

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request)
 for the Conditional Use Permit)
 for DOUGLAS and SHEREE EVERETT) **CONDITIONAL USE PERMIT**
) **NO. 34-90**
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)

 This matter came before Niel D. Smith, Hearings officer for Klamath County, Oregon on 13 July 1990 in the County Commissioners' Hearing Room in Klamath Falls Oregon.

The Hearing was held pursuant to notice given in conformance with the Klamath County Land Development Code and related Statutes and Ordinances. Douglas and Sheree Everett, Applicants for the above referenced permit were present and their testimony was received in favor of the permit. The Klamath County Planning Department was represented by Mr. Carl Shuck 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) and Exhibit "D" (2 photographs). Based upon the evaluation of the testimony and consideration of the evidence received the Hearings Officer makes the following FINDINGS OF FACT, CONCLUSIONS AND ORDER.

FINDINGS OF FACT :

1. The Applicants are requesting a Conditional Use Permit to place a Mobile home upon a 11.94 acre cite in a Rural/R-5 Zone under section 51.003 (3) (5).

2. The property is located 4 miles West of the Weyco Mill on Greensprings Highway, in Klamath County, Oregon legally described as a portion of section 33, T39S R 8E W.M.. T.A. 3908-33B-1800.

3. Mr. Everett testified that their residence was destroyed by fire and a new residence is being built. The request before the Hearings Officer to place a single wide mobile home on the property is made because the family must have a place to live during reconstruction and later as a place for their elderly parents as required.

4. The Staff recommends that the application be granted since it is compatible with other uses in the area and will in no way change the character of the vicinity. (see exhibit "B").

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5. The Applicants location is within the Keno Rural 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.

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 51.003 (c) (5) permits the addition of a mobile home in this case.

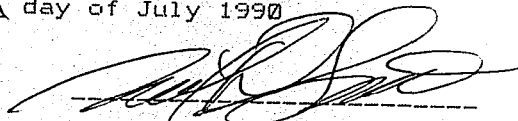
2. The location, cite plan, design and characteristics of the mobile home placement are in conformance with the Klamath County Comprehensive Plan. The property is served by fire, water, electrical, and sanitary services. The lot is of such a size that it will easily accommodate the proposed mobile home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

3. There was no testimony from any other parties or interested persons 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 16th day of July 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 Co. Planning the 18 day of July A.D., 1990 at 4:08 o'clock P.M., and duly recorded in Vol. M90 of Deeds on Page 14343

FEE none

Evelyn Behn
By Bernetha L. Litch County Clerk