Boundary.

2. The double-wide mobile home which the Applicant desires to place on the property was manufactured after 1976 ("New"), is at least 20 feet wide (20' x 60') and encloses not less than 800 square feet.

3. There are numerous double-wide and single-wide mobile homes already located in the area of the subject property and the proposed placement will be in keeping with overall neighborhood values. There was no testimony in opposition to this request.

4. The Applicants' parcel is approximately two (2) acres, is located within Klamath County Fire District No. 1, and has electricity (PP&L), telephone, well water, and applicants propose hook-up to South Suburban Sanitary District. Access will be off Hager Avenue and placement of the mobile home as proposed will be in compliance with all required setbacks.

**KLAMATH COUNTY LAND DEVELOPMENT CODE CRITERIA:**

1. Article 44 of the Land Development Code sets forth the criteria for granting a Conditional Use Permit.

2. Article 84 sets forth the standards for siting mobile homes and paragraph E provides, in part, that mobile homes located within the Klamath 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.

3. LDC Section 51.007 C.(2) allows the placement of

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an individual mobile home by conditional use in the RM Zone.

KLAMATH COUNTY CODE FINDINGS AND CONCLUSIONS:

A. With respect to the application for Conditional Use Permit to site a mobile home on a lot in the RM Zone, the Hearings Officer makes the following findings:

(1) As set forth above under the Klamath County Land Development Code Criteria, the RM Zone allows a mobile home as a Conditional use.

(2) The location, size, design and operating characteristics of the mobile home placement are in conformance with the Klamath County Comprehensive Plan.

(3) The location, size, design and operating characteristics of the addition of this mobile home on the subject lot are compatible with and will have no significant adverse effects on the appropriate development and use of abutting properties and the surrounding neighborhood. As set forth above in the Findings of Fact, this neighborhood contains a number of existing, smaller, double-wide and single-wide mobile homes. There was no testimony or evidence whatsoever that would indicate in any manner that the siting of a mobile home on this lot will have any adverse affect on the neighborhood or abutting properties.

ORDER:

The subject application for a Conditional Use Permit to site a mobile home on the above described property is granted.

DATED this 26<sup>th</sup> of April, 1990.

Richard C. Whitlock  
Richard C. Whitlock, 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 26th day  
of April A.D., 19 90 at 3:11 o'clock P.M., and duly recorded in Vol. M90,  
of Deeds on Page 7818.

FEE none

Evelyn Biehn, County Clerk

By Caroline Mullins

Return: Commissioners Journal