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Vol. m90 Page 11043

BEFORE THE BOARD OF COMMISSIONERS  
KLAMATH COUNTY OREGON

IN THE MATTER OF APPEAL OF)  
CUP 2-90, MARY BETH SMITH )  
CHESTNUT, OF DENIAL OF )  
HEARINGS OFFICER DECISION )

ORDER 90-199

NATURE OF REQUEST

A hearing was held on the appeal on May 22, 1990, before the Klamath County Board Of Commissioners. The request was a Conditional Use Permit for a dwelling not in conjunction with forest use, pursuant to the Land Development Code, Section 51.020, D, 4.

NAMES OF THOSE INVOLVED

Mary Beth Smith Chestnut was present. The Planning Department was represented by Carl Shuck, Planning Director. Karen Burg was the Recording Secretary. Michael L. Spencer was Klamath County legal Counsel. Board of Commissioners present were Harry Fredricks, Chairman, and Ted Lindow, Commissioner.

LEGAL DESCRIPTION

Subject property is a 25 acre m/l parcel located five miles west of Hwy 97 at Milepost 236, with parcel being in the SE 1/4 of Section 5 of TS 33 south, R 7, east, tax lot 500.

RELEVANT FACTS

In taking testimony from Staff, the Applicant, and review of the Hearings Officer Order dealing with those land use issues such as; Access, Fire Protection, Land Use, Goal 4, in order to protect the health, safety and welfare of county citizens, the Board of Commissioners up hold the decision of the Hearings Officer Order dated May 7, 1990.

CONCLUSION AND ORDER

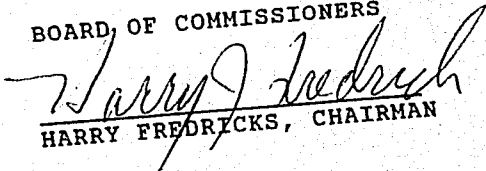
Based on the above and the Hearings Officer Order and exhibits, of May 7, 1990, the Board Of Commissioners up holds the Hearings Officer decision of denial of C.U.P. 2-90.

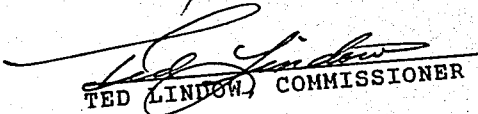
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Dated this 1 day of June, 1990

BOARD OF COMMISSIONERS

  
 HARRY FREDRICKS, CHAIRMAN

  
 TED LINDOW, COMMISSIONER

Approved as to form and content:

  
 Michael L. Spencer County Counsel

## NOTICE OF APPEAL RIGHTS

You are hereby notified that this decision may be appealed to the Land Use Board Of Appeals within 21 days following the mailing of this order. Failure to do so in a timely manner may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 7th day  
 of June A.D., 19 90 at 2:29 o'clock PM., and duly recorded in Vol. M90,  
 of Deeds on Page 11043.  
 Evelyn Biehn County Clerk  
 By Douline Muelensdore

FEE none

Return: Commissioners Journal