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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request)

of FOREST PRODUCTS UTILIZATION)

CONDITIONAL USE PERMIT

NO. CUP 44-90

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This matter came before Neil D. Smith, Hearings officer for Klamath County, Oregon on 24 August 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 report prepared by staff was read and the contents thereof were received in evidence; Exhibit "A" (staff report); Exhibit "B" (Site plan and location map); Exhibit "C" (application for permit); Exhibit "D" (photographs).

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

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 of placement of a portable sawmill to be used for the purpose of primary processing of forest products.

2. The property, 40 acres in size is located 1/2 mile East of State Highway 97 at or near mile post 175, North of Gilchrest in Klamath County; legally described as "a portion of section 18, T 23S, R 10E T.A. 2310-000-1100.

3. Authority for the proposed Conditional Use Permit is found in section 51.020 C (1.)

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

5. The proposed use is compatible with and necessary and will be an adjunct to the use of this land.

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

7. The use for this operation is estimated by the witness to extend over a period not to exceed 4 years.

8. The site will be restored to its original condition as far as the operation of the mill will permit and all the equipment and accessories will be removed when the operation is complete.

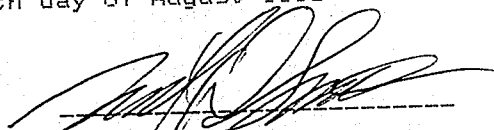
CONCLUSION

The placement of this temporary operation will not result in any deviation from the FORESTRY (F) zoning and meets with the Klamath County Plan.

ORDER

Based upon the findings and conclusion herein the Conditional Use Permit is granted but is limited to the period of four (4) years from this date and on condition that the site be restored when the forest operation is complete.

DATED this 30th day of August 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 _____ the 10th day
of _____ A.D., 19 90 at 4:10 o'clock _____ M., and duly recorded in Vol. _____ M90
of _____ Deeds on Page 18158
Evelyn Biehn County Clerk
By Pauline Munkler

FEE none

Return: Commissioners Journal