

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request )

of MODESTO VALENCIA )

) CONDITIONAL USE PERMIT  
) NO. CUP 6-91  
)  
)  
)  
)  
)

----- )

This matter came before Neil D. Smith, Hearings officer for Klamath County, Oregon on 22 MARCH 1991 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. The applicant for the above referenced Conditional Use Permit, was present and testified. Mr. Valencia was accompanied by his wife who acted as interpreter for her husband. Mr. Valencia's information was received and found to be in favor of the permit.

There were no objections either written or on the record made to this application.

Because of the language difficulty the hearings officer explained in detail the significance of locating a dwelling within an AIRPORT SAFETY OVERLAY and the ramifications of the use of the airport insofar as noise and safety risk were concerned.

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

3. The location of this proposed dwelling is to conform to all requirements consistent with the operation of the airport and the applicant and his successors in interest may not complain regarding the operation of the airport as presently done or as may reasonably be expected with future expansion and increased traffic and noise connected with good airport operation practices.

91 MAR 27 AM 9 52

ORDER

Based upon the findings herein the Conditional Use Permit is granted subject to the restrictions here in above set forth in finding # 3.

DATED this 22th day of March 1991



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 seven (7) 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 March A.D., 19 91 at 9:52 o'clock A.M., and duly recorded in Vol. M91, of Deeds on Page 5423.

FEE none

Evelyn Biehn County Clerk

By Debra M. Mulendore

Return: Commissioners Journal