

IN THE MATTER OF THE APPEAL OF HAROLD M. HATTAN
OF PLANNING DIRECTOR SITE PLAN DENIAL

ORDER NO. 91-151

NATURE OF THE APPEAL:

The appellant submitted an application for approval of a site plan detailing the existing use of a commercial property in Bly. The site plan approval request was denied by the Planning Director January 22, 1991. The appellant posted an appeal of this disposition February 1, 1991 and the case was scheduled for hearing, on the record, March 14, 1991, by the Board of Commissioners.

On request of the appellant, the Hearing was continued to April 15, 1991. The above Hearings were conducted in accordance with Article 33 of the Klamath County Land Development Code.

THOSE WHO PARTICIPATED:

The Board of County Commissioners was present. The Planning Department position was set out by Kim Lundahl, Senior Planner. Ray LaMarche of the County Building Department offered argument in explanation. Rod Davis, County Counsel, was present to provide legal counsel as requested. THE APPELLANT DID NOT APPEAR, nor was any written or telephonic response received from him since asking for a continuance of the March 14 consideration.

PROPERTY DESCRIPTION:

The property proposed for the use is described as Lot 1, Block 6, North Bly. T.A. 3614-34DC-7900. The zoning of the property is CG (General Commercial).

FINDINGS & ORDER:

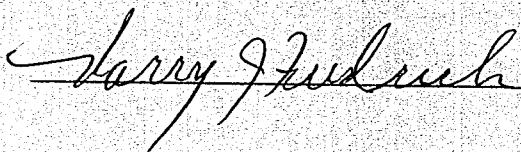
The Board of County Commissioners, upon review of the record and argument, uphold the Planning Directors decision to deny Mr. Hattans request for Site Plan approval of an existing commercial use in Bly.

The Board agrees with the Directors determination that the use existing and requested by the applicant is defined as "wholesaling, storage, and distribution: heavy" as defined as page I-24 of the Code.

The use as requested for the property is not permitted given the applied zoning of the property, CG (General Commercial).

DATED this 23rd day of April, 1991

Chairman of the Board



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Commissioner

Edwin W. Kentner

Commissioner

[Signature]

REVIEWED

[Signature]
Rod Davis, County Counsel

NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Land Use Board of Appeals within 21 days following the date of the mailing. Contact the Klamath County Planning Department for more information regarding this procedure. Failure to do so within the 21 day period may jeopardize your right of appeal.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Commissioners the 25th day
of April A.D., 19 91 at 2:56 o'clock P. M., and duly recorded in Vol. M91,
of Deeds on Page 7650

Evelyn Biehn County Clerk
By Keretha Pfetsch

FEE

None

Rtn: Comm. Journal