

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request)
 for the Conditional Use Permit)
 for Harvey and Zena SILVA) CONDITIONAL USE PERMIT
) NO. 19-90
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This matter came before Neil D. Smith, Hearings officer for Klamath County, Oregon on 18 May 1990 in the County Commissioners' Hearing Room in Klamath Falls Oregon.

The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related Statutes and Ordinances. Harvy and Zena SILVA, Applicants for the above referenced permit were present and testimony from Zina Silva was received in favor of the permit. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the proceedings were recorded by Ms. Karen Burg.

The report prepared by staff was read and the contents thereof were received in evidence; Exhibit "A" (staff report), Exhibit "B" (tax assessor's plat map), Exhibit "C" (site plan). Based upon the evaluation of the testimony and consideration of the evidence received the Hearings Officer makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW AND MAKES THE FOLLOWING DECISION.

FINDINGS OF FACT :

1. The Applicants are requesting a Conditional Use Permit to place a Mobile home upon a 20.09 acre cite in a Rural/R-5 Zone under section 51.003 (C) (5).
2. The property is located South of Sprague River Hwy. East of Squaw Flat Road, Klamath County, Oregon legally described as Lot 1., Tract 1164. T.A. 3600-20-600
3. Mrs. Silva testified that their present residence is not large enough to accommodate their activities such as a large area for sewing and room for visitors, there being only one bedroom in the present structure.
4. The Staff recommends that the application be granted since it is compatible with other uses in the area and that the area is being updated to limiting additional residences on lots containing 10 acres minimum, this applicant has 20+ acres.
5. The Applicants location is within the Sprague River Fire District V.F.D. and has water, electricity and septic systems available.

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. Land Development Code Section 15.003 (c) (5) provides that an "Additional Mobile Home" is permitted as a conditional use.

KLAMATH COUNTY CODE FINDINGS AND CONCLUSIONS :

With respect to the application for a Conditional Use Permit to site a mobile home as an additional residence in the R-5 zone, the Hearings Officer makes the following FINDINGS:

1. The present Klamath County Land Development Code Criteria [section 15.003 (c) (5) permits the addition of a mobile home in this case.

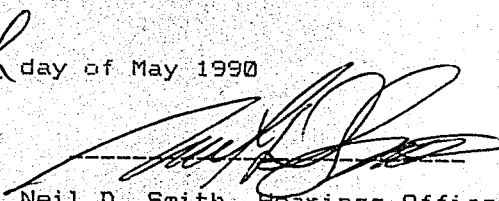
2. The location, site plan, design and characteristics of the mobile home placement are in conformance with the Klamath County Comprehensive Plan. The property is served by fire, water, electrical, and sanitary services. The lot is of such a size that it will easily accommodate the proposed mobile home using the present set-backs and will not effect adjoining property.

3. There was no testimony from any other party interested in opposition to this application even though adjoining property owners were given adequate notice for this hearing.

ORDER

The application for a Conditional Use Permit to site a mobile home as an additional appurtenant of the above described property is granted.

DATED this 24th day of May 1990


Neil D. Smith, 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 25th day
of May A.D., 19 90 at 3:50 o'clock PM., and duly recorded in Vol. M90
of Deeds on Page 10061

FEE none

Return: Commissioners Journal

Evelyn Biehn County Clerk

By Evelyn Biehn