

In the matter of the request

of NASSER DIBAVAND

CONDITIONAL USE PERMIT

NO. CUP 37-90

This matter came before Neil D. Smith, Hearings officer for Klamath County, Oregon on 27 July 1990 in the County Commissioners' Meeting Room in Klamath Falls Oregon. The Klamath County Planning Department was represented by Mr. Kim Lundahl the recording secretary was Ms. Karen Burg. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter.

The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related Statutes and Ordinances. MR. NASSER DIBAVAND, the applicant for the above referenced Conditional Use Permit, was present and testified. MR. DIBAVAND information was received and found to be in favor of the permit.

The report prepared by staff was read and the contents thereof were received in evidence; Exhibit "A" (staff report); Exhibit "B" (assessor's plat map ); Exhibit "C" (a plat of the property); Exhibit "D" (photographs); and Exhibit "E" (a letter from Janice and Jim Lancaster). Based upon the evaluation of the testimony and consideration of the evidence received, the Hearings Officer makes the following FINDINGS OF FACT AND CONCLUSIONS.

**FINDINGS OF FACT :**

1. The Applicant is requesting a Conditional Use Permit for the purpose placement of ten (10) R.V. camp ground spaces on a parcel of land zoned CH.

2. The property is located Southeast of the intersection of State Route 97 and the Diamond Lake Highway 138. Klamath County, Oregon; legally described as "a portion of section 12 T 29 S 7E W.M. tax lot 2907-12AA-100.

3. Mr. Dibavand and staff testified that the Exhibits above described show the present buildings in the immediate vicinity of this site.

4. Authority for the proposed Conditional Use Permit is found in section 51.014 C (5) and review in accordance with 44.003 of Article 44, paragraphs A through C.

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5. The Applicant's requested Conditional Use Permit is conditionally permitted in this zone.

6. The location, size, design and operating characteristics of the proposed use are in conformance with the Klamath County Comprehensive Plan.

### CONCLUSION

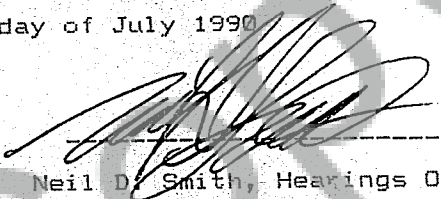
The resulting change which will be made by placing the R.V. spaces will not effect the present use of the surrounding property and is not inconsistent with the uses to which the adjacent properties are being used.

### ORDER

Based upon the findings and conclusion herein the Conditional Use Permit is granted.

THEREFORE the request of Nassar Dibavand is granted.

DATED this 27th 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 County the 27th day  
of July A.D., 19 90 at 3:44 o'clock PM., and duly recorded in Vol. M90,  
of Deeds on Page 15076.

FEE none

Evelyn Biehn County Clerk

By Rauline Muelandore

Return: Commissioners Journal