

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request)
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 of BRIAN & DOROTHY LITTLETON)
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CONDITIONAL USE PERMIT
 NO. CUP 63-90

This matter came before Neil D. Smith, Hearings officer for Klamath County, Oregon on 14 December 1990 in the County Commissioners' Meeting Room in Klamath Falls Oregon. The Klamath County Planning Department was represented by Mr. Carl Shuck 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. Mrs. Dorothy Littleton, the applicant for the above referenced Conditional Use Permit, was present and testified. Mrs. Littleton's information was received and found to be in favor of the permit.

Mr. Boyd Allred and staff expressed concern about the adequacy of the parking facilities, side-yard setback, sign regulations and traffic impact. When those concerns were addressed the applicant readily consented to a provision wherein the parking requirements would be met and that the requirements concerning setback and sign will be met. The applicant further gave information regarding the impact of the persons using her business on traffic.

FINDINGS OF FACT

1. Those property descriptions and application information contained in exhibit A are hereby made a part of the record and by this reference incorporated herein as findings of fact.
2. The proposed building exceeds the size permitted in Section 85.003 (6) which is applicable here, however the applicant has submitted a diagram of the area to be used within that building which does not exceed the area permitted.
3. The Applicant's requested Conditional Use Permit is conditionally permitted in this zone.
4. The Land Use Code, Section 85.004 provides for an annual inspection and review of the use to which the building will be put in order to assure continued compliance with the code.

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

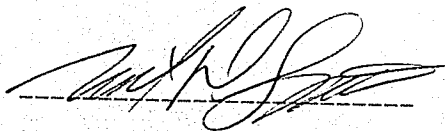
CONCLUSION

The resulting change which will be made by construction the proposed building operation 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 and those to which this parcel is presently being used.

ORDER

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

DATED this 14th day of December 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 17th day of Dec. A.D. 19 90 at 3:40 o'clock P M., and duly recorded in Vol. M90 of Deeds on Page 24984.

FEE \$none

Evelyn Biehn County Clerk

By Pauline Mulendore

Return: Commissioners Journal