

BEFORE THE BOARD OF COMMISSIONERS
OF KLAMATH COUNTY, OREGON

IN THE MATTER OF APPEAL FOR) ORDER # 90-196
HOY JOHNSON OF CUP 8-90.)

NATURE OF REQUEST

A hearing was held before the Board of Commissioners on May 22, 1990, with applicant appealing the Hearings Officer decision of denial on April 10, 1990. The application was for the placement of a mobile home which had been discontinued for a period of longer than two years per Article 97, Section 97.006 (B) (1) of the Land Development Code.

NAMES OF THOSE INVOLVED

Hoy Johnson, applicant was present with no one in opposition. Planning Department was represented by Carl Shuck, Planning Director. Karen Burg was the Recording Secretary. A quorum of the Board of Commissioners were present.

FINDINGS OF FACT:

1. Site for placement of mobile home was located north side of Beverly Drive and approximately 550 ft east of the intersection with the East Side By-Pass.
2. Access would be off of Beverly Drive a paved county road which will carry the kind of traffic that would be generated from proposed use.
3. The zoning is RH(High Density Residential) which zone only allows use as noted per Section 97.006 (B) (1) of Article 97.
4. The surrounding area consisted of a mixture of mobile homes and stick built houses. There were three mobile homes in the immediate area, all to the west and north of site for proposed use.
5. Site was found to have electricity, water and telephone services. Site also was in Fire District # 1.

CONCLUSIONS

Based of the above findings and testimony from Hoy Johnson, applicant, the application for placement of mobile home meets criteria of Section 97.006 (B) (1) of Article 97.

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ORDER:

Therefore, the Board of Commissioners overturns the decision of the Hearings Officer and grants applicant, Hoy Johnson a CUP (Conditional Use Permit) subject to Article 97.006 (B) (1) of the Land Development Code, for the placement of a mobile home.

Condition: Subject site is subject to approval by Environmental Health Department to a new septic tank structure and will have to meet the criteria set forth by the State on sub-surface sewage on the septic tank. If land itself was not acceptable for septic tank criteria, then the CUP would be invalid.

DATED THIS 30th DAY OF May, 1990

BOARD OF COUNTY COMMISSIONERS

Harry J. Fredricks
Harry Fredricks, Chairman

Ted Lindow
Ted Lindow, Commissioner

Approved as to form and content:

Michael L. Spencer, County Legal Counsel

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 30th day
of May A.D., 19 90 at 4:25 o'clock P.M., and duly recorded in Vol. M90
of Deeds on Page 10317.

FEE none

Return: Commissioners Journal

Evelyn Biehn County Clerk

By Caroline Mullins